



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

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**DEBATES  
and  
PROCEEDINGS  
(HANSARD)**

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**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, July 3, 1991

The House met at 1:30 p.m.

### PRAYERS

#### ROUTINE PROCEEDINGS

#### READING AND RECEIVING PETITIONS

**Mr. Speaker:** The honourable member for Burrows (Mr. Martindale), I have reviewed the petition and it conforms with the privileges and practices of the House and complies with the rules. Is it the will of the House to have the petition read?

**Mr. Clerk (William Remnant):** The petition of:

Robert F. Whitebread, Frances I. Whitebread, Lawrie Hilton and others requesting the withdrawal of provincial funding and the prevention of construction of The Pines project, and to prevent projects similar in nature from destroying the community.

#### PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

**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 La Verendrye (Mr. Sveinson), that the report of the committee be received.

**Motion agreed to.**

#### TABLING OF REPORTS

**Hon. Darren Praznik (Minister of Labour):** Mr. Speaker, it is my honour, on behalf of the ministry of Labour, to table today the Supplementary Information for Legislative Review of the 1991-92 Departmental Expenditure Estimates.

#### PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

**Mr. Jack Penner (Chairman of the Committee on Public Utilities and Natural Resources):** Mr. Speaker, could I ask that we revert back to Presenting Reports?

**Mr. Speaker:** Is there leave to revert back to Presenting Reports by Standing and Special Committees?

**An Honourable Member:** Leave.

**Mr. Penner:** I would like to present the Sixth 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 Sixth Report:

Your committee met on Tuesday, June 25, 1991, at 8 p.m. and Tuesday, July 2, 1991, at 10 a.m. in Room 255 of the Legislative Building, to consider bills referred. On June 25, 1991, your committee elected Mr. Penner as Chairperson.

Your committee heard representations on Bill 6, The Mines and Minerals and Consequential Amendments Act; Loi sur les mines et les minéraux et modifiant diverses dispositions législatives, as follows:

William M. Burbridge - The Manitoba-Saskatchewan Prospectors and Developers Association

Winton K. Newman - Mining Association of Manitoba

Mr. Walter Kucharczyk - Private Citizen

Mr. Claude Huot - Winnipeg Water Protection Group

Mr. Nick Carter

Your committee has considered Bill 6, The Mines and Minerals and Consequential Amendments Act; Loi sur les mines et les minéraux et modifiant diverses dispositions législatives, and has agreed to report the same with the following amendments:

#### MOTION:

THAT clause (c) of the definition of "advanced exploration project" in subsection 1(1) be amended by adding "for the purposes of bulk sampling, mine developing or mining," after "watercourse".

#### MOTION:

THAT subsection 1(1) be amended

- (a) in the definition of "borehole", by striking out "phanerozoic" and substituting "Phanerozoic" and by striking out "precambrian" and substituting "Precambrian";
- (b) by striking out the definition of "Crown agency", and
- (c) in the definition of "Crown land" by striking out "or a Crown Agency", and
- (d) by striking out the definition of "tract" and substituting the following:

"tract" means a mineral location or a parcel of land that contains minerals that are owned by a person other than the Crown and includes part of a mineral location or such parcel of land;

**MOTION:**

THAT clause 2(2)(b) be amended by adding ", and work with local communities," after "province";

**MOTION:**

THAT clause 2(2)(c) be amended by adding ", working with local communities" after "government and industry";

**MOTION:**

THAT clause 2(2)(d) be amended by striking out "environmental programs and mining activities" and substituting "policies, programs and decisions".

**MOTION:**

THAT clause 2(2)(j) be amended by striking out "and industry" and substituting ", industry and citizens,".

**MOTION:**

THAT section 4 be struck out and the following substituting:

**Definition**

4(1) In this section, "disposition" means disposition as defined in The Crown Lands Act.

**Reservation of minerals**

4(2) Unless a contrary intention is expressed in an instrument, there is reserved to the Crown out of every disposition of Crown land, the minerals on, in or under the land, together with mineral access rights for the purpose of exercising mineral rights in respect of the land.

**Disposition of rights**

4(3) Mineral rights in respect of minerals in which the Crown has an interest, including mineral access

rights in respect of Crown mineral land, may be disposed of only in accordance with this Act.

**MOTION:**

THAT subsection 11(5) be amended

- (a) by adding ", with the approval of the director or the chief mining engineer," after "may"; and
- (b) by striking out, in the French version, "immédiat" and substituting "immédiat".

**MOTION:**

THAT section 20 be amended:

- (a) by adding "and" after subclause (c)(vi), and
- (b) by adding the following after clause (c):
- (d) land that is designated as a heritage site under The Heritage Resources Act.

**MOTION:**

THAT clause 21(3)(a) be amended by adding "or lease" after "mineral disposition".

**MOTION:**

THAT section 22 be amended by adding the following after subsection 22(2):

**Experts and professionals**

22(3) A person referred to in clause 11(2)(f) who accompanies and assists an inspector and an expert referred to in subsection 38(1) are, in respect of confidential information obtained in the discharge of their powers or duties under this Act, deemed to have acquired the confidential information in the course of performing official duties or exercising official powers under or for the purposes of this Act.

**MOTION:**

THAT subsection 45(3) be amended by adding ", operate a drill or geophysical equipment" after "affix tags".

**MOTION:**

THAT subsection 45(4) be amended by striking out everything following "Crown," and by substituting "stakes out and records a claim."

**MOTION:**

THAT subsection 46(1) be amended by adding "a person or" after "subject to subsection (3),".

**MOTION:**

THAT subsection 53(2) be amended by striking out "in respect of exploration permits" and substituting "in respect of the exploration permit".

**MOTION:**

THAT the heading to subsection 53(5) be amended by striking out "Forefieture" and substituting "Forfeiture".

**MOTION:**

THAT subsection 58(1) be amended by adding ", other than a holder of a mineral disposition operating over the area of that mineral disposition," after "person".

**MOTION:**

THAT subsection 59(2) be amended by striking out "third" and substituting "fifth".

**MOTION:**

THAT subsection 60(1) be amended by striking out "for a period not exceeding 5 years" and substituting "for such period as the director considers appropriate in the circumstances".

**MOTION:**

THAT subsection 64(3) be struck out.

**MOTION:**

THAT section 70 be amended by striking out "discovers" and by substituting "makes an original discovery of".

**MOTION:**

THAT section 74 be amended by adding the following after subsection (4):

**Duty of Director**

74(5) The director shall with due diligence review a closure plan filed under subsection (2) or (4) and communicate the results of the review to the holder.

**MOTION:**

THAT subsection 82(1) be struck out and the following substituted

**Boundary lines and claim posts to be maintained**

82(1) A holder of a claim shall maintain the boundary lines and claim posts of the claim to ensure that they are visible and recognizable as the boundary lines and claims posts of the claim.

**MOTION:**

THAT section 83 be amended:

- (a) in subsection (1) by striking out everything following "the holder may" and substituting", in any succeeding year, apply the excess value toward satisfaction of required work applicable in respect of the claim or a lease held by the holder.;"

- (b) by striking out subsection (2); and

- (c) be renumbering subsection 83(3) as subsection 82(2).

**MOTION:**

THAT subsection 84(1) be amended

- (a) by adding "and" after clause (a);

- (b) by striking out clauses (b) and (c);

- (c) by renumbering clause (d) as clause (b); and

- (d) by striking out "notwithstanding the failure of the applicant to perform the required work".

**MOTION:**

THAT section 89 be amended

- (a) by adding "or" after clause (b);

- (b) by striking out clause (c);

- (c) by renumbering clause (d) as clause (c)

- (d) by numbering the section as subsection 89(1); and

- (e) by adding the following subsection:

**Misrepresentation**

89(2) The minister may, without prior notice to the holder of the claim, cancel a claim where the minister is satisfied that the claim was recorded as a result of a material misrepresentation in the application of the licensee under subsection 64(1) to record the claim.

**MOTION:**

THAT section 94 be amended by striking out "properly".

**MOTION:**

THAT subsection 100(1) be amended by striking out "for a period not exceeding five years" and substituting "for such period as the director considers appropriate in the circumstances".

**MOTION:**

THAT subsection 103(1) be amended by striking out "may" and substituting "shall".

**MOTION:**

THAT section 104 be amended

- (a) by striking out "subsection 103(3)" and by substituting "section 103";

- (b) by striking out ", and" at the end of subclause (d)(ii) and substituting a period; and

(c) by striking out subclause (d)(iii).

**MOTION:**

THAT subsection 111(1) be amended by adding “, in accordance with the regulations,” after “the lessee shall”.

**MOTION:**

THAT section 111 be amended by adding the following after subsection (4):

**Duty of Director**

**111(5)** The director shall with due diligence review the plans and schedules filed under clause (1)(b) and the closure plan filed under clause (1)(c) or (4) and communicate the results of the review to the holder.

**MOTION:**

THAT the heading to section 113 be amended by striking out “required”.

**MOTION:**

THAT subsection 126(3) be amended by striking out “section 121, 122, or 125” and substituting “section 121, 122 or 124”.

**MOTION:**

THAT subsection 126(4) be amended by striking out “section 121, 122 or 125” and substituting “section 121, 122 or 124”.

**MOTION:**

THAT subsection 126(5) be amended by striking out “section 121, 122 or 125” and substituting “section 121, 122 or 124”.

**MOTION:**

THAT the heading to section 129 be amended by striking out “arrear payable” and substituting “non compliance”.

**MOTION:**

THAT section 147 be amended

- (a) in subsection (3) by striking out “subsections (4) and (5)” and by substituting “subsection (4)”; and
- (b) by striking out subsection (4); and
- (c) by renumbering subsections 147(5) and 147(6) as 147(4) and 147(5).

**MOTION:**

THAT subsection 150(8) be amended by striking out “subsection (10) and substituting “subsection (7)”.

**MOTION:**

THAT subsection 155(1) be amended by striking out “privately owned”.

**MOTION:**

THAT clause 161(c) be amended by striking out “, switching yards or rights of way by a railway” and substituting “or switching yards”.

**MOTION:**

THAT subsection 185(2) be amended

- (a) by striking out “person” and substituting “holder of a mineral disposition or a lease who”, and
- (b) by striking out “the exploration expenditures of the person” and substituting “his or her exploration expenditures”.

**MOTION:**

THAT subsection 200(3) be amended by striking out “a quarry rehabilitation reserve account established under the Consolidated Fund” and substituting “an account, to be known as the “Quarry Rehabilitation Reserve Account”, established under the Consolidated Fund”.

**MOTION:**

THAT clause 200(4)(a) be amended by striking out “quarry rehabilitation reserve” and substituting “Quarry Rehabilitation Reserve Account”.

**MOTION:**

THAT subsection 215(1) be amended by adding “Subject to section 116,” before “the holder”.

**MOTION:**

THAT subclause 216(1)(e)(i) be amended by striking out “section 117” and substituting “section 116”.

**MOTION:**

THAT section 230 be amended

- (a) in clause (c) by striking out “used and not”; and
- (b) by striking out clause (j) and substituting the following:
  - (j) prescribing rents payable under subsections 109(2), 128(2) and 150(1);

**MOTION:**

THAT subsection 243(4) be struck out and the following subsection substituted:

**Leases grouped by Order In Council**

**243(4)** Upon the coming into force of this Act, a

lease that is grouped under Order-in-Council 1746/56, 574/57, 1060/57, 1061/57, 1699/57, 1913/57, 224/59 or 1290/61 continues as a lease under the Act and remains in effect in accordance with its terms and conditions.

**MOTION:**

THAT subsection 243(1) be amended by striking out "The holder of a lease" and substituting "The holder of a lease or a leasehold interest" and, in clause (b), by adding "or leasehold interest" after "lease".

**MOTION:**

THAT clause 245(1)(a) be amended by adding "effective the date on which the quarry lease is recorded under this Act" after "Act".

**MOTION:**

THAT Legislative Counsel be authorized to change all section numbers and internal references necessary to carry out the amendments adopted by this Committee.

All of which is respectfully submitted.

**Mr. Penner:** I move, seconded by the honourable member for Portage la Prairie (Mr. Connery), that the report of the committee be received.

**Motion agreed to.**

## INTRODUCTION OF BILLS

### Bill 74—The Pas Health Complex Incorporation Amendment Act

**Mr. Oscar Lathlin (The Pas):** I move, seconded by the member for Wolseley (Ms. Friesen), that Bill 74, The Pas Health Complex Incorporation Amendment Act; Loi modifiant la Loi constituant en corporation "The Pas Health Complex," be introduced, and that the same now be received and read a first time.

**Motion agreed to.**

## ORAL QUESTION PERIOD

**Mr. Gary Doer (Leader of the Opposition):** Mr. Speaker, I would like to thank the member for Portage la Prairie (Mr. Connery) for the kind contribution from the Portage community to celebrate the Strawberry Festival, I believe starting this Friday. Thank you very, very much.

## Core Area Initiative Renewal

**Mr. Gary Doer (Leader of the Opposition):** On to the Question Period, we have been raising for the last 11 months since the election the whole issue of the renewed Core Area Agreement, and in information presented to City Council a couple of weeks ago, Mr. Speaker, their analysis is that the inner-city revitalization under the first two Core Agreements—one signed, of course, by the former government, provincially; and the other one signed by our government, provincially—yielded some \$420 million in private sector investment for the \$169 million in Core Area Initiative funding. Further, other investment from all three levels of government generated \$137 million for a total of close to half a billion dollars in our vital core area of the province.

Mr. Speaker, we are in a situation now where the Core has not been renewed on schedule but rather extended, and we have asked questions about those negotiations, and as late as Friday we asked questions to the minister about those negotiations for a new Core Area Agreement. We understand, today, that in answer to questions from the media, the minister said that the federal government has indicated that they are not interested in Core III.

I would ask the Premier (Mr. Filmon), was that information communicated to the Premier when he talked to the Prime Minister 11 days ago? He was quoted as saying he talked to the Prime Minister 10 days ago about forest fires. Did he discuss the issue of Core III with the Prime Minister, and did the Prime Minister at that time inform him that the federal government was not interested in Core III?

\* (1340)

**Hon. Jim Ernst (Minister of Urban Affairs):** Mr. Speaker, discussions with regard to this issue in the past, and I have said it on a number of occasions, no new revelation today, is that the federal government has indicated they are not interested in pursuing a third tripartite agreement.

What they are interested in doing is taking existing resources, and what other resources they can muster related to specific urban and revitalization issues, either in concert with the provincial government by virtue of a federal-provincial agreement, or in parallel with actions taken by the province and the city toward the same objective.

Mr. Speaker, I do not think it matters particularly what name is attached to a particular agreement.

What is important is that urban revitalization issues are addressed, that they are prioritized and the fact that we do spend, in concert from the three levels of government, resources toward meeting the objectives of those priorities.

### **Core Area Initiative Renewal**

**Mr. Gary Doer (Leader of the Opposition):** Mr. Speaker, my question still is to the Premier.

Did the Premier discuss this issue as one of the vital issues that Manitobans were facing? The Premier is committed to a renewed Core Area Agreement. He committed himself during the election. He committed the Province of Manitoba to negotiate another Core Area Agreement for the City of Winnipeg.

My question is, in light of the fact that the federal government is walking away from a third Core—and we know when they walk away from a program like this and they take it from, quote, existing funds, it is just another federal euphemism for offloading onto the provinces and the City of Winnipeg. Did the Premier discuss this as one of the federal-provincial matters with the Prime Minister when he had his telephone conversation 11 days ago?

**Hon. Gary Filmon (Premier):** Mr. Speaker, I discussed a whole host of issues when I had my opportunity for discussion with the Prime Minister. The member may recall—I believe it was that particular day in the House—he was demanding that I speak to the Prime Minister about Marcel Masse's refusal to meet with the delegation the previous day, that I talk about Shilo, and I talked about both of those issues, that I talk about various other issues from time to time and I did. I talked about obviously the funding for the forest fires and many other issues of importance to Manitobans.

The matter of the renewal or at least the establishment of agreements with the federal government for urban revitalization continues to be a matter of discussion. That is proceeding, proceeding along lines, as I understand it from the Minister of Urban Affairs (Mr. Ernst), that are different from the last two Core Area Agreements.

The federal government has made it well-known that they did not see particular aspects of that agreement as being beneficial, so they are looking at other matters for urban revitalization with other cost-shared programs. Priorities are being identified, and programs that may involve federal

funding are actually being put on the table. Those matters will continue to be discussed.

### **Core Area Initiative Renewal**

**Mr. Gary Doer (Leader of the Opposition):** Mr. Speaker, we know full well that the advantage of the Core Area Agreement was that all three levels of government committed themselves to a certain amount of money over and above the existing resources within the existing departments to focus in on the poverty, the training needs, the housing needs and the social development needs of people in the inner city.

We have found that when the federal government walks away from those agreements or even extends those agreements—and this is one of the reasons why we are opposed to this government agreeing with the federal government to extend those agreements—that they offload and repackage existing money and they walk away from commitments.

I would ask the Premier (Mr. Filmon), when they are talking about renegotiating an agreement with the federal government, why would they let them walk away from a \$7 million per year commitment on average from the federal government? You let them do it this year with extending the agreement. Why would you walk away from approximately \$7 million a year from the federal government to the inner city by allowing them to take money from existing programs? You have done it this year; why are you going to do it next year?

**Hon. Jim Ernst (Minister of Urban Affairs):** Mr. Speaker, I get a little ticked off with the Leader of the Opposition when he talks about walking away from an agreement. No agreement is being walked away from.

Mr. Speaker, we have had the existing Core Area Agreement extended because otherwise \$20 million worth of funding under that agreement would not have been spent. It would have been left at the table.

In terms of urban revitalization issues, there are very important issues that need to be addressed and, quite frankly, whether it is called Core or called anything else does not matter. What is important, Mr. Speaker, is that the issues get addressed, the money comes from the three levels of government and it gets spent on those issues.

\* (1345)

### Core Area Initiative Renewal

**Ms. Jean Friesen (Wolseley):** Mr. Speaker, I want to ask the Premier a very simple question.

Will he sign the card which was offered to him this morning, live up to the commitment he made before the election to enter into a trilevel agreement, or is this simply another broken election promise?

**Hon. Gary Filmon (Premier):** Mr. Speaker, the member may not be aware, but I was in cabinet all morning, so I know of no such card that was offered to me this morning.

The commitment which I made during the election was that we would endeavour to negotiate a trilevel agreement with the other two levels of government. That is a commitment which we have been true to, and we have indeed endeavoured to negotiate such an agreement.

Whether or not one of the parties to the agreement chooses not to enter into such an agreement does not in any way invalidate the commitment I made, which was that we would endeavour to negotiate another three-level agreement. We are still committed. If another level does not agree to that, that does not invalidate the commitment that I made.

### Inner City Foundation Government Commitment

**Ms. Jean Friesen (Wolseley):** Some of my concerns with the existing Core Area Agreement have to do with the Inner City Foundation. I have asked the Minister of Urban Affairs about this on a number of occasions. We have, in the existing Core Area Agreement, a million dollars of unspent money, a million dollars which is to be applied to social programs and which is to give some kind of long-term assistance to people in the inner core.

I want to ask the minister—he is an equal partner in this agreement: What has he done to assure that those promises for Program 7, the Inner City Foundation, are being lived up to now, or is this \$1 million frozen? Is he intending to apply it to land acquisitions in other areas of the core?

**Hon. Jim Ernst (Minister of Urban Affairs):** Mr. Speaker, on a number of occasions, I have indicated to the House that there are obligations entered into by governments prior to ours with respect to Core I and Core II Agreements, related to the expropriation

of lands, particularly under the Core I Agreement whose expropriations have not yet been settled.

Mr. Speaker, we are going to live within our budget. We have said the Core Area Initiative Agreements were specifically set-aside amounts of money for those individual budgets, and we are going to live within those budgets as much as we possibly can. The fact of the matter is that there are certain expropriation cases still outstanding.

We anticipate that, over the next period of time, the next two or three months, we will have a better understanding of what we are going to have to pay for those obligations. In the interim, we have decided not to allocate any money under the Core Area Agreement until such time as we have a better feeling of what our ultimate obligations are going to be for the expropriation of those lands.

**Ms. Friesen:** Mr. Speaker, on the one hand, we have an election promise not lived up to. On the other, we have an answer which contradicts the answer the minister gave me on Friday when he said only \$160,000 was being frozen.

### Urban Native Strategy Trilevel Agreement

**Ms. Jean Friesen (Wolseley):** My final question, Mr. Speaker, is to the Minister of Native Affairs.

I want to thank him, first of all, for sharing what he called his urban aboriginal strategy with us, which on his own admission cost \$400,000. What he actually shared with us, of course, was his consultant's report of 1989. We are no further ahead than we were two weeks ago when we tabled an agreement.

My question is: If there is an urban aboriginal strategy in this government, is it a provincial initiative, or is it part of some trilevel agreement?

**Hon. James Downey (Minister responsible for Native Affairs):** Mr. Speaker, the work that is being done is between the province, the city and the federal government.

### Core Area Initiative Program Evaluation

**Mr. James Carr (Crescentwood):** Mr. Speaker, my question is to the Premier (Mr. Filmon).

We live in an age and an era when there is growing disenchantment and cynicism about politicians, and here is one reason why. On September 4, 1990, the Premier wrote in a letter to

the Urban Futures Group, and I quote: Early in this election campaign, I committed our government to a continuation of an inner core tripartite program to build the promised successes of the first two Core Agreements.

For two years in this Legislature now, we have been asking this government to review the successes of the Core, not until the last second when the clock strikes midnight, but in time to do a proper evaluation and to make sure that the employment and training programs, the Native programs, the housing and neighbourhood initiatives, can be fulfilled.

What successes of the Core program, as evaluated by this government, is the Premier prepared to continue?

\* (1350)

**Hon. Jim Ernst (Minister of Urban Affairs):** Mr. Speaker, it is difficult to talk about two years ago, as the member indicates, when the existing agreement was still going strong and has, in fact, now been extended, to talk about an additional agreement. We are in those discussions at the present time, as outlined in previous questions.

With respect to the process of evaluation, Mr. Speaker, it is ongoing right now. Those evaluations are being undertaken. They are anticipated to be available within the next 30 to 60 days, and when those evaluation reports are available, we will have some discussions amongst the three parties with respect to those evaluations.

### Office Closure

**Mr. James Carr (Crescentwood):** Mr. Speaker, in 1981, in an unprecedented fashion, three levels of government decided to pool the resources that they had in order to revitalize the inner city of Winnipeg. We have learned an awful lot in those 10 years, 10 years which have seen the Core Area Initiative evaluated, if not by this government, then by other cities envious of our accomplishments right across North America.

My question is to the Minister of Urban Affairs. Why is he allowing the lights to go out in the Core Area office in May of next year, the staff dispersing throughout this country and indeed across North America? Why are we throwing away such a marvellous success?

**Hon. Jim Ernst (Minister of Urban Affairs):** Mr. Speaker, with respect to the staff of the Core Area

Initiative, yes, in fact, there was a nucleus of very excellent staff. The delivery of the balance of the Core programs available now under the extended agreement are being delivered by either city staff, provincial staff or federal government staff.

The ongoing need for all of those people within the Core Area Initiative office no longer exists and to continue to pay their salaries and benefits and other costs associated with the operating of the office does not make sense from our point of view. We would much rather have the money spent on the programs that affect the people directly.

### Government Commitment

**Mr. James Carr (Crescentwood):** Mr. Speaker, there are a number of programs that will die in May of next year, so we are interested in knowing what the provincial government's commitment is.

It is not enough to point fingers at the federal government. We all know what their record is in support of Winnipeg and Manitoba, but we have at least some ability to question this government for its own commitments and its own decisions.

Does the Minister of Urban Affairs intend to make resources available for the huge hole that is going to be created when Native employment training programs, housing and neighbourhood revitalizations die in May of next year?

**Hon. Jim Ernst (Minister of Urban Affairs):** In terms of delivery of those programs, let me say that the housing components are being delivered either by the City of Winnipeg Housing Branch of the Department of Environmental Planning or the provincial Department of Housing, Mr. Speaker. We are continuing to deliver those programs.

There are programs, Mr. Speaker, that need to be continued. There are other needs out there that need to be addressed. We have said that. I have said it today several times. We are continuing discussions with our federal counterparts to ensure that those needs get addressed.

### Health Care System Deinsurance

**Ms. Judy Wasylycia-Lels (St. Johns):** For several months now we on this side of the House have been raising grave concerns about this government's plans to deinsure a number of medical services, and Manitobans everywhere are terribly

worried about this attack on our universal medicare system.

The Manitoba Nurses' Union condemned this regressive action on the part of the government at its last convention. Now the Manitoba Medical Association has come out with a clear statement indicating that it will not support the government's plan to deinsure the services and states the physicians are patient advocates first and foremost, and deinsuring medical services is not in the patient's best interest.

I want to ask the minister if he will now shelve this government's plans to deinsure medical services, and will he make a renewed commitment to our universally accessible medicare system?

\* (1355)

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, strangely enough, I could not agree more with the MMA that we ought not to deinsure medical services, and that is exactly what we have not done. What we have deinsured are cosmetic procedures with no medical benefit, such as tattoo removal.

Now, Mr. Speaker, maybe the New Democrats believe in today's day and age that we ought to pay for cosmetic contact lens fittings for people who wish to change their eye colour Tuesday to Wednesday to Thursday, and the taxpayers should pay for that. We do not think that this is a medically necessary service. We do not believe the cosmetic removal of tattoos is a necessary medical service.

My honourable friends in the New Democrats may think it is, but I am sure that with reasoned consideration in the light of dawn, they might rethink their position, instead of urging the continuation of procedures, Mr. Speaker, that have no correlation to the improvement of health status, but serve as income generation.

**Ms. Wasylycia-Lels:** The minister should read the MMA letter to himself which states clearly that discouraging patients from seeking surgery for asymptomatic varicose veins, warts, et cetera, will, in many cases, result in more difficult treatment being required later on. Mr. Speaker, that letter says, sometimes the treatment will come too late and loved ones will be lost prematurely.

I want to ask the Minister of Health, since he said he would not move on the question of insurance of psychoanalysis until he had consulted with the MMA, and given that the MMA has now said clearly, we will not support this government's moves in that

direction, will this minister now give assurances to this House and to the people of Manitoba that he will maintain psychoanalysis as an insured service, either as part of psychotherapy or on its own in terms of the fee schedule?

**Mr. Orchard:** Mr. Speaker, we dealt with this issue last night. If my honourable friend wishes me to quote from the expert opinion of the U.S. Psychiatric Association as to the value of psychoanalysis, I will do so, but let me correct my honourable friend with all due respect. Asymptomatic means no medical implications.

Mr. Speaker, failure to undertake asymptomatic procedures are going to lead to loss of loved ones? Give me a break. How do you lose a loved one by not taking a nonmedically indicated procedure, which is what asymptomatic means? That is rhetoric which I do not share the wisdom and the value of, coming from the president of the MMA.

Mr. Speaker, we will continue with our course of action because each of the procedures that we have removed from the insured fee schedule is a nonmedically required service which has no long-term health effects, not an unusual thing for governments to do when there are asymptomatic procedures, i.e., of no medical outcome.

**Ms. Wasylycia-Lels:** Interesting, he did not answer the question about psychoanalysis, since he did promise to meet with the MMA to discuss this issue and to receive their advice.

### Northern Health Care User Fee

**Ms. Judy Wasylycia-Lels (St. Johns):** My final question, Mr. Speaker, has to do with our concern over the last several months about this government's imposition of a \$50 user fee on northern patients which we have said is a denial of access to medical services.

I want to ask the Minister of Health, given that the MMA has now said that reducing medicare coverage will often present a barrier to accessing needed medical care—a recent example is your government's decision to charge a \$50 user fee with respect to the Northern Patient Transportation system. Given that, will this minister and this government now rescind its decision to introduce a \$50 user fee?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, on the issue of psychoanalysis, I want to

read to my honourable friend, according to J. S. Maxmen, Associate Professor of Clinical Psychiatry, Columbia University and distinguished psychiatric lecturer from the American Psychiatric Association—Mr. Maxmen says: Today's psychoanalysis is generally recommended for patients with, quote, unquote, problems in living and milder forms of depression, anxiety and obsessiveness. The patient must be bright, introspective, usually under the age of 50, a good abstract thinker and nonpsychotic. He or she should be reasonably adept in at least two of three main areas of functioning, social, occupational and recreational. He or she should also have the time. All in all, the ideal psychoanalytical patient has some problems but, in comparison to most psychiatric patients, is a paragon of mental health.

That, Sir, is why psychoanalysis has never been an insured service capable of being billed in the Manitoba health care system. That is why, Mr. Speaker, we have made the decisions we are making.

\* (1400)

### Northern Health Care User Fee

**Mr. Jerry Storie (Flin Flon):** Mr. Speaker, July 1 will live as a dark day for about 70,000 northern Manitobans who have had, for the first time, a user fee imposed on their accessing of the medical system.

Mr. Speaker, I have almost a thousand cards protesting the government's actions to date, I expect, given that all of the community councils and city councils in northern Manitoba have now indicated their strong opposition to this.

I am asking the Minister of Health: Given that this protest comes not only from the citizens of northern Manitoba, people who want adequate and equitable access to health care, but the recommendation also comes from the Manitoba Medical Association that the user fee imposed by this government is going to deny access to health care and threaten the health and lives of northern Manitobans, will this government act to reverse the \$50 user fee that they are imposing on Northerners?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, again, we have dealt with this issue in several Question Periods. We have dealt with this issue in Question Period, in Estimates. When we reach the line of the Manitoba Health Services

Commission, I invite my honourable friend to come, and again I will indicate to him that what is being asked for is a contribution that every other Manitoban makes to their patient transportation to seek medical services which are elective in nature.

That program of Northern Patient Transportation will continue to provide \$2,800,000 of support in transportation costs on top of \$3.5 million for the air ambulance which serves primarily northern Manitoba, on top of the northern Manitoba portion of the Ambulance Grant Program which would probably be in excess of \$500,000.

My honourable friend is making some issues about a request to equalize the playing field, as all other Manitobans must pay their transportation costs for elective medical services. Mr. Speaker, we are not even asking that from northern Manitobans, we are asking but \$50 for elective transportation warrants. The balance of the cost, depending on location and mode of transportation, can still cost the taxpayers of Manitoba upwards of \$650. We do not think that this is an unfair request to make of Manitobans, to share equitably in their costs of receiving elective patient transportation.

**Mr. Storie:** Mr. Speaker, this Health minister continues to abuse the English language. Elective in this minister's vocabulary is going to mean that people are going to die in northern Manitoba because they cannot afford to access health care. That view is supported by the Manitoba Medical Association, by the councils in Flin Flon and Snow Lake—

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

**Mr. Storie:** My question is to the Minister of Health.

When the first person who cannot access health care because they cannot afford the \$50 fee dies, who is going to be responsible?

**Mr. Speaker:** Order, please. The honourable member has posed a hypothetical question and is therefore out of order. The honourable member for Flin Flon, kindly rephrase your question, please.

**Mr. Storie:** Mr. Speaker, my question is to the Minister of Health.

Does the Minister of Health have in place a policy to deal with the untimely death of people who, because they cannot afford or do not want to pay the additional fee because of the financial hardship it would impose on them—does this government have a policy to deal with the families that may be left in those circumstances?

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

**Mr. Orchard:** Mr. Speaker, my honourable friend is carrying on with his usual inflamed rhetoric. No individual in northern Manitoba will die, as he says, because they cannot afford a Northern Patient Transportation warrant. The program makes exceptions for social allowance individuals, and it only applies to elective procedures. There is a significant difference in the program.

Now, Mr. Speaker, if my honourable friend is so concerned, maybe he could take the \$13,000 he pulled out of the taxpayers of Manitoba and provide that to transportation warrant costs for 260 of his constituents.

**Mr. Storle:** Mr. Speaker, this minister continues to abuse the truth. Elective means that someone in Sherridon, where there is no doctor—

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

#### Point of Order

**Hon. James McCrae (Acting Government House Leader):** Mr. Speaker, I know that you heard the honourable member as well as everybody else in this Chamber. Perhaps it is time the member for Flin Flon was called to order for his abusive use of language in this Chamber by using unparliamentary language referring to the veracity of the answers given by the Minister of Health.

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

\* \* \*

**Mr. Speaker:** The honourable member for Flin Flon, kindly pose your question, please.

**Mr. Storle:** Mr. Speaker, the question is to the Minister of Health.

What is this minister going to do? What is the government's policy, should an individual, where there is no doctor to access for basic primary health care, not be able to afford the \$50 user fee to access a doctor where it could be determined that he needs immediate and emergency treatment? What is this government's policy on—

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

**Mr. Orchard:** Mr. Speaker, my honourable friend from Flin Flon is incapable of understanding. If the individual needs emergency care, there will be no charge. In fact, the air ambulance will probably fly

that individual to medical services at no cost to the individual.

My honourable friend wants to whip up fears, concerns, allegations, innuendo. Let me tell my honourable friend that in southern Manitoba communities, where the community has no doctor and the individual drives to the next community which could be 40, 50, 60 miles away, they pay the entire cost. If they cannot drive, a neighbour drives them. That is part of community. That happens throughout all of Manitoba. The only place where elective medical services are paid for 100 percent by the taxpayers of Manitoba is in northern Manitoba.

We believe that they want to contribute toward the costs and will not object to a \$50 minimum charge, regardless of how much that process may cost the taxpayers of Manitoba, including airfare up to \$700.

#### Winnipeg International Airport Protection

**Mrs. Sharon Carstairs (Leader of the Second Opposition):** Mr. Speaker, I think all Manitobans were delighted at the announcement yesterday that United Parcel Service is going to be active in the operations in Winnipeg. We congratulate UPS for choosing wisely.

We congratulate two other individuals, neither one of whom have anything to do with this government. One of them is Lynn Bishop, the General Manager of the Winnipeg airport and his predecessor, George Elliott, both of whom have worked extremely hard to promote and protect what has been called the jewel of Manitoba's economy, the Winnipeg airport.

It is imperative that this jewel continue to be protected. These two individuals who have been directly involved in bringing this new business to Winnipeg are making a very clear recommendation to this government.

Can the Premier tell this House today why he will not submit legislation to this Legislature which would protect the Winnipeg airport by having it covered on its future developmental plans by provincial legislation?

\* (1410)

**Hon. Gary Filmon (Premier):** Mr. Speaker, I thank the member for the question, and I am delighted that she, at least, is acknowledging that investment, job creation and economic development are good for

Manitoba, unlike the NDP, who, along with their critic of course, criticized the creation of jobs and wanted to put the most negative possible view on that. That is unfortunate but that is the kind of negativism that destroyed the New Democrats when they were in government and keeps them out of government.

Having said that, I certainly acknowledge that many people over many decades worked very hard to ensure that the airport was a central focus for economic development. We recognized that and have worked very hard since we have been in government to ensure that where there are opportunities for attracting industry and investment, as a result of our transportation infrastructure in this province, that we would do everything possible to do that. It was as a result of that effort with this particular major firm that results did improve. We do think that there will be others to come. We are very optimistic about it.

Mr. Speaker, we will do everything that is reasonable to protect that airport from development that is inconsistent with the continued use of that airport, and we have said that in the future, we will certainly urge upon the City of Winnipeg through its Plan Winnipeg review that they will set forth parameters for future development initiatives that will ensure that the airport is protected, that it remains a fundamental part of our economic development initiative and that it remains there as a resource to help us attract investment and job creation in the transportation industry in Manitoba.

**Mrs. Carstairs:** Mr. Speaker, the Premier refuses to do the one thing which would guarantee the protection of our airport, as recommended by his own advisory committee in its draft report, as recommended by his own ministry of transport and his own minister of transport.

Why is this First Minister more interested in the developer's wishes in the city of Winnipeg than he is in the needs of our airport which are recognized by all as being essential to the development of this province?

**Mr. Filmon:** Mr. Speaker, I am interested in ensuring that we attract transportation industries that can benefit from the use of that airport. We have just done it. That is the foolishness of the member for St. James (Mr. Edwards), who is so ignorant about what is going on that he shouts from his seat, but he knows nothing about what is happening.

UPS made an investment decision having regard to all of the factors that are there in Winnipeg. Looking at all the factors, they decided to invest, one of the largest investments that we have had in this province in a long, long time in the transportation sector, 500 additional jobs in the next five years. That is because we are working with them to create the kind of attractive package that is there. We will continue to do that because we believe it is important to the economy of Manitoba, not the kind of cheap politics that the Liberal Party wants to play.

**Mrs. Carstairs:** Mr. Speaker, it never ceases to amaze me how we can be congratulated on the first answer and condemned on the second while we are still asking the same question.

### Winnipeg International Airport Protection

**Mrs. Sharon Carstairs (Leader of the Second Opposition):** Mr. Speaker, his own advisory committee report indicated that of utmost concern is the prevention of further conflicts between airports and further developments. It went on to say development which is too great in height, which can cause electrical or other interference with airport communication or which attracts significant numbers of birds will result in substantial conflicts with airport operations if located too close.

In that this is the recommendation of the advisory committee, an advisory committee they put in place, why is this government prepared to repudiate that advisory committee and not concur with its recommendations?

**Hon. Jim Ernst (Minister of Urban Affairs):** Mr. Speaker, with the exception of implementing provincial legislation immediately, we have concurred, and if the member for River Heights (Mrs. Carstairs) wished to elaborate a little bit more about that report, she would have seen a page and a half of other recommendations related to protection of the airport through a variety of planning processes, and those are what is ongoing at the present time.

I have written to the City of Winnipeg, as Minister of Urban Affairs, and have said I will approve no new Plan Winnipeg amendments related to the airport until such time as the Plan Winnipeg review has been conducted. I have asked the City of Winnipeg to make special consideration in the Plan Winnipeg review dealing with the airport and protection of the airport, Mr. Speaker, because there are a host of other issues related to that, issues of existing

development that create difficulties for the airport and have existed for some period of time.

Those issues will be addressed, along with all others, under the Plan Winnipeg review. Following that review, if it is not addressed to the satisfaction of the provincial government, we will act.

### **Cross Lake Trappers Disaster Assistance**

**Mr. Oscar Lathlin (The Pas):** Mr. Speaker, I am going to direct my question to the Minister of Northern Affairs, the minister who really cares for the North.

Yesterday, the Premier (Mr. Filmon) strongly criticized the federal government for promising to provide disaster assistance to the province of Quebec to help communities rebuild after the destruction of forest fires in that province. He said that his federal Conservative cousin, Brian Mulroney, should pay Manitoba before handing over any fire aid to Quebec.

The words of the Premier echo sentiments expressed by those trappers at Cross Lake who have been awaiting disaster assistance from this government for two years. In fact, this government halted efforts to resolve ongoing issues with the trappers in Cross Lake.

Mr. Speaker, my question to the Minister of Northern Affairs is: Will he now agree to provide funds for disaster assistance and live up to the commitments of his government to assist trappers at Cross Lake in rebuilding their livelihoods?

**Hon. James Downey (Minister of Northern Affairs):** Mr. Speaker, there have been several millions of dollars spent by this administration to assist northern communities in their re-establishing of trap lines, of cabins for trappers. I believe that the majority of communities are fully satisfied with the support which they received from the province.

There were some discrepancies at Cross Lake. However, the same amounts of money that were offered to other communities were offered to Cross Lake, other communities being satisfied.

So, Mr. Speaker, I think when one looks at the total picture of compensation paid to support the Northerners, they are generally satisfied.

**Mr. Lathlin:** Mr. Speaker, will the minister tell this House why his government has refused to honour previous commitments for the provision of disaster relief which would have allowed the trappers to

rebuild their traditional economy and would have ensured that the rights of Cross Lake residents are recognized and protected?

How can members of this government criticize their federal counterparts for inaction when this government is doing exactly the same thing?

**Mr. Downey:** Mr. Speaker, I do not accept the comments of the member for The Pas. The majority of communities were prepared and did accept, I think, very readily the support that was given following the devastating forest fires. Cross Lake was given the same offer, the same proposal as all other communities.

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

### **NONPOLITICAL STATEMENT**

**Mr. Edward Connery (Portage la Prairie):** Mr. Speaker, can I have permission for a nonpolitical statement?

**Mr. Speaker:** Does the honourable member for Portage la Prairie have leave to make a nonpolitical statement? Leave? Agreed.

**Mr. Connery:** Mr. Speaker, it is a pleasure to get up and make a nonpolitical statement. This afternoon I distributed to all the members a basket of fresh grown Manitoba strawberries. I do apologize though to the news media and other people around. Because of the wet weather I did not have an opportunity to bring in enough. Hopefully tomorrow I can bring in for the other people who also would like to sample some of the best fruit that Manitoba produces.

Mr. Speaker, this is the first fruit that comes ready in Manitoba. When you compare it to the imports, I think you will find that there is just no comparison to the quality.

In the TV guide of last weekend, there is a map of all of the strawberry growers in Manitoba, and I would suggest to members of the Legislature and the public that they review it and look at a location that is closest to them and go out and enjoy those fresh berries that are so abundant. We do hope, though, that it quits raining so we can get the people in there to pick.

I would also invite all members of the Legislature to come to the Strawberry Festival, which starts this Friday, Saturday and Sunday, and enjoy some of the fresh fruit at the festival and the great tidings that

go on—we have lots of events that are going on in Portage la Prairie—and enjoy the wonderful city of Portage la Prairie, but most of all enjoy the picking of fresh strawberries in Manitoba.

Thank you, Mr. Speaker.

### MATTER OF URGENT PUBLIC IMPORTANCE

**Ms. Jean Friesen (Wolseley):** Mr. Speaker, I move, seconded by the member for Crescentwood (Mr. Carr), that under Rule 27(1) the ordinary business of the House be set aside to discuss a matter of public importance, the failure of the provincial government to commit itself to renewing the Core Area Initiative at a time when the recession is creating ever more hardship for those living in the inner city.

**Mr. Speaker:** Before determining whether the motion meets the requirements of our Rule 27, the honourable member for Wolseley will have five minutes to state her case for urgency of debate of this matter. A spokesperson for each of the other parties will also have five minutes to address the position of their party respecting the urgency of this matter.

**Ms. Friesen:** Mr. Speaker, urban decay arises where investments are withdrawn, where neighbourhoods are inhabited by powerless people who lack money, skills and political power. Decay will emerge wherever these conditions come to rest.

\* (1420)

Mr. Speaker, I suggest to you that without another Core Area Initiative that that will be the future of the city of Winnipeg. The city of Winnipeg is 60 percent of the population of Manitoba, and it counts for over two-thirds of the jobs. What happens in Winnipeg affects everyone in Manitoba.

Since the fall of 1990, we have been asking about the future of the next Core Area Agreement. It is not just us, but outside this House the Urban Futures Group, the citizens of Winnipeg, the City Council of Winnipeg, which has committed itself already in its capital budget to monies for a new Core Area Agreement—all of these people have been asking about the future of a new Core Area Agreement.

The volunteers, the workers who, with their energy, their dedication for the last 10 years, have made a very small amount of money go a very long way. They have written letters. They have conducted inquiries. They have asked for

investigations and for evaluations, but from this government, there has been a deafening silence for a long time.

The questions we have asked in the House have given rise to contradiction, to confused responses. We even saw it today when again the Minister of Urban Affairs (Mr. Ernst) tried to claim that there was an additional \$20 million which was being spent this year in the Core Area Agreement. That is just another example, I believe, Mr. Speaker, of the kind of newspeak which is common to this government. Those are owed monies which are simply being diluted over six years.

We did get one clarification today, Mr. Speaker. We heard very clearly that the federal Conservative government is walking away from a new Core Area Agreement. They are not interested in the multifaceted, broad-scale social and economic revitalization programs which have won attention from around the world and which have served Winnipeg not well but at least are beginning to address some of the social and economic issues that face the citizens of the inner core.

We heard also today an urban aboriginal strategy, which in every other indication has been a provincial strategy, is now a trilevel agreement. We have contradiction, we have confusing issues but at least one clear cut. We know now which Tory government is walking away from this particular agreement. I would welcome the participation of this government in this debate, an all-party emphasis on speaking to the federal government so that we can begin to develop the kind of Core Area Agreement which should have been begun at least a year ago.

The Core has done much to revitalize the city of Winnipeg. It has provided for education, for training, for language programs, for multiracial programs. It has offered opportunities for leadership to new immigrants. It has revitalized neighbourhoods, several of them within my own constituency. The employment take-up from these programs in fact has been astounding. It has kept at bay the despair which faces most North American cities. It has been done with the best of dollars, those which are brought together and applied in a focus to make the best use of existing resources.

Mr. Speaker, I believe that this is an urgent problem because, without the Core, there are no long-term programs for either the city, the federal or the provincial government to fall back upon. There

are very few long-term programs in place to address the urban decay and the social programs the inner city of Winnipeg faces. There are no long-term, inner-city housing programs. The long-term urban aboriginal strategy is being bounced around like a ping-pong ball in this House. There is no program for the renewal of the inner suburbs, St. James, St. Vital and other areas where the infrastructure is in long-term danger of dying.

The Winnipeg Region itself, the larger-scale regional programs, we do not see any of the research and policy direction that will be needed there to address the decay the inner city of Winnipeg is facing. The very social programs which have benefitted Winnipeggers so much, Pritchard Place, the Winnipeg Education Centre, to name a few, the Neighbourhood Revitalization Program, the Parent-Child Centres, the aboriginal language programs. There are none of those programs in place for people to fall back upon, so it is an urgent matter, Mr. Speaker, that we address this program now.

It is secondly an urgent issue because conditions are deteriorating in the inner core of Winnipeg. Unemployment is growing, in part contributed to by the actions of this government. Migration from the North is increasing. The young people who come are in urgent need of training programs to enter the labour force. The numbers of single, young parents in the inner city of Winnipeg has grown enormously, even within my own constituency over the last three years. The food banks have found a tremendous increase—

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

**Mr. James Carr (Crescentwood):** Mr. Speaker, I have sat in this House now for something more than three years, and I do not think I have seen an example of co-operation like you are seeing from two opposition parties in the House today. Why? Because we are setting aside the narrow parochialism of partisan politics in order to make a point to this government and to encourage this government to debate what we believe to be a matter of urgent public importance.

We are debating something, Mr. Speaker, that we ought to be cherishing. Since 1981, for the last 10 years, Winnipeg has been a model, not only for the degree of co-operation which we see from three levels of government, and often, might I add, of different political stripe, but also the decision which

has been taken to revitalize the inner city of Winnipeg which has been threatened and continues to be threatened by urban rot and decay.

Mr. Speaker, I have to persuade you in the very few minutes that I have, using the rules of our House, that this matter is urgent enough for you to determine in your wisdom, Sir, that the members of this House ought to put aside the regular rules of today to debate this matter.

I will say to you, Mr. Speaker, that it is urgent for the Native people of the inner core of Winnipeg who have relied on the Core Area Initiative project for all kinds of employment, training and housing opportunities. We know, for example, that more than 100 young Native people from the core area of Winnipeg are now working in financial institutions, employment opportunities that they hardly dreamed of only a few years ago. Thanks to intergovernmental co-operation, thanks to the Core Area Agreement, they are now working productively in the inner city of Winnipeg and elsewhere.

It is urgent for neighbourhoods, neighbourhoods in decline, which are looking to all three levels of government for an opportunity for those neighbourhoods to be enhanced, so people can take pride in the houses in which they live, in the streets on which their children play.

How about the urgency, Mr. Speaker, for single parents, for new Canadians, for Native people and for the handicapped, all of whom have benefitted from the core area's entrepreneurial program?

We have already heard today, Mr. Speaker, that we are not talking about charity or welfare. We are talking about investment, an investment over the long period in the future of our children who often look around them and see no hope to fulfill their aspirations at all, and urgent, indeed, for all Winnipeggers and all Manitobans who know that three governments acting together are much more powerful than three governments acting in isolation.

The urgency was clear enough to members of the opposition earlier on today, but with the revelation through Question Period that the Government of Canada has now walked away from a commitment to a tripartite renewal of an inner city revitalization program, the situation is even more urgent now than it was only several hours ago, because now it seems as if only the resources of the city and the province will be brought to bear in order to solve the pressing social, economic and cultural problems that face us in the inner city of Winnipeg.

Mr. Speaker, we are about to lose something very valuable and if we do not take collective action today as members of this Legislature, as all participants, as one equal partner in the tripartite co-operation between governments, we would have to ask ourselves the question: Have we done everything we can do to convince politicians at all three levels of government that the program they are about to abandon is a program that offers hope, not to one or two or three isolated individuals in the core, but literally thousands of people who are looking to make their home in the inner city of Winnipeg, a future that has hope of meaningful employment at a time of recession, a time of hope for Native Canadians living in downtown Winnipeg, who want to feel that they have a stake in their own neighbourhood?

The time for us as legislators to make those arguments is now, before it is too late. I urge you, Mr. Speaker, to rule in favour of an urgent public debate on this matter today.

(1430)

**Hon. Darren Praznik (Minister of Labour):** Mr. Speaker, there is no doubt that we have listened to two very eloquent speeches on this matter about the great benefits of the Core Area Initiative, of the work that it has done within the downtown of the city of Winnipeg throughout its life and its renewal.

We have heard of the urgent needs of the downtown area, but as Mr. Speaker well knows, urgency within this rule does not apply to the matter itself but means rather the urgency of debate. As both members opposite have acknowledged, this is a tripartite agreement. We are but one party at the bargaining table. In fact, this government has indicated its commitment to renew the Core Area Agreement. We have a commitment from one of the other parties, the City of Winnipeg, to enter into negotiations to renew, and both we as a provincial government and the City of Winnipeg are currently involved in those negotiations.

The urgency of this matter, as I am sure many members of this House recognize, has to be judged within the time frames of those negotiations. The current core area agreement does not expire until March of 1992. The Urban Futures Group that the member for Wolseley (Ms. Friesen) spoke of, I believe, has requested that a Memorandum of Understanding be in place by October of this year, with an agreement signed by January 1, 1992.

Clearly the matter at hand as to whether or not we should be debating this particular issue at this time, whether we should be suspending the valuable work of this House for the business of this province on a matter which still has nearly a year left in which to negotiate and to come up and to reach an agreement, is certainly very questionable. I would urge that that particular point be considered, that there will be plenty of opportunities.

I would also add, as in any other negotiations—and I know that members opposite followed the renegotiation of the Core agreement the last time around, in which I had a small role to play on the federal government side—that those negotiations take a long period of time. There are ups and downs in those negotiations. There are moments of apparent crisis, but ultimately, as in all agreements, they are often concluded in the last, shortest period of time leading up to their expiry.

To make the argument today before this House that those negotiations which are ongoing and which two parties have already given a fairly firm commitment in principle to renegotiate, that there is such urgency that today, on this 3rd day of July, we have to suspend the other very important business of this House to deal with that issue, which still has a long course to be followed in the pursuit of those negotiations and hopefully the successful conclusion of those negotiations, is certainly folly, Mr. Speaker, and certainly does not fit in the rules as a matter of urgent public business and requiring urgent debate in this Chamber this afternoon.

### Speaker's Ruling

**Mr. Speaker:** I would like to thank the honourable members for their advice as to whether the motion proposed by the honourable member for Wolseley (Ms. Friesen) satisfies the conditions to be met for the matter to proceed as a matter of urgent public importance.

I did receive the notice required under our subrule 27(1) and our Rule 27, as well as Beauchesne's Citations 389 and 390 which set out the conditions and the procedures required if a motion is to be debated as a matter of urgent public importance: (a) the subject must be so pressing that the ordinary opportunities for debate will not allow it to be brought on early enough; and (b) it must be shown that the public interest will suffer if the matter is not given immediate attention.

There is a private members' resolution on the Order Paper for debate on this topic. However, it would appear it will be five or six weeks until that matter reaches the top of the list. Also, the Estimates for the Department of Urban Affairs have been concluded. However, the honourable member has not yet used her opportunity to grieve so there is another ordinary opportunity for her to raise the matter. Further, I am not convinced that the matter is so pressing that the public interest will suffer if it is not debated today. Therefore, I am ruling her motion out of order.

**Mr. Steve Ashton (Opposition House Leader):** Yes, Mr. Speaker, with all due respect, I challenge your ruling.

**Mr. Speaker:** The ruling of the Chair has been challenged. Shall the ruling of the Chair be sustained? All those in favour, please say yea.

**Some Honourable Members:** Yea.

**Mr. Speaker:** All those opposed, will please say nay.

**Some Honourable Members:** Nay.

**Mr. Speaker:** In my opinion, the Yeas have it.

**Mr. Ashton:** Yeas and Nays, Mr. Speaker.

**Mr. Speaker:** Call in the members.

The question before the House is, shall the ruling of the Chair be sustained?

\* (1440)

**A STANDING VOTE** was taken, the result being as follows:

### Yeas

Connery, Cummings, Dacquay, Derkach, Downey, Driedger, Ducharme, Enns, Ernst, Filmon, Gilleshammer, Helwer, Laurendeau, Manness, McCrae, McIntosh, Mitchelson, Neufeld, Orchard, Penner, Praznik, Reimer, Render, Rose, Sveinson, Vodrey.

### Nays

Alcock, Ashton, Barrett, Carr, Carstairs, Cerilli, Cheema, Chomiak, Dewar, Doer, Edwards, Evans (Brandon East), Evans (Interlake), Friesen, Gaudry, Hickes, Lamoureux, Lathlin, Martindale, Plohman, Reid, Santos, Storie, Wasylcia-Leis, Wowchuk.

**Mr. Clerk (William Remnant):** Yeas 26, Nays 25.

\* (1500)

**Mr. Speaker:** The ruling of the Chair has been sustained.

## ORDERS OF THE DAY

**Hon. Darren Praznik (Deputy Government House Leader):** Mr. Speaker, before we call the order of the bills, I would ask if you could please canvass the House to see if there is leave to waive private members' hour?

**Mr. Speaker:** Is it the will of the House to waive private members' hour? No? Leave is denied.

**Mr. Praznik:** Mr. Speaker, there may be a desire to revisit that issue at some point during the afternoon—

**Mr. Speaker:** Order, please. Leave has been denied.

**Mr. Praznik:** Mr. Speaker, I would then ask if you could call for report stage and third reading Bill 3, for report stage and third reading Bill 43, followed by Bill 19, Bill 55, Bill 56, Bill 18 and Bill 70.

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

## REPORT STAGE

### Bill 3—The Coat of Arms, Emblems and The Manitoba Tartan Amendment Act

**Hon. Bonnie Mitchelson (Minister of Culture, Heritage and Citizenship):** Mr. Speaker, I move, seconded by the Minister of Natural Resources (Mr. Enns), that Bill 3, The Coat of Arms, Emblems and The Manitoba Tartan Amendment Act (Loi modifiant la Loi sur les armoiries, les emblèmes et le tartan du Manitoba), as reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

### Bill 43—The Workers Compensation Amendment Act (2)

**Mr. Speaker:** Bill 43, The Workers Compensation Amendment Act (2); Loi no 2 modifiant la Loi sur les accidents du travail.

**Hon. Darren Praznik (Minister responsible for and charged with the administration of the Workers Compensation Act):** Mr. Speaker, I understand that it is possible at this stage to move an amendment to the bill, and I have spoken to both of the critics of the two opposition parties and so, I move, seconded by the Minister of Natural Resources (Mr. Enns),

THAT Bill 43 be amended as follows: By striking out Section 9 and substituting the following:

**Coming into force**

9 This act comes into force on July 1, 1991, and if Royal Assent is not given by that day, this act is retroactive and is deemed to have come into force on July 1, 1991.

**Motion agreed to.**

**Mr. Praznik:** Mr. Speaker, I would move, seconded by the honourable Minister of Natural Resources (Mr. Enns), that Bill 43, The Workers Compensation Amendment Act (2); Loi no 2 modifiant la Loi sur les accidents du travail, as amended and reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

### THIRD READINGS

#### Bill 3—The Coat of Arms, Emblems and The Manitoba Tartan Amendment Act

**Hon. Clayton Manness (Minister of Finance):** Mr. Speaker, I move, seconded by the Minister of Natural Resources (Mr. Enns), with the leave of the House, Mr. Speaker, that Bill 3, The Coat of Arms, Emblems and The Manitoba Tartan Amendment Act (Loi modifiant la Loi sur les armoiries, les emblèmes et le tartan du Manitoba) be now read a third time and passed.

**Motion agreed to.**

#### Bill 43—The Workers Compensation Amendment Act (2)

**Hon. Clayton Manness (Minister of Finance):** Mr. Speaker, I move, seconded by the Minister of Justice (Mr. McCrae), that Bill 43, The Workers Compensation Amendment Act (2); (Loi no 2 modifiant la Loi sur les accidents du travail) be now read a third time and passed.

**Mr. Speaker:** Is there leave for third reading of Bill 43? Leave?

**An Honourable Member:** Agreed.

**Mr. Speaker:** Agreed.

**Mr. Steve Ashton (Thompson):** Just briefly, Mr. Speaker, I want to comment that this is one Workers Compensation bill that will receive the support of this side of the House. There will be further debate, extensive debate on a general review of Workers Compensation, but I did want to note that this is

essentially the bill that will index benefits for workers. We were quite pleased to co-operate with the minister in passing through the report stage amendment because it essentially ensured that such retroactivity will begin at the beginning of this month, and one of the reasons we are anxious to have this bill passed through is to ensure that the benefits of any indexation are passed on immediately to injured workers.

**Mr. Speaker:** Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

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

### DEBATE ON SECOND READINGS

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

**Mr. Speaker:** On the proposed motion of honourable Minister of Rural Development (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 Transcona (Mr. Reid).

**Mr. Daryl Reid (Transcona):** I believe that we are prepared to allow this to pass at this time.

**Mr. Speaker:** Is the House ready for the question? The question for the House is second reading of Bill 19, The Local Authorities Election Amendment Act; Loi modifiant la Loi sur l'élection des autorités locales. It is the pleasure of the House to adopt the motion?

\* (1510)

**Some Honourable Members:** Agreed.

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

#### Bill 55—The Employment Standards Amendment Act (2)

**Mr. Speaker:** On the proposed motion of honourable Minister of Labour (Mr. Praznik), Bill 55, The Employment Standards Amendment Act (2); Loi no 2 modifiant la Loi sur les normes d'emploi, standing in the name of the honourable member for Thompson (Mr. Ashton).

**Mr. Steve Ashton (Thompson):** I am pleased to speak today on Bill 55, The Employment Standards Amendment Act and a companion piece of legislation, which I plan on speaking on in a few

minutes, The Payment of Wages Amendment Act, Mr. Speaker.

I want to indicate that these are rather unique bills in the sense that in a session that is being marred, in my opinion, by a legislation that does not have the support obviously of labour and management in this province. In fact, where there are major departures in labour relations which seriously impact on a number of areas of great importance in this province—the collective bargaining process in particular—at a time when in a number of other areas, including Workers Compensation, where we are seeing significant changes that are going to create difficulty for Manitoba workers in combination with some more positive changes.

In this particular area, we are dealing with amendments that do have the support of the Labour Management Review Committee. In fact, it is a committee of course chaired by Wally Fox-Decent. It reflects the balanced attempt to streamline the operations in this particular case of the Labour Board and in this particular case The Employment Standards Amendment Act.

It is not that there are not some trade-offs in this particular bill. There are, indeed, some items that I am sure are the subject of considerable discussion by labour and management, and I did not wish to comment today without referencing some of the specifics of those items. I want to point to what I feel are some positive changes but also to some areas I that hope will be reviewed on an ongoing basis in the future, because there may be some unanticipated problems that arise out of it.

One provision is in terms of the requirement to give notice of termination of employment during the first 30 days of employment. At the present time, that is only applicable to the first two weeks. That creates some differences now in the way things are conducted, and I must admit that my bias is against any probationary period whatsoever. I believe that there should be due process, and I believe no notice should be provided in all but the most extreme cases, cases, I suppose, in terms of employers where there has been theft or other serious problems that have arisen with an employee or vice versa, where an employee has run into serious difficulties with an employer.

I recognize the intent of this particular section and that is to remove many of the cases that are currently before the Labour Board, where the sense I feel amongst those on the Labour Management

Review Committee is that the time of the Labour Board could be better spent in other areas. Also, it deals with the fact there was some confusion even over the two-week period.

Currently, many people are not aware that they do not have the right to quit without notice or to terminate someone's employment without notice during the first two weeks only. There is often an assumption in terms of people on both sides of the labour-management equation that they can, indeed, lay off people or quit without notice, without that being the case.

I want to indicate that I understand the balance but, once again, my concern is in terms, particularly of employees, of essentially extending the probationary period. I want to indicate, Mr. Speaker, that one of the key factors with this particular element of our labour legislation is, indeed, the fact that employees and employers have to be fully cognizant of their rights.

I say to the Minister of Labour (Mr. Praznik) that with this particular section, I hope he will make the effort to fully inform individuals in the workplace of their rights under this, and their obligations because it is a two-way process. By saying, in this particular case, that notice is not required during the first 30 days, it requires obviously that any employment that is terminated by the employer or the employee after that period of time requires the proper notice period. It is a two-way street.

If an employee leaves without notice, it places the employer in a very difficult situation. Obviously, there has to be some protection for individuals in that regard. Similarly, it works in the other way, as well, and creates difficulty for the employee being laid off without notice.

I also want to point to other sections. The Labour Board now would be required to review the hours of work variance orders that it issues every two years instead of every year. I believe that will not seriously impair its review in this particular case. I believe that is generally a positive move and should not create difficulties.

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

The board would not be required to authorize averaging standard hours over a defined period of time when an employer and a bargaining agent agree on the arrangement. That is something of a departure, Madam Deputy Speaker, but there are areas where this is happening, and so long as it

meets the general requirements under law, I do not believe the Labour Board review of this particular area is required. I agree to that as a fairly positive change. Those are some of the key components in this particular bill.

I want to indicate, again, and I know when the Minister of Finance (Mr. Manness) made a number of comments on the bill, that there was a fair amount of discussion, particularly given the fact that at that time, actually, the minister was unable to bring in the bill directly, as I recall.

I had intended on asking a number of questions for clarification, which I will probably raise in committee when this matter goes to committee, which I anticipate in the next period of time.

The minister says he will be happy to deal with them. I look forward to that. I have highlighted some of the particular highlights, if one would like to call it, as part of this particular bill, Madam Deputy Speaker.

I want to indicate that our concern is more in the area of probation, probationary period and the extension of it. I understand it really is more the intent of the minister not necessarily to take away the rights of, well, indeed, the employer as well as employees. This is not a one-way street, but it is the intention of people, or the Labour Board in this particular case, to have less of a role in the many areas that we are dealing with right now. They have a whole slew of cases, a significant percentage.

Obviously, when one looks at the Labour Board, Madam Deputy Speaker, one has to decide, to my mind, the priority of which cases are dealt with, and I understand that is the intent of this bill to a certain extent. It is not to say that the extension of probation is necessary, in and of itself, a wise move but is to recognize the reality of the fact there are a number of many claims, some of them perhaps frivolous, others, if not frivolous, are based as much on misunderstanding of the bill.

Also complaints that may arise from the fact, I understand obviously an employer's situation, training an individual, perhaps finding the individual is not suitable for the employment, recognizing that the two-week period is not appropriate in that sense.

The same thing on an employee's side. An employee—in fact that often happens—I know many small businesses find they hire an employee. The employee leaves to find a better job, paying even a small amount extra, or perhaps an employee leaves after a three-week period because what had

been anticipated in terms of working conditions or indeed hours has not arisen.

The intent of this particular agreement, Madam Deputy Speaker, is to ensure that the full weight of the Labour Board is not brought down on people in that case, who perhaps through no ill intention, perhaps under misunderstanding of their rights and obligations, made that decision to terminate employment either from the employer's or the employee's side thereby placing them in a position in actual fact they have breached labour law in Manitoba.

\* (1520)

That is the functioning of our system of labour law. There are many statutes, many provisions, many in this particular act. The enforcement of them is really secondary, Madam Deputy Speaker, to the understanding of both management and labour in the workplace of their rights and obligations. To my mind, the best labour standards are labour standards that work without the imposition of the Labour Board. The best labour standards are those that are practised and fully practised by employers and employees on a daily basis.

I believe, by and large, most employers and employees in Manitoba are honest and straightforward in their dealings in that regard. While not every employer and every employee may follow the letter of the law, 95 percent of individuals—99 percent, Madam Deputy Speaker, are following the best of intents.

I think these provisions reflect a sincere attempt on behalf of the committee to essentially net out those who, not through necessarily any ill intent, have run into difficulty.

I just want to indicate further there are some other technical changes, which we do not have difficulty. We do not oppose the bill, support some of the principles, but I do want to express on the record some concerns about the extension of probation with the hope that will not be abused, Madam Deputy Speaker. That, in particular, employers will not feel that they now have the carte blanche to terminate employment during that period for no reason at all or perhaps the wrong reasons.

I think it is important for employers to recognize they cannot terminate employment for other ulterior motives, using this as a technicality to do so. Indeed, all employees, I am not suggesting the employees should abuse this provision either. I

believe employees owe as much of an obligation to an employer. If they expect the two weeks notice period if they are laid off, they should expect the two weeks notice period if they quit.

I believe that, if one looks at the Labour Board, one will find there is a fairly even mixture of cases involving both employers and employees. With those few comments, we are willing to pass this through to committee and look forward to further discussion at that point.

**Mr. Paul Edwards (St. James):** Madam Deputy Speaker, it is a pleasure to rise today and speak to Bill 55 presently before the House. I do not believe this requires any lengthy comments. The Minister of Finance, Acting Minister of Labour (Mr. Manness) that day, put some comments on the record; in my view, he accurately described the contents of this bill. It is not particularly lengthy. It does have the great benefit from our party's point of view that it has received the stamp of approval from the Manitoba Labour Management Review Committee.

I have long advocated a greater role for that committee in the labour relations environment of this province. It is with some chagrin and disappointment that I noticed it was not consulted in Bill 70, which is also before this House, and I believe its continuing role has been undercut and abused by that failure. Surely, the most significant piece of labour legislation before this House is Bill 70, and that one was not put before the Labour Management Review Committee, but this one was. That is to the benefit of this bill as it comes to the other parties of this House, because that is truly a committee, I believe, that is underused and has been for some time.

It was quite clearly abused by the former administration over years and years, and similarly I see disturbing tendencies in this government to do the same. In any event, this bill, as my colleague the member for Thompson (Mr. Ashton) has pointed out, does deal with probationary periods. I do not feel quite the same way as the member does about this. I do not have those concerns. If we were extending the probationary period to six months or nine months, I might; in fact, I most definitely would. But in my experience we are extending the probationary period to a very reasonable period of time, 30 days. It was two weeks, but I think if anybody who has any experience with collective agreements -(interjection)-

**Madam Deputy Speaker:** Order, please.

**Mr. Edwards:** Madam Deputy Speaker, as I was saying, I think anyone who has experience with collective agreements knows that 30 days is not an unreasonable probationary period. It is quite standard in the collective agreements that I am aware of, and it would only be in exceptional circumstances that that would have been reduced to two weeks. Of course, that is still open to parties if they want to negotiate a shorter probationary period, but in terms of setting a standard for the province, it strikes me that 30 days is a very reasonable period of time. I think it is important to note that that is to the benefit of the workers as well as the employers, obviously, in having that additional time to assess whether or not an employee fits within the job that has been given.

I think it will take away some of the fear that may be in an employer in taking someone on for a period of time. Increasing that to 30 days is, in my view, a reasonable period of time in which an employer should be able to judge whether or not the person hired can do the job, wants the job. It is also a period of time for the employees to judge whether or not they want the job, whether or not they can find a better job.

What is important to recognize under this act is that the notice requirements are not just a one-way street. The notice requirements are two-way. Employers owe employees notice in the case of termination that does not fit within one of the exceptions, and employees owe their employers notice if they are leaving their employment. So it is a two-way street and extending the 30 days, in my view, is reasonable from both perspectives.

Madam Deputy Speaker, the member indicates that he hopes it is not abused by employers, and he suggests, if improper motives were to be used. Certainly, he knows and we all know that the jurisprudence in the area of organized workplaces, unionized workplaces, is that just because you are a probationary employee does not mean that there is no standard of review. It just means it is a very much less standard of review for the purpose of termination. What it means is that the employer is given a higher level of decision making right over whether or not a probationary employee stays than in the case of a normal full-fledged tenured employee.

Madam Deputy Speaker, bad faith in termination is the classic example of a reason for termination, even in a probationary status that would not be

sanctioned by a court, by a board of arbitration or by anybody. Bad faith unravels everything. So improper motives on the part of an employer will always be caught by the common law.

What we are doing here is defining a probationary period. Probationary in and of itself, again, does not mean that no standard applies, that there is not any possibility of any review of a termination. It means that there is a very much reduced standard that an employer must meet before terminating an employee without notice. In any event, of course, if you terminate someone, the notice, when they have only been employed under a month, is very little, if any, anyway, because, of course, reasonable notice, determining factor is length of service. That is one of the factors.

Madam Deputy Speaker, there are further amendments here, one of which is to allow the Labour Board to essentially pull back from having such a determinative role and a regularized role in determining work hours beyond the 40-hour week and the eight-hour day. It is imminently reasonable.

I commend the Labour Management Review Committee for putting this forward and saying, look, when parties get together and negotiate a collective agreement and exceed the eight-hour working day or the 40-hour working week for whatever reasons they deem sufficient without the payment of overtime—we all know there could be lots of good reasons for that. You work 12-hour days for four days in a row and then you get a bunch of days off.

Now, over the long haul, that may mean that it works out to 40 hours a week, but on a day-by-day basis, you may work far more than eight hours a day. That is the way a lot of industries work. It is imminently reasonable that the parties, where they get together and negotiate a collective agreement and provide for that and the appropriate breaks which would be extended breaks to compensate for the excessive hours, that should not be subject to review by the Labour Board. The parties have negotiated it. That is their right.

With respect to the ones that do come before the Labour Board and the Labour Board reviews on a yearly basis again, it seems we should accept the advice of the Labour Board. They say they do not need to look at these things every two years. It is not the best use of their time. They suggest that be pulled back to review every two years. That is their suggestion, again, sanctioned by the Labour Management Review Committee. No question that

we should accept their advice and move this forward.

Then there is an extension to six months to file an objection under the act to termination without notice and apply to the Labour Board for a review of that.

\* (1530)

Madam Deputy Speaker, that has been a specific limitation, the 90-day limitation after the date of termination, that has come to my attention as a problem from a constituency level. It has been made aware to me—and we oftentimes forget that we function in a venue where we see the laws every day—that we have access to them and we know how to find access to them. But, for the person on the street who gets terminated from their job, it is usually an absolute blur of where to go, where to seek redress. Do I go to court? Do I go to the Labour Board? Where do I fit in? How do I get answers as to—I feel I have been aggrieved by my employer, how do I find answers? They often do not figure that out or work that out for some time, because there is a certain amount of shock which sets in when somebody is terminated. They do not always know what they should do.

There are many, many cases which are known to me and others where that 90-day period has just been missed because they are not sure of what their rights are. A lot of people think they have no rights. A lot of people get terminated and think, the employer, that is just their right to terminate me with no notice, any time, no matter how long I have been there, no matter how old I am. It is only through speaking to someone else in time, through thinking about it, that they come around to the idea that yes, they should go forward and get what is owing under The Payment of Wages Act for severance pay or further pay which is owed to them.

The extension to six months again, I think, is eminently reasonable. We have to remember that if you turn to the case of going to court for a wrongful dismissal it is not six months, Madam Deputy Speaker, it is six years. If we take the court example, extending this from 90 days to six months is a very small step towards that kind of equity. I do not suggest that we should go to six years, but what I do say is the extension to six months is a pretty reasonable extension in this regard, and again I commend the Labour Management Review Committee for recognizing that, bringing this forward to the government.

Finally, there is an amendment that exempts certain groups from the layoff provisions in Section 39, and those exemptions are because those people would fit in to the Section 40 provisions which deal with group layoffs, that is, 50 or more employees. Again, this was an area of confusion under the act. Some would say duplication where there were provisions for individual employees, similar provisions for employees who were laid off in a group of 50 or more, and this needed to be clarified. Clearly, where a person is laid off as a part of a group of 50 or more, there are provisions in place which indeed are more stringent than if a person is laid off on their own, just a single isolated incident. There is no need for that double coverage, if you will, in both Sections 39 and, I believe it is, 40 of the existing bill.

Madam Deputy Speaker, having put those comments on the record, I do look forward to the minister's further comments at the committee stage. I do not have any concerns, particularly, about what is occurring in this bill. We will, of course, do clause-by-clause analysis. Certainly the thrust is there. It is obviously agreed to by the appropriate bodies, and we should move expeditiously to put those amendments into place, I would suggest.

We should learn from this experience. One would hope that the minister and the government would learn from this experience and the comments which I have made and the comments which the member for Thompson (Mr. Ashton) made congratulating the government for consulting the Labour Management Review Committee. Perhaps they would consult them more often. Perhaps they would consult them on the more important labour issues, for instance Bill 70, probably the most Draconian, most drastic, most far reaching piece of labour legislation in recent years. Did they seek the consultation of the Labour Management Review Committee on that one? No, they did not.

That does not mean that they should not have on this case. That simply means they should learn from these comments and those of the member for Thompson (Mr. Ashton) today and understand there is a way to get labour legislation through this House. That is line up the support and the people who actually have to live with it before you bring it to this House. Thank you, Madam Deputy Speaker.

**Madam Deputy Speaker:** Is it the pleasure of the House to adopt the motion?

**An Honourable Member:** Agreed.

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

### **Bill 56—The Payment of Wages Amendment Act**

**Madam Deputy Speaker:** To resume debate on second reading of Bill 56 (The Payment of Wages Amendment Act; Loi modifiant la Loi sur le paiement des salaires), standing in the name of the honourable member for Thompson.

**Mr. Steve Ashton (Thompson):** Madam Deputy Speaker, indeed there are a number of bills standing in my name. At least, the Minister of Highways and Transportation (Mr. Driedger) knows where I stand. I stand on enough of these bills. After the last 10 years in the House that we have sat across from each other, I think we both know where we stand.

This may come as a surprise to the minister, but on this particular bill we will probably stand on the same side. It is unfortunate that if the same process had not been followed in other bills, as the member for St. James (Mr. Edwards) had indicated, Bill 70 in particular, we would not be standing on the same side on other bills, because this bill has indeed been vetted once again by the Labour Management Review Committee, which has representation from both the labour movement and from employers and is chaired by Wally Fox-Decent, who is well known to members of this House, a well-known university professor, an arbitrator, a selector in terms of final offer selection, well-known in terms of his involvement on the Constitution. Indeed, anyone who could bring the three parties of this House together on constitutional matters as chair of that committee and who is currently the chair of the current committee, obviously has great powers in terms of building consensus and must have a fair degree of persuasion.

In this bill, we see once again consensus, Bill 56, The Payment of Wages Amendment Act. I just want to deal with a couple of the points that are going to be part of this. There is a maximum deposit of \$300 that would be required per employee by employers. This would discourage frivolous referrals by employers to the Labour Board following the receipt of a payment order.

I think that is positive, because if one checks the records of the Labour Board, there have been a number of employers who have in a frivolous way had claims put through to the Labour Board creating difficulty to employees, extending the collection

period. That is one of the unfortunate things in the way about payment of wages, is that in many cases it is a very small handful of employers who are creating the greatest degree of difficulties. We are not talking about small businesses, in a lot of cases, that have maybe run into some financial difficulties, in which case there may be some understandable, if not legal, delays in terms of payment of wages. We are talking, Madam Deputy Speaker, about some significantly large companies that have used this as a common practice for delaying and stalling on the payment of wages that are owing to employees.

\* (1540)

The second point is in terms of liabilities of corporate directors and officers. This would be changed to exclude officers in keeping with The Corporations Act. That is interesting, Madam Deputy Speaker, because in Ontario, there has been a great fuss over the Ontario government's extension of liability to corporate directors and owners in that particular case. I want to indicate that it is ironic because in many ways they are only moving towards what we have had in place in this province for a considerable period of time in a far more strengthened form.

The opinion of the Labour Management Review Committee on the liability of corporate directors and officers—that this restriction now to corporate directors would not hinder in any way, shape or form the functioning of this act, and I think that is important. I do not see any great difficulties with that, and once again it has received the unanimous support of labour management.

Another item allows the establishment of single-member panels that could be appointed by the Labour Board to deal with payment of wages hearings. I think it is something that is worth trying, Madam Deputy Speaker. It would help deal with some of the backlog, the workload, in terms of cases at the Labour Board. It is something I think will have to be reviewed over a period of time to ensure, of course, that people are receiving a fair hearing and there is not an undue bias by any of the single-member panels, the individuals on that panel. I do believe that in payment of wages matters, the Labour Board does deal relatively impartially and I want to say, I do trust in the judgment of Labour Board members regardless of whether their background is as an employer representative or employee representative. I want to indicate that

certainly this is worth pursuing, but it is something that we may want to keep tabs on.

There are some other technical amendments in this bill that do not require a great deal of scrutiny. I just want to indicate again, to re-emphasize that this is the product of the Labour Management Review Committee. I wish the government had referred other items that I mentioned earlier, Bill 70 in particular, to the Labour Management Review Committee. That may be dealt with independently by the Labour Management Review Committee, as is their right, and I will be very interested to see if there will be the same kind of unanimity that there is on Bill 55 and Bill 56, on Bill 70. Something suggests to me that there may not be unanimous support for the government on Bill 70, but I will deal with that—

**Hon. Albert Driedger (Minister of Highways and Transportation):** How come?

**Mr. Ashton:** Well, the Minister of Highways and Transportation says, how come? I may have a few moments later on to explain in more detail.

**An Honourable Member:** You have been at it for four days.

**Mr. Ashton:** I am sure the minister—five days, actually, to the minister, but I am sure the minister would not want to distract me and make me move away from the relevancy of my comments on Bill 56, Madam Deputy Speaker, and I would not want to use up my comments on Bill 70 now anyway. I may want to make them later.

**Mr. Driedger:** You should be dry by now.

**Mr. Ashton:** The Minister of Highways says I should be dry by now. I notice that whenever I get up, I get a glass of water when I am speaking on Bill 70. I do not know if the minister is sending that over personally as a subtle hint here, but I am not dry of ideas, Madam Deputy Speaker. I can indicate that on Bill 70, and I will show the member that later.

On Bill 56—the member distracts me -(interjection)- That is right. The member distracts me. This is a bill which we support. We will be passing through to committee and look forward to public presentations, but I anticipate that there probably will not be a great number of presentations on that since there is a fair degree of unanimity.

I want to say to the Minister of Labour (Mr. Praznik) just in closing that, apart from the other bill that I mentioned, I believe there are significant aspects of labour law that really are suitable for

consensus building. I really believe that 99 percent of employers and employees have the same interests at heart, even if at times they disagree on significant matters. This is a good example of where some creative discussions, some trade-offs, indeed, have been made that I believe will improve the functioning of the Labour Board and in terms of Bills 55 and 56 for The Employment Standards Act and The Payment of Wages Act.

I would say to the government that I hope they will not embark on a course in the upcoming years of strictly moving ahead in terms of areas that may involve rollbacks of labour legislation. I understand there is a review of the labour law under way at the current time. I am very concerned it may lead to such rollbacks. I would ask them to look at this as a—I am not saying there will not be significant changes from time to time. Governments do make significant changes. Certainly, the New Democratic Party did from 1981 to '88 in terms of labour law, and we make no apologies for that. I understand the need to do that, but I do feel this is a far better process.

So with those few comments, we are pleased to be able to pass this bill to committee.

**Mr. Paul Edwards (St. James):** Madam Deputy Speaker, it gives me pleasure to rise today to speak to Bill 56. I have read and noted the comments of the Acting Minister of Labour given in this House on May 24 when this bill was introduced. In particular, I have noted the comments that this bill, as well, is given the seal of approval by the Labour Management Review Committee. That, I think, gives it the necessary clout as it comes to this House to ensure easy and expeditious passage, because we all in this House indicate at least, and I certainly believe and my party does, that the Labour Management Review Committee is the way to go in terms of amending labour laws. That is a committee whose time has come, in my view.

It is time we moved beyond the partisan, the destructive, the antagonistic and hostile environment of labour relations and put more and more authority in very reasonable bodies like the Labour Management Review Committee. The great benefit of that committee is that it can be proactive. It can deal with issues which it sees coming on the horizon in the areas of labour relations and can do a great service to this province if, indeed, it is given the ability to have real effect, have notice from the government about intended

changes, get a chance to look at them and be listened to at the end of the day.

Both the former administration and this administration sadly have not maximized what could have been the contribution of the Labour Management Review Committee. That, I believe, has been to the detriment not just of the committee itself, and I think it has been abused in the past, used as a political tool, but also to the detriment of all working Manitobans who need such a committee to forge ahead and attempt to head off, as I say, the divisive conflicts which often arise in labour relations.

Madam Deputy Speaker, this bill puts forward some amendments to The Payment of Wages Act. Let me just say at the outset that I am coming around to thinking that we should perhaps look at putting The Payment of Wages Act and The Employment Standards Act and perhaps even others, and I think of The Construction Industry Wages Act, that we should somehow combine those.

I wonder if there are not too many pieces of legislation in the area of labour law, Madam Deputy Speaker. I get the labour set, which is sent out by the Queen's Printer, of laws in this area. There are innumerable laws and I wonder if it is not confusing to people who look at this and say, well, I have a problem, I feel abused by my employer, where do I go? I mean, Workplace Health and Safety is pretty clearly an issue area but payment of wages, employment standards clearly deals with wages and it seems to overlap a lot. I do not think the titles help people a lot and I wonder if we should not perhaps be looking at that at some point. It just struck me as we were standing up to speak to Bills 55 and 56.

Madam Deputy Speaker, the amendments in this legislation seem eminently reasonable. I must say that when I first saw the amendment that they were going to be requiring employers to put up \$300 per employee before appealing a decision of the officer—it is only an officer which goes out and makes the assessment and issues the payment order. They have to put in \$300 per employee unless the overall amount owing is greater than, I believe, \$10,000 and more than 20 employees.

My first thought was, what about small businesses? What about the business that is working day to day, hand to mouth, that simply may not have \$3,000 in the case of 10 employees or \$1,500 in the case of five employees or, indeed,

\$4,500 in the case of 15 employees to come up with. What if they have legitimate claims but they just do not have that money to put in as a deposit? My concern was for the small business person who is trying to make a go of it. I did wonder. I was concerned that that \$300 may be a bar to some small businesses, and when I looked at the efforts in this bill as well to expedite the process and reduce it to one member of the labour board instead of panels of three, I have nothing but praise for that.

\* (1550)

I think it is eminently reasonable and it is high time that we streamlined that and made sure that decisions in this area by the labour board can be made expeditiously. I wonder, given that and the fact that we already have 30 percent that end up people do not show up and that is perhaps a necessary cost of having a process in place, people launch an appeal and then do not show up. Fine, they lose. If it is just one person sitting there, we have not wasted the time of three. We have only inconvenienced the one person.

I must admit I did have serious reservations about the setting up of a deposit system before you appeal. It seems to me if you are going to court, sure, you have to invest in a lawyer, you have to put some money up front, you have to spend some time and effort. That is not the point of the labour board. The labour board was supposed to be an accessible board. You are supposed to get to it quickly and get to it efficiently. The minister is indicating that there may be other jurisdictions that deal with this. My concerns are significantly assuaged by again the seal of approval of the Labour Management Review Committee. That tells me that employers have been represented and have spoken to these issues and have thought about them, and they know better than I. I am not a businessperson as such; I do not have employees as such. They have spoken to it; they feel this is acceptable. I am willing to live with what they recommend. I am also willing to look to them for guidance in the future, something that this government is not willing to do on a regular basis. They have picked and chosen certain areas that are willing to listen to them. When it comes to the big stuff, they do not bother consulting; they did not take it anywhere near the Labour Management Review Committee.

Madam Deputy Speaker, the other amendments to this legislation, again, seem reasonable for the efficient working of the Labour Board in these areas

and, of course, put in the liability of directors, take out the officers'. Anybody who has any corporate experience knows that directors and officers are sometimes one and the same, but they sometimes are not. Sometimes officers are not, in fact, the directing mind of the corporation; they are officers as such, employees rather than directors. So restricting that liability for unpaid wages to directors does make sense. It also makes this consistent with The Corporations Act, giving it more reason for passage here today.

The other amendments limit the back pay that an employer would owe an employee to six months, which again has been the practice for many years in any event. Simply putting into law what has been the practice does give directors some security, and I think that is important. We need to give directors some security when they go to become insured, as they need to be, for unpaid wages down the road. They will need to instruct their insurers as to what kind of exposure they may have down the road, and limiting that to six months can assist with that. If it is the practice, in any event, clearly the labour people on the review committee have seen fit to limit it to six months. I think that is wise thing to do, given the past practice. There have not been major problems with it.

The last amendment puts these payment-of-wages orders in the same category as maintenance enforcement orders; that is, we are increasingly seeking to develop reciprocal arrangements with other jurisdictions to enforce these orders wherever people may be who owe the money. There is no more telling example of how that can be used and how its not being in place can be abused by directors than the LynnGold situation up in northern Manitoba of some years ago. I believe, it was 1989, perhaps 1990, that that occurred, that the mining corporation working out of Lynn Lake pulled out. We saw directors leave the province, and there was a lot of concern as to whether or not these things could be enforced. Luckily, they had assets in this province that could be seized, but that may not always be the case.

Madam Deputy Speaker, I look forward to this coming through committee stage, and given the comments of the Acting Minister of Labour on the record, the assurances that these have received the approval of the appropriate individuals on the Labour Management Review Committee, we are

pleased to see this move on to committee stage. Thank you, Madam Deputy Speaker.

**Madam Deputy Speaker:** Is it the will of the House to adopt the motion? Agreed? Agreed and so ordered.

### **Bill 18—The Municipal Amendment Act**

**Madam Deputy Speaker:** To resume debate, on the proposed motion of the honourable Minister of Rural Development (Mr. Downey), standing in the name of the honourable member for Thompson (Mr. Ashton), Bill 18 (The Municipal Amendment Act; Loi modifiant la Loi sur les municipalités).

**Ms. Rosann Wowchuk (Swan River):** Madam Chairperson, I would like to make a few comments on this bill before it goes to committee. There are many changes in the bill that are good changes, changes that have to be made, and I see no objection to those changes that will make it easier for councils to operate. However, there are a few changes that I question. I would like to put them on the record, and perhaps we can deal with them more thoroughly when we get to committee.

The first one is the changes in the value of the assessment before communities can apply for village or town status. To have to go from \$750,000 to \$3 million is a great number, and in towns to go from \$1.5 million to \$6 million is a great number. I do not quite understand what the reasoning would be why the minister would want to restrict communities from having status of a town or a village. I am not sure how that can be a benefit to the community, but perhaps we can have some clarification on that when we get to committee.

The section of the act that I find interesting is the section that restricts people from sitting on councils. I am pleased to see that judges will not be able to sit on council and also that the correction has been made on MLAs. I know that when I was first elected, I was quite surprised to realize that I could still stay on as a councillor and an MLA at the same time. However, I resigned very soon after I was elected, because I did not feel that was the proper thing to do and also the workload was very heavy.

However, I have some question as to why certain sections were removed to now allow employees of councils, assessors, but particularly employees of council to now sit on council. I wonder how that will be dealt with, because quite often they could be in a conflict-of-interest position, and when I look at this I wonder whether this government is going to

look—if employees of council can sit on council boards, does it mean that teachers are now going to be able to sit on school boards? I do not understand the reasoning as to why that change was made, but perhaps the minister can offer us some clarification on that matter as well.

Most of the other changes from there are, as I had said, simply clarification and making the operations of council easier. I think that those will be of a benefit to council. As the minister had indicated in his comments, these changes were supported by municipal people and I am sure that they will be of a benefit.

The section on secretary-treasurer and municipal administrator, I am glad to see that change. I worked with a couple of councils where municipal administrators tended to say well, I am not your secretary-treasurer, I am just administrator, and there seemed to be some resentment that some were secretary-treasurer and had more powers. I think this just clears up that section of it as well. I like that part of it, and the section that gives the councils more authority over giving grants, it is the local councils that understand those kinds of situations. I think those basically are good.

\* (1600)

Another section where I have some concern is where changes are in disorganization and alteration of boundaries are subject to the minister's approval. That is a change because as I understand it, prior to this the minister only had to be notified of change. I wonder what kind of powers this will give the minister, whether he can initiate change on his own or whether it is going to be changes that the council initiates.

There is one section of the act that deals with land held in trust for taxation, dealing with Crown lands and aboriginal lands that are being held in trust. That is an interesting part of the act. I wonder whether there has been concern, as I have raised many times in my constituency, that municipalities are not able to collect taxes on Crown lands. I am hoping that this might be the section of the act that will deal with that and give the councils the ability to collect taxes on Crown lands that they do not have the ability to deal with right now.

The new section of the act is something that I understand councils have been asking for some time, to deal with costs of gravel and crushed rock. I have not heard this request from councils, but I guess with the additional costs that municipalities

have been asked to pick up, with the additional roads they now have to have the responsibility for, they are going to need the extra revenue. I hope that through this section they will be able to get some of the revenue that they need to deal with all those additional costs that they must pick up now. So I am not quite sure what this will lead to, what kind of dollars we are looking at, but I am sure it will be of some help to municipalities.

You know, when you get a number of roads added into your budget that you did not have before, you have to find the extra money someplace. That is exactly what has happened to many municipalities in the last while. We are hearing about additional roads. They have also had the extra cost of policing and all those kinds of things that they have to have extra revenue. I hope that this will help municipalities.

On the sections that are restricting the size of towns and villages, I would be very interested to know, also, how this is going to affect municipalities' ability to collect taxes, whether there is going to be any impact on municipalities, whether they will be able to collect at the same level or whether there is going to be a change, whether there is a difference also in policing cost, because there is when you are in a town or in a village. You have a different rate. I wonder whether this legislation will have any changes.

There is a section also that deals with ambulance costs, rural costs versus city costs, and we will raise those questions when we get into committee as well. There are a few questions that I would like to ask on that area.

Basically, I feel that this is good legislation. Just a few of the points that we would want clarification on, that clarification can come to us when we get into the committee stage. I hope that this legislation will help municipalities run their affairs with more efficiency and help them out.

With that, Madam Deputy Speaker, I would like to say that we are prepared to let this bill go to committee. There are a few points that I would at that point like to raise with the minister. Thank you very much.

**Madam Deputy Speaker:** Order, please. I neglected to determine if there was leave to leave the bill standing in the name of the honourable member for Thompson (Mr. Ashton) and recognized the honourable member for Swan River (Ms. Wowchuk).

I just wanted to establish that there was no leave to proceed.

**Hon. James Downey (Minister of Rural Development):** Yes, I am recognized to speak to close debate.

**Madam Deputy Speaker:** The honourable Minister of Rural Development, to close debate.

**Mr. Downey:** Yes, Madam Deputy Speaker, I plan to close debate on Bill 18.

I cannot answer all the questions that were raised, but I will have some more specific detail as it relates to the questions raised by the member for Swan River (Ms. Wowchuk).

In general, let me say how pleased I am that I have the full endorsement of the opposition members on this piece of legislation, of the compliments, and I appreciate that. It will help municipal corporations. I know she has put some questions forward which I hope to clarify.

As far as the value of assessment as to the determination as to the description or the type of village or community we are dealing with, I will get the reasoning behind the numbers that were used as it relates particularly to the election of a staff member. If I were to use a comparable situation, Madam Deputy Speaker, would it be fair to use a situation where an employee of government has the opportunity to run for elected office as MLA?

**An Honourable Member:** It is a full-time position.

**Mr. Downey:** It is not a full-time position.

**An Honourable Member:** A leave of absence.

**Mr. Downey:** Then we are now dealing with that situation, but they, I do not believe, should be denied the opportunity to run for council. However, where the difficulty would arise is if they were to be in a conflict of interest. They cannot basically work for themselves, so they would in fact have to, I believe, take a leave of absence from their job to, in fact, become a councillor. There would be a decision, but they should not be denied the opportunity to run.

**Mr. John Plohma (Dauphin):** Not an R.M., though. There is never enough remuneration for them to take a leave of absence.

**Mr. Downey:** Well, that is up to them. The member for Dauphin says there is not enough income for them to take on a full-time council job. This is up to them. The point is, should they be deprived? Should we be the judge as to whether or not they do

not have enough income, or should we give them the right to run?

If they actually were to be elected, then they could not work for themselves as an employee of that council. It would put them in a direct -(interjection)- That is correct, they would have to deal with that situation after they were elected. But to deny them the right to run, I believe, would be denying them a right as a citizen, as an individual who works for government. An employee of government has the opportunity to run for political office. -(interjection)- I am pretty near finished, but I can talk a little bit more about the member's question as it related to not knowing the request from municipal councils as it relates to the charging of per tonnage fee on gravel hauled over the municipal roads.

\* (1610)

There was a committee struck of the construction industry, of the Union of Municipalities and three reeves who represented them to come forward to government with a recommendation, because what in fact was taking place was that the municipalities had the ability to tax construction equipment that sat in quarries, which never really worked very effectively. The municipalities wanted the ability to get some compensation for the use of their roads in the heavy haulage of aggregate product, so the community came forward to government and recommended that change take place.

I do not know how long this request has been out there, but I know that it has been there for some time. So we have now made the decision to proceed to give them some support. I think it is a clear indication of the municipal level of government being able to more effectively get the kinds of compensation that they need to keep the road system up as it relates to the transporting of the heavy aggregate over the roads. -(interjection)- Well, the member for Dauphin continues to not understand rural Manitoba.

**Mr. Plohman:** I do not? You gave them additional roads . . . .

**Mr. Downey:** The member says we gave them additional roads. Well, there is a process in place, and I compliment my colleague the Minister of Highways (Mr. Driedger) for putting a process in place to work with the Union of Municipalities and that there is a compensation put in place to assist them in the taking over of these roads. So there is some \$6 million that has been put in place.

**An Honourable Member:** One time.

**Mr. Downey:** One time.

**An Honourable Member:** Yes, we know. It has always been there.

**Mr. Downey:** The member says it has always been there. If that is the case, then I do not know what they are complaining about us doing this action for then. If it has always been there, they must have been intending to do the same thing. They must have been planning on doing the same thing. So he has not got the issue that he thought he had. I do say seriously, Madam Deputy Speaker, that we have just completed our round of spring meetings with the municipalities, regional meetings. They have gone very well. I think there is a clear understanding from the municipal corporations that there is the opportunity to come before the legislative committee and speak to Bill 18 as it relates to the municipal act. There may be one or two other additions or recommendations that come forward to add to the municipal act as it goes through that process, and I encourage them to do so. If they have some additional thoughts and concerns, that is the opportunity to do it.

Madam Deputy Speaker, I have no more comments to make as it relates to Bill 18 and look forward to the full support of the Legislative Assembly when it comes to final reading. I know that the members are looking forward to their House leader coming in for some particular reason. If I am speaking just to stretch out the time to hear him speak, then I am prepared to sit down anytime.

**An Honourable Member:** I have some questions.

**Mr. Downey:** This is not the opportunity for questions.

I now recommend that Bill 18 go before the committee of the Legislative Assembly so that it can, in fact, be scrutinized by the public and, hopefully, speedy passage. Thank you, Madam Deputy Speaker.

**Mr. Plohman:** Madam Deputy Speaker, may I have leave to ask a question of the minister before we take the vote on second reading?

**Madam Deputy Speaker:** Is there leave to have the honourable member for Dauphin ask the Minister of Rural Development (Mr. Downey) a question? A question. One question. Leave? Agreed.

**Mr. Plohman:** Madam Deputy Speaker, the minister, in his remarks for third reading, has expanded on and shed some light on his reasons for allowing employees of municipal corporations to seek office for the corporation itself. This has previously not been allowed by Legislatures through legislation because of the potential conflict of interest involved with employees seeking office. It is similar to what teachers have with regard to the school boards. A teacher cannot seek office as a trustee for a school board that they teach for at the present time. In a similar way, a municipal employee cannot seek office for the corporation that he or she works for.

I wanted to ask the minister, in light of the fact that he referred to potential leave of absence to avoid a conflict so that the municipal employee was not working for himself as such in his capacity as a councillor, if he was successful in being elected, why the minister has not included that provision in this act. Does he feel it should be in another act of the Legislature? Does he feel that he is going to leave that kind of eventuality for the opposition to raise concerns with or was this something that he intends to bring in an amendment for in committee stage?

### House Business

**Hon. James Downey (Acting Government House Leader):** Madam Deputy Speaker, before I answer that, on House business, I think the government House leader has a request to make.

In view of the fact that he is not in his seat, I will ask, on behalf of the government, that after passage of Bill 18, could we have leave of the House to move to Bill 52 to accommodate the actions of the House? Could I have leave to do that? Go to Bill 52 prior to the calling of Bill 70? Do we have leave?

**Madam Deputy Speaker:** Is it the will of the House to proceed to call Bill 52 prior to the calling of Bill 70? Agreed?

**Some Honourable Members:** Agreed.

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

\* \* \*

**Madam Deputy Speaker:** The honourable Minister of Rural Development, to respond to the question of the honourable member for Dauphin.

**Mr. Downey:** Yes, Madam Deputy Speaker, I am more than prepared to answer that question for the

member during the committee stage of this legislation.

### House Business

**Hon. Darren Praznik (Deputy Government House Leader):** Madam Deputy Speaker, when you asked with respect to Bill 52, I believe there is also agreement to allow Bill 39 to proceed as well prior to the calling of Bill 70.

**An Honourable Member:** 39 and 52?

**Mr. Praznik:** 52 and 39.

\* \* \*

**Madam Deputy Speaker:** Prior to dealing with the House business, can we please revert to deal with Bill 18? Is it the pleasure of the House to adopt the motion? Agreed?

**Some Honourable Members:** Agreed.

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

### House Business

**Mr. Praznik:** Madam Deputy Speaker, I understand that there is a will in this House to allow Bill 52 and Bill 39 to proceed to be called prior to Bill 70.

**Madam Deputy Speaker:** Is it the will of the House to call Bills 52 and 39 prior to the call of Bill 70? Agreed?

**Some Honourable Members:** Agreed.

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

### Bill 52—The Family Maintenance Amendment Act

**Madam Deputy Speaker:** To resume debate on Bill 52 (The Family Maintenance Amendment Act; Loi modifiant la Loi sur l'obligation alimentaire), on the proposed motion of the honourable Minister of Family Services (Mr. Gilleshammer), standing in the name of the honourable member for Elmwood (Mr. Maloway). Stand?

**An Honourable Member:** Stand.

**Madam Deputy Speaker:** Is there leave?

**An Honourable Member:** Yes.

**Madam Deputy Speaker:** Agreed.

**Mr. Paul Edwards (St. James):** Madam Deputy Speaker, it gives me pleasure to rise and speak today on Bill 52.

This is a relatively short piece of legislation, but I believe it is an important one. It is part of the overall move in this province, a move which this province has led in to beef up and fully cover all of the contingencies in making sure that family maintenance orders are indeed paid, paid on time, paid regularly.

\* (1620)

We had the distinct pleasure as Manitobans in my view to live in a province where we led in Canada in establishing a reciprocal enforcement of maintenance orders regime and a Maintenance Enforcement branch which was second to none in this country and today remains, I think, one worthy of praise from all of us here in ensuring that maintenance orders which, of course, provide for the regular payments to children and spouses who require financial assistance after a separation or breakup of a marriage, do get paid and get paid on time.

One of the most unfortunate spectacles is to see the abandonment, not just emotionally and physically, but also financially in some cases by parents of their children, of their spouses. I do not say that marriages break up without good reason on many occasions. It is not for us to judge, Madam Deputy Speaker, and that is the new thrust of the law.

It is not for us to judge why people get married in the first place, why they break up their marriage, but we as legislators have a role to play in ensuring some equity and some fairness that financial obligations taken on are not unilaterally revoked upon without good reason. Certainly, maintenance orders can be abused in terms of those receiving it. That happens. Sometimes people lie about their needs, about their ability to earn incomes, about who they are actually receiving income from; but there are provisions in place to go back to court and have maintenance orders reviewed.

What in the past has been far more prevalent is that he or she who is obliged to pay just does not make the payments. That is why we established the Maintenance Enforcement branch. That is why we have put in place, as I say, reciprocal arrangements with reciprocating jurisdictions around North America.

We spoke about those last night in the Department of Justice Estimates. We are to hear at a later time in the Estimates process of any new jurisdictions that we have brought on stream as

co-operating jurisdictions, so we can ensure we cover as much territory as possible, so people cannot escape the maintenance orders that they are required to pay.

This particular bill, Bill 52, tightens those enforcement orders by including sanctions for not appearing for a hearing or failing to provide maintenance payments. I do not propose to go through it section by section, but essentially it provides that where a person has failed to fulfill the provisions of a maintenance order and has failed to abide by a summons to appear before a deputy registrar, the hearing may continue in the person's absence, or a warrant may be issued for the person's arrest.

I draw to members' attention that the issuing of a warrant for arrest seems like a drastic measure but, Madam Deputy Speaker, that is already in place in the case of normal civil judgment debtors. If you just happen to have a judgment against you in a civil matter, a contract, a warrant can be issued for your arrest, if you do not show up at a judgment debtor examination for the judgment creditor to examine you under oath and find out what your assets are, find out if they can collect their judgment or where they are going to collect their judgment. If you do not show up, the police will literally arrive at your door and bring you to the examination or send you to jail. That is already in place for civil judgments. It is a very drastic measure. You have to have given warnings and summonses have to have been issued, but if you are found and a summons is issued and you simply do not attend, that is the penalty you face.

Madam Deputy Speaker, there is no good reason for not putting into place the same kind of remedy for family maintenance payments. In fact, there are lots of good reasons to suggest that this should have been in place long ago to deal with maintenance payments, because maintenance payments usually go to families, single parents and children, who need money day to day. If they do not get the cheque, they do not eat. They do not make the rent payment. They do not have enough money to put food on the table or clothe themselves.

(Mr. Speaker in the Chair)

In the majority of cases in family break-up, people do not end up with a lot of money. They end up with a lot less money. If someone is left with a dependant child, perhaps not having worked before, having to go out and look for work, they need that

maintenance payment. They need it on time and they need it in full. That is the point of The Family Maintenance Act. That is the point of this amendment act.

Let it not be said that, again, those receiving payments do not, on occasion, abuse that. They do, and that is why we have hearings in place. We have a hearing officer who sits regularly at the courthouse specifically to deal with these issues and to determine whether or not payments are being made, whether or not they should continue to be made. There are occasions where people do not fully disclose what they earn, where they get their money and do not disclose their full financial situation.

It is my understanding from this that this particular bill could work both ways, because it simply indicates where a person in default fails to appear. Mr. Speaker, I am convinced that there are sufficient protections in place. I know that there is massive unhappiness with the family law system. Most people who go through it are not happy. They generally are not happy when they enter into it.

That is one of the unfortunate parts of practising domestic law, which I do not do a lot of, I freely admit. One of the reasons that it is not dear to my heart as an area of practice is because by the time people come to you in a domestic dispute they are generally very, very bitter towards each other, unhappy generally about their lives. That is understandable, but it means that the people involved in the system do not really have a good situation to work with. It does not come into the system as a good situation.

So I think that explains some of the very large unhappiness that people leave the system feeling, but on the other hand, there are some legitimate complaints. I remember two years ago a woman calling me, not a constituent, but someone in the city who said to me she was calling the Family Maintenance branch and every day after noon they did not answer their phones. There was a tape recorder which said, you have the maintenance branch and come and see us tomorrow morning at eight or call us then. You could never get through. It was always busy in the morning, and in the afternoon you got a recorded message.

She called ready to rip her hair out and with good reason. Can you imagine being a single parent, waiting for a maintenance payment which is not coming? You have a child or children dependent on that cheque, and you cannot get through to the

office. What it did was it forced people to abandon the phones, and they just showed up at the office. Where is the cheque? That is what they did, and then the maintenance branch was complaining. I remember that from two years ago, a classic example of insensitivity to those who rely on the system we have put in place to ensure that cheques arrive in full and on time.

Mr. Speaker, with those comments and again drawing to people's attention that this type of provision is already in place, in my view, on the civil side to deal with regular judgment debtors, there is no reason it should not be in place for debtors of family maintenance orders as well, which is in fact a court order, and it does make sense to put that in place.

I do have some concerns about the specific wording of this, but Mr. Speaker, I do not intend to go into those in detail today. They will be raised at the committee stage, perhaps even before that time if I could bring them to the attention of the minister. The thrust of this bill is good, it is positive, and it is well worth supporting. I am pleased to recommend on behalf of our party that it pass on to committee stage.

**Mr. Speaker:** As previously agreed, this matter will remain standing in the name of the honourable member for Elmwood (Mr. Maloway).

### **Bill 39—The Summary Convictions Amendment Act**

**Mr. Speaker:** On the proposed motion of the honourable Minister of Justice (Mr. McCrae), Bill 39, The Summary Convictions Amendment Act; Loi modifiant la Loi sur les poursuites sommaires, standing in the name of the honourable member for Dauphin (Mr. Plohman) who has 24 minutes remaining.

**An Honourable Member:** Stand.

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

\* (1630)

**Mr. Paul Edwards (St. James):** Mr. Speaker, it gives me pleasure to rise to speak today on Bill 39, The Summary Convictions Amendment Act. This again is a piece of legislation which appears very short but I believe has an important purpose, one worthy of bringing to this House in the form the minister has and worthy of seeing through to committee, and that will be my recommendation.

I do want to put some small notes, some small comments on the record at this time. This act is designed to make improvements in three areas, all of which required amendments to The Summary Convictions Act. Each of the changes is, as the minister has said in his comments, relatively technical in nature, but I do believe of some importance.

The first change is one necessary to permit the implementation of the Canadian Driver Licence Compact. The compact is an agreement among provinces in which jurisdictions reciprocally agree on conditions that must be fulfilled before a licence will be issued. Of course, we hope in Manitoba and seek to co-operate fully with counterparts across the country and the federal jurisdiction whenever possible in ensuring that our roads are safe, that drivers are properly licensed, properly tested and do not receive licences after they have lost them in another jurisdiction. This is part of the thrust of this bill and it is an important one which we should see through to law.

It is also important to note that it helps to expedite the process when Manitobans move out of the province to another province and have a good driving record and just want to have a driver's licence in another province. Part of this bill is designed to expedite that process so that there is not needless testing done of people who have legitimate, good driving records in the province they come from. It is a particular concern of mine, I might say, having lived six years in another jurisdiction in Ontario and having constant frustration in determining where I should be licensed to drive, whether that should be Ontario, how long I had to live in Ontario before I should get a licence there or keep one here, where my car should be registered. It was not clear and, I might say, when I spoke to the jurisdictions, Manitoba and Ontario, it was not that clear to them.

Mr. Speaker, you would think that on such important issues as that—it would appear that people are moving regularly between Ontario and Manitoba—they would have clarified that, but they really had not in their own minds. My situation, I did not think, was not that unique. I was going to school down there, but every year I had to come back and check to make sure that my insurance was properly placed and I had the drivers licence in the right jurisdiction.

I can tell you that the answers were not unequivocal. They were wishy-washy and, well, yes, at some point you should get a licence here and at some point you should not and, well, maybe you have to take another test or maybe you do not and, yes, to be safe you should take another test. I actually ended up taking another test in Ontario. I think it was needless. There was no point to it, but that is what I had to do. I think that is what a lot of Canadians have to do as they move from province to province.

If we believe in mobility rights, it is an important thing to ensure that people can move and retain the rights that they have accrued in another province. One of those, fundamental to most people, is the ability to drive. If they have earned the right to drive and they have driven safely in the past, then we should recognize that. We do have some differing standards and traffic laws and everything else in various jurisdictions, but we do recognize that, essentially, our standards are the same.

The Canadian driver licence compact is an important part of that standardization from coast to coast to coast in this country. Most of that compact is achieved without statutory amendment but there are some requirements of statutory amendments. It is expected, I note by the minister's comments, that similar enabling legislation will be passed by other jurisdictions across the country.

This again will mean, and I think it is important to point out, that not just will it enable people to get drivers licences and retain their drivers licence without further aggravation, further testing, but it will also mean that a person who is caught speeding, perhaps, or infringing some other provision of The Highway Traffic Act in another province before getting their licence here in Manitoba will have to pay that fine, deal with that allegation, that accusation, in the other province. That is important as well.

We have to know what a person's driving record is before we give them a Manitoba licence. Once we do know it, once they have cleared, they should get it quickly. We have to be able to find out what their real driving record is, because people can go and they can simply fabricate if they are desperate to get a licence. A lot of people are. They move to another province, no, I have never had suspensions; no, I do not have outstanding charges; and they get a licence. We need to tighten that up. That is the point of this compact, the standardization

nation-wide. I think it is a good change. It is an important change.

The other change in the legislation has to do with the procedure for getting a warrant of committal where parking fines are outstanding. The summary conviction at present, of course, is silent on the procedure that should be followed. We know from recent experience some of the travesties of justice of people who get dozens, sometimes hundreds, of parking tickets and do not pay them. You know, it seems like a small thing. You get a few parking tickets; you do not pay them. Well, in the long run, if you rack them up—and they were talking dozens and hundreds—you are regularly abusing the right of others to park in spaces legitimately. The law of the city or the province—none of us like parking tickets, none of us.

I ask you, Mr. Speaker, is it for the betterment of our society that we did not have parking meters, that we did not have a way of maintaining some control over who parks where and for how long? No, of course not. We are all aggravated by having to plug loonies—it used to be nickels and dimes, quarters—into the parking meters. We are all aggravated by getting parking tickets but, you know, it is necessary.

I see the Minister for Government Services (Mr. Ducharme) agreeing, and he was on council. He knows that. It is never popular, but I think most people understand that it is necessary. It is also necessary that it has some clout. When people rack up hundreds of parking tickets, they should pay; and if they do not pay, they should feel the full weight of the law, Mr. Speaker. That is just the way it is. This does give some additional clout in that regard, and that is good.

I might also say, I have been known on occasion to get parking tickets, and that is an admission that I am willing to make in this House now. Mr. Speaker, I do pay them and I have learned to pay them quickly. What is interesting to me is that it dramatically increases as time goes on, dramatically. I think it starts at \$10 and it goes to \$50 pretty quickly, and so I do not get many, hardly any. The fact is, the one that I did get, I must admit that I really like the fact that you can call and put the \$10 on your credit card. That is a real improvement, and I think that is one of the ways that I have to applaud the city. That is a good improvement. That is user friendly.

Now, it still hurts. It is the same ten bucks. Actually, it increases to eleven bucks—\$11.07 because of GST. So they charge you extra, but believe me it is worth it. I think it was a good move, and they will reap the benefits. They will get a lot of payments that they would not otherwise have got just because it is inconvenient. So I think it is a good move, and the city should be applauded for that. I also think it was astute on their part. I do not think it takes away from the deterrent to say, look, you pay early, you pay less. You wait, you pay more. I do not see anything wrong with that—

**An Honourable Member:** Bring in the "Denver boot".

**Mr. Edwards:** I see members calling for the bringing in of the "Denver boot." I am not sure about that. I am not going to comment on that. I will need to know what the "Denver boot" is first—

**An Honourable Member:** A clamp along the wheels.

**Mr. Edwards:** Oh, yes, the clamp on your wheels. Well, in any event, Mr. Speaker, the Canadian Driver Licence Compact is an important move towards standardization of traffic laws and licensing laws and regulations across this country, and it is high time. Surely, it is time we as a nation recognize that we all have roads, we all drive on the right side of the roads. Now, some of our signs look different, and I was in Montreal and I noticed the signs looked very different there. There is a certain skill to driving. There are certain rules which we all understand. With the minor modifications we should standardize our licensing procedures. If you have qualified in a province, you meet the standards, you have driven well, you have earned the right to drive, you should not have to go through further exorbitant testing in another province.

Similarly, if you have abused that right, you should not be able to walk to Saskatchewan or Kenora and get a licence. You should be held accountable for your violations wherever you go in the country, and I would like to see that extended to other jurisdictions, including the United States. I think there is every reason to do that.

So I leave those comments on the record. I am generally in support of the thrust of this agreement.

\* (1640)

There is another piece of this legislation which proposes some changes in the Fine Option program, and I have to put on the record that the

Fine Option program I view as a very progressive, very important part of our sentencing regime in this province.

The Fine Option program allows people to work off their fines if they cannot pay them. Is there any more contradictory scene than filling our jails with people who have not paid their fines? They cost us \$40,000 or \$50,000 a year to put in jail. They do not pay their fines to the state so we say fine, you have to go to jail, and that costs us an arm and a leg when they go to jail.

Jail is incredibly expensive. Anybody who looks at the Corrections department, who understand penal institutions and their costs knows that nobody wins when somebody goes to jail and they are not a danger to society. If they are a danger to society, yes. People have to be protected from dangerous people, but if it is a question of not paying off your fines, how does it benefit us to send somebody to jail where it costs us another \$40,000 or \$50,000 a year to keep them?

If we can have people work off their fines through the Fine Option program then that is a good move. That is progressive, and it is particularly important with respect to young individuals, young offenders because they know they should see that the community requires them not just to not defy the law, but to contribute to the community. That is an important ethic, and having young offenders working at community clubs, working at various community organizations doing the work, working off their fine, I think that is a very good idea, very progressive, and any improvements to that program, I would certainly support.

There are abuses of the Fine Option program. We recently have witnessed some investigations in which certain organizations were not monitoring the people referred to them under the program and they were not requiring them to do the work, and that is a problem. I do not think we want to throw the baby out with the bath water on this one. I think there are abuses in most government areas of some kind or another, but that does not mean the program does not work. It works.

I think most participants, most organizations that come under the Fine Option program that take on offenders and agree to supervise them, do a very fine job, and I think they do us all a service. Now, they get some free labour in exchange. They get that, that is true but we pick the projects carefully. This is not a private corporation. These are usually

community organizations. It is community clubs or it is public service organizations. I recall some of the ones that I have been involved in. Some of the charitable organizations have had Fine Option offenders referred to them, and it has been very beneficial.

You know what is most beneficial about it, Mr. Speaker, in my mind is that the offenders, and particularly the young offenders, come to know people where they are working. They discuss things with them, they build friendships and they increase their contact with law-abiding citizens. They get to know people who appreciate their work and who applaud their work, and they feel good about themselves doing that work, working off their fines for society. They understand that they have not offended some ephemeral concept, they have offended society, and the way to pay back society is you have to do the work. You have to cut the grass at the community club, you have to put in the rink, you have to pay back society for doing society wrong.

That is an important lesson, it is a very important lesson for any young offender. The Fine Option program, I know, has been well used by the courts in this province because judges are looking for sentencing options.

Mr. Speaker, there has been some question as to whether a second warrant of committal can be issued where a person has been put into the Fine Option program and then has not complied to the work plan. Obviously, we all want the work to be carried out, so this bill would introduce a provision allowing further warrants to be issued in those circumstances, and that is important. Ultimately, if the person refuses to do the work, then they face the consequences which, of course, in some cases will be incarceration, and so be it.

In my view, it is like open custody. It is something we try, we give people a chance at. We allow them to prove that they do want to become law abiding citizens, work within the system, and we give them as much support as we can. If they abuse it consistently, if they continue to be a threat to society, as refusing to acknowledge the laws, so be it. Then they will pay the price and that is unfortunate because we also pay the price. It is not just the human cost of the individual.

We suffer greatly by paying enormous sums of money to incarcerate people and we know that they come out, often times, worse than they went in. So

incarceration does not help a lot. All it does is get dangerous people away from other law abiding citizens and that is good. But other than that, things like the Fine Option program should be expanded in my view, since the options need to be expanded and, of course, that is one of the reasons that we are looking at the Young Offenders Act nationally. We heard from the Minister of Justice (Mr. McCrae) last night on that. All of us are eagerly awaiting changes to the Young Offenders Act. With that I am going to close my comments.

I look forward to this bill moving to committee. I have some concerns, very minor ones, about some of the wording of the sections. I will not get into those here, but the thrust of this act is certainly supported by our party. Thank you, Mr. Speaker.

**Mr. Speaker:** As previously agreed, this matter will remain standing in the name of the honourable member for Dauphin (Mr. Plohman).

### House Business

**Hon. Darren Praznik (Deputy Government House Leader):** Mr. Speaker, I believe the next bill to be called is Bill 70, but before we call that I would ask if you could please canvass the House. I believe there may be a will to waive private members' hour.

**Mr. Speaker:** Is it the will of the House to waive private members hour?

**Some Honourable Members:** Agreed.

**Mr. Speaker:** Leave? It is agreed. Leave has been granted.

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

**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), standing in the name of the honourable member for Thompson.

**Mr. Steve Ashton (Thompson):** I look forward to once again and—I have almost lost track of the number of days I have had the opportunity to speak on this bill.

**An Honourable Member:** Five.

**Mr. Ashton:** Five. Yes, I think I have spoken five times before; this is the sixth day. Last time, Mr.

Speaker, I only had the opportunity to speak for, I believe, about three minutes.

I look at the clock and I note that we have just waived private members' hour, and I am glad to see that I have a little bit more time available, Mr. Speaker. I have found throughout this debate that even though technically I have unlimited time, it is not unlimited time at any particular stretch. Even when I have had the opportunity to speak two or three hours, a lot of the times I find that I am only getting warmed up. I have really only begun the preliminary comments, and by the time I am really getting into the flow of my speech, particularly when I am getting the contributions of members opposite, as I so often do when I speak on Bill 70, when they are urging me on, if you like, by some of the comments and questions, even though they may not realize that at times, I note some members have even had the courtesy to rise on nonpoints of order, Mr. Speaker, to allow me to catch my breath and collect my thoughts. I must say that I appreciate that.

I notice that the Minister of Co-operative, Consumer and Corporate Affairs (Mrs. McIntosh) is listening intently. I thank her for her contributions and the member for St. Norbert (Mr. Laurendeau). There are various members who have been particularly positive on that and I appreciate that, because I think it shows that there still may be some hope for democratic debate and democratic process on the part of the government opposite. The fact that they are even listening after my five days of debate, and I do not know how many hours of debate, even to the point that they are listening and disagreeing with what I have to say, even if they are asking me rhetorical questions or, God forbid, heckling me—I look at the Minister for Government Services (Mr. Ducharme). Of course, he never heckles me when I speak, never. No, he only contributes to the debate. I do appreciate that because there is some hope for democratic discussion and debate. I would hope we recognize that essentially that is the process we are following. I will not be speaking forever on this particular bill—

**An Honourable Member:** Just about forever.

\* (1650)

**Mr. Ashton:** Well, it may seem like forever for some people.

One of the reasons I asked for the opportunity, and I was pleased that our leader gave me the

opportunity to speak on this bill, is because I really believe that there is no difficulty on speaking on this bill for hours, for days. -(interjection)- Well, Mr. Speaker, the Minister of Finance (Mr. Manness) does not want me to come to a conclusion because he wants to come back and hear the conclusion of those remarks. I can indicate that I will save the grand finale of the speech specifically for the minister. I promise him that.

I want to indicate that I found no difficulty in these days of speaking on this bill. I have had people ask me privately. I have had people ask me on the street. Somebody asked me the other day if I was still speaking around the clock. He was still quite surprised, Mr. Speaker, to see me outside of the Legislature. I think he misunderstood that I may have unlimited time, but I do not use the unlimited time all at once. I have had other people ask me if I have started reading the phone book into the record yet. I suppose people when they look at—some of them are lengthy speeches in recent history. Look at the House of Commons on the GST. I do not have to read the phone book on this bill.

I do not have to read into the record poetry. I do not have read into the record lyrics of songs. All I have to do is look at the principles of this bill and look at what it is doing to labour relations. Tie that into the fundamental principles of labour relations, Mr. Speaker, and I think one can see that this speech may never have to, at any point in time, be anything other than relevant. That is the way it should be. I realize and I appreciate your guidance, on other bills when members—I must admit once in a while I may stray from the topic on a few bills. -(interjection)- Well, not too often says the member for Inkster (Mr. Lamoureux). He is charitable. I want to thank the page for giving me another glass of water when I have one in my hand already. I do not know if that was sent by another member, but I appreciate that.

The bottom line is this bill is so fundamentally relevant that I have no difficulty in speaking for this period of time. I know many members of our caucus will indeed be speaking on this debate, Mr. Speaker, on second reading. I understand there are a significant number of presenters that are prepared to make presentations before the legislative committee—a significant number of presenters. The bottom line is that they, too, will be heard.

I want to indicate that is what we are asking for from this government. In the best traditions of the parliamentary system, that they not only participate in a formal and perfunctory way in this debate, but they also listen to our comments, my comments, and certainly as Labour critic for the New Democratic Party, to the comments I am sure other members, the member for Dauphin (Mr. Plohman), the member for Broadway (Mr. Santos), will be making. I notice the member for Inkster (Mr. Lamoureux) from the Liberal side. I am sure he will be participating in this debate.

I really believe that regardless of what policy decisions the government has made in its closed-door considerations, regardless of what policy decisions it has made in its cabinet and its caucus, it has to recognize that it has made a fundamental departure, a fundamental departure in terms of the labour relations of this province. That is why this debate is so important.

(Mr. Marcel Laurendeau, Acting Speaker, in the Chair)

I said on Friday and I have said on previous occasions that in many ways this government is reaching a watershed. It has a choice, Mr. Acting Speaker, right now, whether it continues with some of the types of policies—certainly the rhetoric we saw in the minority government period—or whether it turns its back on those moderate-sounding statements, as it is doing through its legislative agenda, and proceeds on a course that would be unparalleled in this province in terms of implementing right-wing ideological decisions that will impact very severely on the public of Manitoba.

I say that, as I have commented many times throughout this debate on the fact that even the Sterling Lyon government did not roll back labour legislation. Even the Sterling Lyon government did not freeze public sector wages. Even Ken MacMaster, my predecessor, who I ran against and indeed defeated in 1981, who was Minister of Labour, even he did not bring in any of these types of legislation, these Draconian antilabour types of legislation which has led me to ask what has happened in this province, what has happened to the Conservative Party? What has happened, Mr. Acting Speaker?

I mean, it is amazing. In 1990, the provincial election, everybody was running around the province—I am sure all government members were running around the province—as part of this newly

disguised Conservative Party called the Filmon Team. The word "Conservative" rarely appeared on any documentation. If it did, it was in a small enough print that very few people could see it. I do not blame the Conservative Party at the time for doing that. Obviously, with the dismal level of popularity of the federal government, it was a political decision that was made to avoid confusion. What is amazing is that this Filmon Team said it was going to be moderate. In fact, the Premier said that he was going to be more moderate than Sterling Lyon. I remember his statements when he was running for the leadership, and I have mentioned this in recent days, the connection with one Seech Gajadharsingh may have certainly been one of the major contributing factors in an organizational sense, but so is this sense of the Premier being different from Sterling Lyon.

I remember statements that were made without any direct attack on the former Premier. I remember the days when the Premier used to say he was in the centre of the political spectrum or the centre of the Conservative Party. It varied from time to time. The reason I raise that is because if anybody was to look back on 1983, I think they would be very shocked to see Bill 70 today, because not only has the First Minister not moved more towards the centre and the progressive end of the political spectrum, not only that, but he has now, in the space of not even nine months from 1990 when he was talking about being more towards the centre, moved to a position that is more right wing than anyone whom we have seen in this province.

I think one would have to go back to the Liberal administration of the 1950s, Douglas Campbell, to see a government that adopted as right wing a posture on many issues. In fact, in those days the Conservative Party was actual probably more progressive than the Liberal Party. Duff Roblin was known as a progressive. Sterling Lyon, actually, in the 1960s was known as a fairly progressive individual, believe it or not. Ironically now in the 1990s, Sterling Lyon looks—I hate to say this—

**An Honourable Member:** A socialist.

**Mr. Ashton:** Well, I would not call him a socialist. I think Sterling would roll over in his judge's robes if he was to hear that. He is the person who taught me to, not accept, because I would have always called myself a socialist, but actually consider the label "socialist" as a badge of honour. Anytime he threw it as an invective, as an insult to myself and

other members of the New Democratic Party, I viewed it quite in the opposite way that he did, but I would not call him a socialist.

I do not know if I would really call Sterling Lyon a progressive, but you know, Mr. Acting Speaker, and this may sound strange, and I have heard this said and I think it was said in jest. I have heard people active in the labour movement say, boy, bring back Sterling Lyon. Bring back Sterling Lyon. Is that how far we have come in 1991 when people can even in jest say, bring back Sterling Lyon? The only one-term government in Manitoba history. The only one-term government, and why, because of its budgetary policies, lack of an economic policy, because of, I would suggest, a certain degree of arrogance. Now, 1991, 14 years after that government was elected, people are saying we would be better off with Sterling Lyon.

\* (1700)

I say to members opposite, I ask them, and I look forward to their contributions later on in this debate, how they can live with themselves, having just run only a few months ago with part of a Filmon Team that talked about respecting collective bargaining rights, talked about—what was the phrase?—more of the same, what you see is what you get. That was nine months ago, Mr. Acting Speaker. I do not know how they can sit here on a daily basis, sit in their caucus and cabinet meeting and not feel a certain amount of, how can I say, guilt, a certain amount of dissatisfaction, I would say, to a certain extent, a certain amount of betrayal, because I cannot believe that everyone in that government caucus supports all these Draconian measures. I really cannot believe that. There has to be some sort of dissent.

I mean, is this not the same party of Duff Roblin and Sterling Lyon. Yet, I really wonder. I put myself in the shoes of those individuals, and I look with interest to how they will vote. I look, for example, also to some members who might be surprising in terms of their positions, the member for Portage (Mr. Connery), in particular.

I know he has said that he supports Bill 70, but I had the interesting opportunity to look at the kind of coverage that is taking place in his own constituency, in the newspaper in Portage. It was interesting because they had an editorial just recently, and I did provide a copy of that to the member because that editorial was very, very interesting. Do you know what the editorial said? The editorial said—and I will provide a copy to other

members if they so wish. The editorial said, quite frankly, that the government was unfair to its employees, that the wage freeze, the way it was implemented, was unfair to its employees. This is the Portage paper, the Portage Daily Graphic.

Do you know what was more interesting—

**An Honourable Member:** I support the bill.

**Mr. Ashton:** Well, the member says he supports the bill, but they interviewed six people off the street. Do you know what they said, Mr. Acting Speaker? Did they say, we support the member for Portage? Did they say, we support the government which may or may not be the same at any given point in time? In this case, according to the words of the member, he is part of the government, at least on this bill. Out of the six people, how many do you think supported the bill? Four, five, six? Two. Two out of six. Four people said the freeze was not fair and the government was wrong for bringing it in. Two out of six of an objective random sample conducted by the local newspaper in the constituency of the member for Portage.

I want to say to the member for Portage (Mr. Connery), he has established a new process in this House, and I think he has made it very clear to members of this House that if he does not like a bill or has problems with a bill, he will stay away from it. I want to suggest he might wish to do that on this particular one. I am sure the member has a busy schedule in his constituency, and I respect that. I would ask if he maybe would listen to his constituents because I happen to have the newspaper here, and the editorial.

I want to indicate: Portage point of view. Do you agree with the province's decision to freeze wages? Lloyd Popko: No, there is no need for it. I wonder if the member for Portage will be taking that into account.

There was one who agreed with it. Jim Sawers: Yes, I believe they should. They advance faster than most other categories—that being the Civil Service. Well, I do not agree with that resident of the city of Portage, but I respect his right to express his opinion.

Ray Webber: No, I do not think so. I think it should be subject to collective bargaining the way it has been.

Beryl McNish: No, if they are going to freeze Civil Service wages, they should freeze everybody's.

There was another one, and I included this as one of the yeses to be fair, Mr. Acting Speaker. Jerry Marofke: Well, if they freeze their own wages first, I guess so.

Jim Ogilvie, who basically does not like the wage freeze, said: Under some circumstances, I might support it. But he says: I do not like the wage freeze. I think it is a dirty trick. Four out of six of the constituents in the member's riding.

I want to read some of the editorial. I would like to be able to table this if I might, because I think it is very important that members get some idea of which is happening in the real world out there.

"Gov't shouldn't change rules after the fact!" The Daily Graphic, Thursday, June 13, 1991 editorial. I want to quote from that editorial: "The government giveth with one hand and taketh away with the other." A quotation, Mr. Acting Speaker. How true.

"Members of the Manitoba Government Employees' Association and others working for the province felt first-hand the affects (sic) of this age-old axiom when Finance Minister Clayton Manness introduced legislation to freeze wages and roll back increases.

"Months of negotiations and hard work were wiped out in one fell swoop, as the finance minister explained that the cupboard was bare." That is a quotation again, directly from the Portage Daily Graphic.

I continue: "In a time when many people in the province are facing layoffs and unemployment, he explained workers should be happy to have a job.

"Certainly a valid point, but not very comforting to a person who has just seen his raise (most not even equalling an increase in the cost of living) cancelled.

"Nor, does it excuse the way in which the wage freeze was enacted.

"The government has been fully aware of the financial constraints it is facing for some time—and was certainly aware of the situation when negotiations took place on a number of contracts.

"Instead of being up front with those affected and introducing the legislation in advance, the government chose to drag employees through the process—building up their hope, only to shoot them down a few months later.

"While this process is undoubtedly legal (once the appropriate legislation passes), it certainly isn't very ethical."

I want to focus on this direct quote from this editorial: "it certainly isn't very ethical." Mr. Acting Speaker, is that not what we have been saying in this House? Is that not what we have been saying, indeed? Now the Portage Daily Graphic is saying the same thing in the constituency of Portage.

### Point of Order

**Mr. Edward Connery (Portage la Prairie):** The member for Thompson (Mr. Ashton) talks about ethics. I wonder if the member's excess use of the constituency allowance and excess use of travel allowance which was a glitch because of the election was ethical—

**The Acting Speaker (Mr. Laurendeau):** Order, please. The honourable member for Portage did not have a point of order.

\* \* \*

**Mr. Ashton:** I think it is appropriate after that comment that I was talking about unethical comment because I do not think that it is very indicative of this member's sense of ethics, Mr. Acting Speaker, to so abuse the process in this House as he would do, and try and distract from the fact.

I want to read from the editorial again since the member for Portage obviously did not hear what they said: "it certainly isn't very ethical." It being the government and Bill 70.

We will see where this member stands with his sets of ethics when he votes on this bill or whether he is going to vote with his constituents. As I have said before, four out of six of them interviewed at random on the street said that the wage freeze was unfair, and the editorial, which I continue with.

It is interesting with this member because I had the interesting opportunity of talking to his constituents. We had thought that one of the reasons the member was removed from cabinet was because he had gone to the picket line when the nurses were on strike.

Do you know what the member did when he went to the picket line? The nurses were on strike, he drove up in his car, he rolled down the window and started engaging in a conversation with the nurses. This is relevant to this bill once again, because it is a matter of compensation. Do you know what the member for Portage la Prairie (Mr. Connery) said to those nurses? He said, do you really think you

deserve that? They said to the minister, when you needed medical treatment, Ed—and this is what they said, the direct quote—we would have been worth a million dollars to you.

\* (1710)

I wish I had been there to hear the nurse who said that, just throw it right back into the court of the member for Portage who was questioning whether nurses were entitled to the raise that they were attempting to achieve at the bargaining table and had to walk a picket line to get, Mr. Acting Speaker. Indeed, was that comment not appropriate? The member after was saying that he only made—I forget the amount he used—whatever—60-odd thousand as a minister at the time, turning around and saying do they really think they earned what they received. I thought that comment was the best comment I have heard in a long, long time. I just wish I had the opportunity to hear it directly, because -(interjection)-

Well, if the member wants to call his constituents liars, let him do so. I know the individuals quite well who made that comment to me and indeed when that member or any of the members of this House need medical attention, nurses, their salary is worth every cent we pay them.

I would say even the member for Portage, if he did not get the import of that particular comment from the nurses, might want to consider on that fact before he goes around again trying to—this member, who may not have to worry financially in the same sort of way, Mr. Acting Speaker, who may have significant assets—that is fine, that is his own personal circumstances—let him not say that nurses do not earn every cent they make or in the same way try and take away money from the families of public servants of this province, which he would do by supporting this bill.

Mr. Acting Speaker, I want to continue. There is more. There is more in this particular editorial. Members of the MGEA, and this is a quote: "Members of the MGEA have begun expressing their dissatisfaction by staging a series of protest rallies to get their point across.

"Portage MLA Ed Connery was the first target for the disgruntled employees. They picketed outside his home (even though he wasn't home at the time) and then met with him to discuss the situation.

"The maverick Conservative MLA..."—Those are the words of the Portage Daily Graphic, not my own.

There may be other titles that other members of the House might want to apply to the Portage MLA—but they call him the maverick Conservative MLA—“is supporting the government’s position, something he explained to the MGEA reps he met with.

“It isn’t like the Portage protest will be an isolated incident. On the contrary, it could be just the tip of the iceberg in a stormy summer full of unrest.

“Given the way these people have been treated”—these are not my words, these are the words of the Portage Daily Graphic—“Given the way these people have been treated, it is hard not to sympathize with them—regardless of how you feel about unions or civil servants.”

“The government, and its representatives, negotiated these contracts in good faith and it should honour them.” End of the editorial.

Mr. Acting Speaker, I have tabled a copy; I have additional copies here. Perhaps the member for Portage (Mr. Connery), before he lights up any cigars, would want to discuss this matter with his local paper, with these local citizens.

You know the member says he has talked to people. I think the member for Portage only talks to the people he wants to talk to. It may be one story you get out on the golf course or wherever the member talks to people in his constituency, but this was the story from Main Street, Portage, Manitoba. What did they say? Main Street, Portage, Manitoba, said, do you agree with the province’s decision to freeze wages? They said no.

The Portage Daily Graphic said, “Gov’t shouldn’t change rules after the fact!” So, in a typical Manitoba community represented by not necessarily a typical Conservative MLA, they are saying it is not a fair bill. I say to the member for Portage (Mr. Connery), if he is going to have any credibility as a maverick, whatever that means, if he is going to have any credibility at all, the least he can do, and will do, is abstain from the vote. He has already done it on other matters.

If ever there was something he could be in sync with his constituents on, there arm-in-arm with his constituents, it is on Bill 70, as proven by the Portage Daily Graphic. If ever there was a chance for that member to show his true judgment, if indeed he has any, to make a political point, now is the time for that member to put up or shut up in terms of being that independent-minded representative of the people of Portage.

I say, Mr. Acting Speaker, we will be watching how that member votes. -(interjection)- I am indeed on Bill 70 for the minister. “Gov’t shouldn’t change rules after the fact!” That is referring to Bill 70, from the Portage Daily Graphic. I am referring to one member who said that he will follow an independent course, and he shall indeed.

Well, the Minister of Energy and Mines (Mr. Neufeld) is talking. I know he follows his own—he marches to the beat of a different drummer sometimes on issues within his own caucus. I know on this one he is probably ahead of his caucus in wanting to cut back. I talked to a number of Hydro employees, in particular, who were quite interested in the fact that this minister, in this House, had said that Hydro employees were overpaid.

**Hon. Harold Neufeld (Minister of Energy and Mines):** No, I did not. I said . . . .

**Mr. Ashton:** Well, Mr. Acting Speaker, I think the minister should check Hansard because he said Hydro. Are they overpaid? Indeed, he indicated and the tapes will indicate that.

I find it interesting that the minister has backtracked somewhat on that. Maybe there is hope for the member for Rossmere (Mr. Neufeld) after all. Maybe, indeed, it is the comments from the member for Portage, the unguided missile that he is, in a political sense, who seems to be all over the map criticizing people, including the Minister of Energy and Mines, the Minister of Culture (Mrs. Mitchelson), oh, yes, the Minister of Labour (Mr. Praznik), but I suppose that is an internal caucus matter over there. I do not want to dwell on that.

What I want to deal with is fairness. That is what the people at the protest rally last week wanted. It indeed was one of the largest protest rallies we have seen at the Legislature, certainly in recent memory. In fact, I would say the largest.

**An Honourable Member:** I can recall some big ones.

**Mr. Ashton:** Well, I think you would have to go back to the Autopac protest in 1971 to find a similar protest. I was on the steps—

**An Honourable Member:** I was here in '71.

**Mr. Ashton:** '71, yes. That radical insurance agent, the Minister of Government Services, seeking the overthrow of the government on the issue of Autopac back then. It never did work back then. No, it never did work back then.

Mr. Acting Speaker, I do not want to turn this debate into a true confessions here, but I was also on the steps of the Legislature in 1978 as president of the student's union. Indeed, I was there on Thursday. I must admit that when I saw the crowds and when I heard the phrases and I saw the placards, it was a sense of *deja vu*. You know, it is interesting, there tend to be protests when any government is in power, but when they are Conservative governments, there just happen to be that many more. They alienate that many more people and that much more quickly. -(interjection)-

Well, the minister talks about rent a crowd. I look at Ontario where, you know, it is those radical stockbrokers from Bay Street who are protesting on the steps of the Legislature, Mr. Acting Speaker. That is what NDP governments end up with—or those radical insurance brokers back in 1971 who actually under Autopac have probably done not all that badly in the last 20 years, not that badly at all. In fact, I think if this government was to move to get rid of Autopac, there might be a counterprotest for the Autopac agents saying, no, do not take away our Autopac. That is how some things change with history.

**An Honourable Member:** I would go back to the old one tomorrow.

**Mr. Ashton:** Well, that member says he would go back to the old one tomorrow. We shall see. I digress, Mr. Acting Speaker. The point is, Conservative governments that have a majority have a habit of alienating people and alienating them in a very rapid fashion. I do not think they realize the extent to which they have alienated people.

How many of these government members took the time to go out on the steps of the Legislature last week? How many of them were standing behind the Finance minister giving him moral support? One? Any? Not a single Conservative member went out there to stand arm in arm with the minister who, I think, was surprised at the reaction he received. I am not surprised. People were actually polite. Last Thursday was polite. You should have heard some of the comments I heard about what this government has done. -(interjection)- They were polite, Mr. Acting Speaker.

**Hon. Albert Driedger (Minister of Highways and Transportation):** You were agitating them.

\* (1720)

**Mr. Ashton:** Well, the Minister of Highways says I was agitating. Believe me, Mr. Acting Speaker, if I wanted to agitate, which I have not been doing on this issue, it would not make any difference, because the people, the 48,000 Manitobans who have been affected by this -(interjection)- Well, the Minister of Co-operative, Consumer and Corporate Affairs (Mrs. McIntosh) says, a lot of people out there are not affected by the wage set. Who is not affected, the MGEA employees? Are they not affected, the MGEA members? The minister does not understand the bill. The bill includes a large number of people and can easily be extended within the bill, as the member for Transcona (Mr. Reid) said, to virtually anybody.

(Mr. Speaker in the Chair)

People are not stupid. They know that if this government is looking for one scapegoat today, and it starts running out of being able to use public servants as defined by the bill to the extent it is, then they will find another scapegoat and another scapegoat, and their turn will come. One day they will have their wages frozen. One day they will have their collective bargaining rights taken away, and that is why there were so many people.

You know it is not just the MGEA. IBEW members—does the minister know who IBEW represents? A lot of MTS employees and a lot of Hydro employees. I spoke to the Hydro employees afterwards, and I can tell you they were not very charitable about the actions of this government. I talked to someone who I knew from my days on the Hydro board, and I found it rather interesting because I do not think Hydro management likes what is happening now.

I am not trying to say anything out—this is speculation on my part but knowing the individuals there, they have had labour harmony and peace for 30 years, and that is being destroyed by Bill 70. They have been able to negotiate fair collective agreements. That is being thrown out by Bill 70. They have been able to set Hydro up as a model employer in many ways, not a perfect employer, but a model employer. That is being destroyed by Bill 70. So the vast majority of the people out there are people who were directly affected.

I would invite the Minister of Consumer and Corporate Affairs (Mrs. McIntosh), the Minister of Labour (Mr. Praznik) to look at the list that was read of representatives of the unions, the organizations represented in the coalition fighting against this bill.

They will find that every single labour organization in this province is working together to fight Bill 70. Bitter enemies within the labour movement.

There are unions, Mr. Speaker, that will not even sit down in the same room, let alone co-operate on a regular basis. There are many different federations, I am told the Federation of Labour being the largest, but also the CF of L, the Canadian confederation of unions. There are many trade unions that have differing views but for the first time since 1919 we are seeing them united under one banner on one issue. Probably the most appropriate banner I saw was one that said—and I am not talking about the one that said some Garys are doers and others are dictators. I am not referring to some of the other items. There were some interesting ones, and I certainly agree with that. I mean some indeed are doers and some are dictators, but there was another one that said 1919, Lest We Forget. -(interjection)-

Well, I do not know if I want to repeat the one that the member for Transcona (Mr. Reid) is referring to but I know that was the sentiment of many people there, but 1919, Lest We Forget, 1919. How many people here -(interjection)- Well, I did not ask how many were here in 1919. I am talking about how many people here have taken the time to learn from history to make sure that we do not repeat it? Look at the experience.

**Hon. Linda McIntosh (Minister of Co-operative, Consumer and Corporate Affairs):** You tell us.

**Mr. Ashton:** Well, the Minister of Consumer and Corporate Affairs says, you tell us. Indeed I will, because 1919 represented, Mr. Speaker, a dark period in Canadian history when people coming back from the first World War, servicemen coming back from the first World War—times of high unemployment—who were seeking to be able to organize, to do nothing more than receive a decent working wage, when they attempted to organize, including the OBU, the One Big Union, what was the reaction of the elite at the time, the Conservative Party? Was it to accept their rights to bargain collectively and organize? No, Mr. Speaker, they crushed the labour movement—not in spirit, nor did they break the individuals, many of whom were arrested, some of whom were elected to this House while in prison, Mr. Speaker. If I had the time I would recount that period of history, but it was one of the most shameful attempts by the committee of that

time, of citizens, that we see resurface under different banners.

They call themselves different names. They call themselves City Hall. They can be ICEC. They can be the Gang of 18, 19. We see that they can be Conservatives and they can be Liberals, too. It is those people who have tried to control the destiny of this city and this province since it was formed. I am not saying all of them are doing it for their own good, but there is a great deal of self-interest. Indeed, many were doing what they saw as being their own direct self-interest, but they crushed the legitimate fight of the working people of 1919 and, Mr. Speaker, they seared this province.

If one goes into the north end of Winnipeg, and I look to the member for Transcona (Mr. Reid)—and Transcona, of course, with its own unique history—and the member for Kildonan (Mr. Chomiak), if one goes into the core area represented by the member for Broadway (Mr. Santos), you can talk to people who remember the 1919 General Strike -(interjection)- Indeed, the member for Transcona says his own family was there. It is something they have never forgotten. It is seared in their memory.

They were broken in 1919 by the full force of the police, the full force of the state. They fought on. In the north end they continued to organize all across the city in terms of the labour movement, in terms of various workers' parties, socialist parties, culminating in the formation of the CCF in 1933, leading to the election of many distinguished individuals to this House, the election of Stanley Knowles, for example—J. S. Woodsworth first, then Stanley Knowles—tremendous history—and other people in recent years such as David Orlikow.

That was all based on 1919. Lest we forget, what was the lesson of 1919? What was the lesson for those groups, those elites, those who would not hesitate to use the power of the state to break the rights, destroy the rights of working people? The message from 1919 is that you can break a strike, but you cannot break an idea. You can break a union, but you cannot break the spirit of the working people who are always the basis of that union.

That is the exact parallel to 1991 and Bill 70. This government has the majority. They could use the full force of their majority in this House to ram through Bill 70.

They can say to Manitoba workers in the public sector: You have no bargaining rights. You take what we give you.

They can say to Manitoba workers: You cannot even negotiate contractual language. It has no impact whatsoever in a monetary sense.

They can say to Manitoba workers: By regulation we can add anyone. They can say that.

\* (1730)

You know, the lesson of 1919 lives on today in the spirit that was expressed on the steps of the Legislature by the thousands of Manitobans who came out, Mr. Speaker, the thousands of Manitobans. -(interjection)- The Minister of Co-operative, Consumer and Corporate Affairs (Mrs. McIntosh) should get glasses if she cannot count. Every estimate put it in the thousands. If she had bothered to spend any amount of time there, she would have seen that was indeed the case—thousands of Manitobans, thousands of Manitobans.

**An Honourable Member:** I was there.

**Mr. Ashton:** Well, the minister I think—

**Mr. Gary Doer (Leader of the Opposition):** That was a good movie, "Being There."

**Mr. Ashton:** Being there, that is right. I like the other reference to a movie that the Leader of the Opposition, our Leader, made, saying that Bill 70 reminded him of a current movie. There was a pause. Someone said, "The Terminator," Mr. Speaker. I guess now with the minister, it is indeed, "Being There." What are the other movies out now? "Problem Child II."

**Mr. Doer:** What about "Robin Hood" and the Sheriff of Nottingham?

**Mr. Ashton:** The Leader of the Opposition said, "Robin Hood." The Premier is like a character out of "Robin Hood." Well, Mr. Speaker, not a single person in that entire crowd even for a moment thought that the Premier was being compared to Robin Hood. Who do they think he was being compared to? The Sheriff of Nottingham. Indeed, the Premier is no Kevin Costner and certainly does not rob from the rich to give to the poor.

I say that in jest, Mr. Speaker, but the analogy is there. The analogy is there. In fact, if he was Robin Hood, he is Robin Hood in reverse. Look at what this government is doing. It will freeze wages for its public sector workers, but we have seen a few

examples in recent days that if you happened to have worked on the Premier's election campaign in 1983, surprise, surprise, you may claim that you were totally disabled, but surprise, surprise, you get a government job. It is not advertised, but you get a government job.

Mr. Speaker, there are many other examples that are surfacing about this government's sense of fairness. It will lay off 964 people, but there is no problem finding places for people to work to get the Premier his leadership in the Conservative Party in 1983. I compare that to the public servants of this province. Many people worked 15 and 20 and 25 years.

Did this Premier lift a finger to protect their jobs? Did he lift a finger when his Finance minister brought in the budget, the budget that slashed 964 jobs? No, he did not lift a finger, but he rubber-stamped it as the Chair of Treasury Board. He supported it all the way. He is not always there at the front of the line leading the charge, I noticed on the rally on Thursday on Bill 7. Where was the Premier? Where was the Minister of Labour? Where were they?

You know, I mentioned about Sterling Lyon. When Sterling Lyon was Premier, he had the courage, he had the intestinal fortitude, he had the political will to go out there when there were thousands of students on the steps of the Legislature.

Indeed, I was one of those students. After I had said, where is the Premier, and when after I had said Sterling Lyon—I think I referenced Rufus as well, as he was affectionately known by the students in those days—lo and behold, who appears? The Minister of Finance? Was it the Minister of Natural Resources, who had to go out and bail out the Minister of Education and Training only a few months ago? No, the Premier himself came out and said, thank you for expressing your views and went in and told the media he was not going to do anything. We met with him in his office afterwards. He told us he was not going to do anything either. He went out, he spoke to the crowds, he went to his office. He met with the delegation, and we came in here afterwards and it was discussed on the floor of the Legislature.

Whatever happened to that spirit Manitoba? Where is the Premier any time there is a controversial issue? Where is the Premier, Mr. Speaker? I realize it is canoe season again.

Perhaps he is out practising on his canoe. Is it a coincidence that whenever there is a significant announcement somebody else gets the short straw?

**Hon. Clayton Manness (Government House Leader):** Steve, can I call a two-minute recess? I want to talk to you.

**Mr. Ashton:** Mr. Speaker, I am in such full flight here I do not know, but indeed I am quite willing to call a recess to discuss with the government House leader.

### Point of Order

**Mr. Manness:** Mr. Speaker, on a point of order, I wonder if we might call a recess for no more than one minute.

**Mr. Speaker:** Is it the will of the House to call a recess for a minute or two?

**Some Honourable Members:** Yes.

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

\* \* \*

The House took recess at 5:35 p.m.

### After Recess

The House resumed at 5:37 p.m.

### House Business

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, while the member for Thompson (Mr. Ashton) is refreshing his vocal cords, I just wanted to announce to the House that the Standing Committee on Municipal Affairs will consider Bills 18 and 19 on Friday afternoon at 1 p.m. and Bills 55 and 56 will probably not be heard in committee this week. I will make an announcement dealing with them next time.

**Mr. Speaker:** I would like to thank the honourable government House leader for that information.

The honourable government House leader rose on a point of order but did not have a point of order.

\* \* \*

**Mr. Speaker:** The honourable member for Thompson (Mr. Ashton), to resume his debate.

**Mr. Ashton:** As I was saying, Sterling Lyon had the courage to face Manitobans, and I ask the question, where is the Premier (Mr. Filmon)? I look to the

Minister of Finance (Mr. Manness), and at the rally on Thursday, I almost had some sympathy for the minister. If he had not crafted that bill, if he had not shafted Manitoba workers so much in that bill, I might have had some sympathy for him, having to go and face the people that he has been shafting. I sat there, and what struck me more than that was, where is the Premier? Where indeed, Mr. Speaker, is the Premier?

Any time there is a bill like Bill 70, the Premier is nowhere to be found. Even on the budget, the Minister of Finance had to carry the can on the budget, but there is a fallacy about what is happening. There is a myth, Mr. Speaker, that we are hearing. I know what the intent really of the government is, the intent is to say, well, it is not really the Premier. He is really a likable sort of guy. It is that cabinet of his, it is that caucus of his. They are making all these decisions.

I look at those members, the 29 other members in that caucus, and I ask them, do they want to be labelled as the veritable sheriffs of Nottingham? Do they think it is fair that they get the calls from their constituents when these decisions are made? Do they think it is fair, Mr. Speaker, that they are getting the political flack while their Premier, their leader, is able to get off scot-free? Are they going to allow the Premier to try and say that he is not really a Conservative or he is not really responsible when the Premier is the one who is making those decisions. Not a single decision is made by this government without the approval of the Premier and his office.

I look at the member for Portage (Mr. Connery) who said very clearly that there is an inordinate amount of influence that the Premier and the Premier's Office has over the control of this government. The member for Portage, Mr. Speaker, who I very well indeed -(interjection)- It relates specifically to Bill 70, because what I am doing is pointing the finger at the person to whom the blame applies, and it is the Premier.

The member for Portage said that is the problem in that government. This is a former cabinet minister, someone I do not always agree with, someone I very rarely agree with. I do not know if I ever agreed with the member in the time that he has been here. So I am saying this is not from someone who is accustomed to saying the member for Portage was right on anything.

On this, Mr. Speaker, he was right. This government is controlled by the Premier and the Premier's Office. I wonder how many other people in that caucus would say the same thing if they had the chance. How many other people know that is the case? How many of the backbenchers who know how their views are being considered or not considered? How many of the other members?

\* (1740)

I think the only other person who has had the courage to come forward and deal with this is the Minister of Energy and Mines (Mr. Neufeld) who has said quite repeatedly on other issues like multiculturalism that he will say what he says and the Premier can take it and do whatever he wants with his comments, but the minister is going to say that. He has not been controlled by the Premier's Office. He cannot even be controlled by the Premier. I do not even know if he can control himself sometimes in some of his statements, but indeed one time the Minister of Energy and Mines -(interjection)- Well, I look to them and I look to the other members.

How many of those other members feel comfortable in having Bill 70 before this House, knowing that the key person who made the decision that is in favour of -(interjection)- Well, there are two out of 10. I notice the Minister of Finance (Mr. Manness) is one of them. I say, how many of them are comfortable in knowing that when, as they say, the going gets tough, the tough get going. Here, when the going gets tough, the Premier gets going. There is a new twist on the phrase, Mr. Speaker. The Premier gets going. He will find a meeting anywhere. He will find a meeting in Winnipeg; he will find a meeting in Thompson; he will find a conference. He will make sure it is announced, and when those cameras go for the comment, it is the Minister of Finance who has pulled the short straw.

**An Honourable Member:** Scapegoat.

**Mr. Ashton:** Oh, the scapegoat, Mr. Speaker. I wonder -(interjection)- The minister says everyone has their cross to bear. How much longer are 29 members going to bear the cross for the Premier (Mr. Filmon)? How much longer is anyone going to believe that anything that happens with this government is anything other than the Filmon Team?

All the media manipulation in the world is not going to hide from the fact that this government has

embarked upon—in the words of the Premier on election night—they have a majority, a majority, a majority. Mr. Speaker, I am sure you remember those comments. A majority is a majority is a majority. A Tory is a Tory is a Tory. Famous last words. Famous first words, in this case, for the government—prophetic words.

If anyone believed the Premier in that election, how can they believe him now when we have seen on Bill 70 where, fundamentally, the Premier has contradicted every single word he has said about collective bargaining, whether before the election, whether during the election, whether after the election. Now when the Premier is nowhere to be found, is anyone going to believe that?

I predict, and we will see when the next election is—it could be sooner rather than later, particularly if they continue down this path that they have embarked upon. I look to the member for Portage la Prairie (Mr. Connery), and we look to the member's backbone. We look to other members because, believe you me, Mr. Speaker, some of us in this House have been there before. There is a certain sense of *deja vu* I have about a government with a majority that has 30 members. I know that movie.

Whether it is in four years or whether it is in two years or whether it is next week, the bottom line is who is going to believe the media manipulation that I predict will happen? I do not know if the Premier will ride down the river in a canoe any more, but they will put the Premier in a sweater. They will send him out to some country fairs. He will wear a Stetson, I am sure. He will wear whatever hat is necessary. He will change hats on a daily basis. He will go around. It will be Dr. Feelgood. It will be, yes, we froze your wages but, you know, we have given you an increase since, to the public servant. He is going to say to the public sector, we have created 50 new jobs, forgetting the hundreds and thousands they got rid of, Mr. Speaker. They will say in comparison to 1991, we have had growth. People will probably forget that we have gotten so low, it is hard to do anything but go up again.

**An Honourable Member:** How low can you go, Clayton?

**Mr. Ashton:** How low can you go, indeed, Mr. Speaker, we ask our Leader, and I am sure the minister probably, if he was honestly to respond, would say just watch me, because on a daily basis we are saying the new definitions are said about

how low they go. The Dr. Feelgood that we are going to see in the next election, and I predict it, and they will run names by then, I do not even know if they will even have the word "Conservative" on. They are going to probably try and get the Reform name. I know the COR Party has that now. They are going to try and get the COR name, and they are probably going to try and put that in somewhere, the newly reformed Conservative Progressive Filmon whatever team. You know, like new improved Tide. They will slap on the new packaging.

**An Honourable Member:** The reformed Filmon Team.

**Mr. Ashton:** The reformed Filmon Team. That is right. Indeed, I know how nervous they are getting about the Reform Party, Mr. Speaker. Indeed, Bill 70 could be part of the Reform Party agenda. It is the same difference. You know, whatever name they put on the party or whatever name they take off, whatever they do, if the Premier is still leading the party then, because every time I look at the front bench, I know that the current Premier must every day that he walks out of this Chamber feel his back, just out of instinct, looking at some of the people whom he has around him. I am sure there are still a few sore wounds in the Premier's back from a few years ago.

Anyway, regardless of whether it is this Premier or another Conservative leader, Mr. Speaker, who is going to believe them anymore? Who is going to believe anything that is said other than the facts of the way they act as government? Will they have any credibility with the public servants of this province after bringing in a bill like this?

**Mr. John Plohman (Dauphin):** No, never.

**Mr. Ashton:** What is interesting is—and indeed the member for Dauphin is right, never because I have heard more people in the last several months, and I have indeed, Mr. Speaker, talked to more people including people who voted Conservative in the last election. I talked to a number of civil servants who told me it is the last time they will ever vote Conservative again, the last time they will ever vote Conservative.

I picked it up from business people on other issues. I was amazed to talk to an individual who has probably voted Conservative since the day he could vote. He said, Mr. Speaker, he will never vote Conservative again. There are more and more Manitobans who are saying that.

**An Honourable Member:** What about that editorial on arrogance? You have not got into that yet.

**Mr. Ashton:** Well, we will get indeed into more editorials as time goes along because—

**An Honourable Member:** Quadruple arrogance in the Conservative Party.

**Mr. Ashton:** Quadruple arrogance. What I find amazing, Mr. Speaker, is how this government in the space of nine months now when it is bombarded by critical press, editorials in the Portage Daily Graphic, when it is bombarded by coverage in the Sun of some of the political influence peddling that has gone on, when it is bombarded on a daily basis by nothing more than the questions of this opposition, what do they do? Do they say, h'm, there is a point here?

If the opposition and the Winnipeg Free Press and the Sun and the electronic media and people on the street are saying, there might be a problem here, what does this government do? Do they say, yes, there is a problem? Let us do something about it. I suppose in a political sense, it is fortunate for us on the opposition side that they were sitting there today and saying, the problem is the media; the problem is the opposition.

Mr. Speaker, they should get out of this building. They should go to the coffee shops and the workplaces. People everywhere are seeing one fundamental issue with this government, and that is the whole question of fairness. They are saying, how can this government call itself fair when it freezes civil servants, lays off civil servants, but finds no problem in finding money or grants or jobs or anything that their Conservative connections, their cronies, so desire?

**An Honourable Member:** Come to the Salisbury House.

**Mr. Ashton:** Indeed, the minister talks about going to Salisbury House. I wish he would go and talk to people, see what they feel about. Who do they believe, Mr. Speaker—the Premier who says, oh, well, it is just a coincidence that these people worked on my leadership campaign in 1983 and have gotten jobs, or do they believe people who knew what happened? Do they believe the objective facts? Do they believe court documents? Who do they believe?

That question of credibility, Mr. Speaker, is fundamental. Indeed, how can this government say that there is any fairness? I look to the Minister of

Finance (Mr. Manness), who said we all have to share in the burden. We all have to share in the burden. Did those people have to share in the burden? Did they have to share in the burden? Do those people who have received political appointments through the involvement of this government from supporting the Premier in the 1983 leadership campaign? Is that fair? Well, that is directly to the point and I say that to members opposite.

\* (1750)

This bill has been billed as one of fairness, Mr. Speaker, but this government knows nothing about fairness. It knows nothing about fairness when it says to public servants, you pay the price for some of the boondoggles for some of the favours to the political friends that are going on, on a daily basis and indeed, go to the Salisbury House, go to the coffee shop and ask them what they think about Rotary Pines. Ask them what they feel about political payoffs. Ask them what they feel about continued tax breaks to corporations at a time when individuals are going through tough times.

I really do not need to get into that in any great detail because anyone in this House who can say there are not concerns being expressed about the actions of this government is someone who is not listening—someone is not listening. This government came up with another plan. Plan No. 1 did not work, which was the rhetoric, plan No. 2 did not work, which they talked about economic development. They did absolutely nothing. Mr. Speaker, what was plan number three? Find a scapegoat. Find a scapegoat. That is what Bill 70 is all about. Somewhere along the line, someone in the Premier's Office has, I am sure, run a poll that says that X percent of people will support a freeze on civil servants' wages. I am sure, that I am not doing anything other than reflecting what has happened in their cabinet and caucus discussions.

Someone has said, hey, these people do not like what we are doing in our budget. They do not like what we are doing with Child and Family Services. They do not like what is happening to the economy but we have the solution. No civil servants.

There may be indeed, polls that say that but the only poll that really should count as the direct views of peoples expressed as indeed, by the people of Portage. But they must remember one thing. You can make them a scapegoat tomorrow, Mr. Speaker. You can make them a scapegoat

tomorrow and indeed, in a year they may still be scapegoats. When it comes to pedalling the image, politics that we are going to see from the government in the next election. Will the people who want a simple poll might say one thing or another about Bill 70, remember? Who will remember in three or four years. I will tell you who will remember—and this is what they are saying to me in my constituency. This is what people have said to me as labour critic. Civil servants the civic servants will remember. The IBW members who work for Hydro, some of whom, I am sure, live in the constituency of the member opposite, will remember. Those employees represented by the Canadian Union of Public Employees, they will remember. The public sector unions, AESES, CAIMAW, the steelworkers, they will remember. Those 48,000 Manitobans will remember at the next election.

That is the fallacy of what is happening here, government seeking scapegoat by opinion poll. What more could Bill 70 be than that? I do not know what it can be next week, because when they run out of making public sector workers the scapegoat, who is next? Other workers? Who are they going to make the next scapegoat? Students? Seniors? At some point in time, they are going to run out of those scapegoats. At some point in time, also, the political ramifications of what they have done are going to catch up to them.

I want to say to members, having had the experience of having gone through four elections, including the first election in which I won by 72 votes—a very close election—I can say that, without a doubt, the reason Ken MacMaster lost the election was really two-fold, the excellent work and organization of the New Democratic Party in Thompson and, second of all, all those people who had been scapegoats for four years, many of whom sat quietly because they were afraid for their jobs, for their livelihood, for their families. They were the ones who quietly went to the ballot box, many of whom without putting up a sign or declaring their support, and voted that Conservative member out of office.

I say that probably even a week or two before, if you would have conducted a poll in that constituency, the Conservative candidate indeed might have been ahead. There was some talk that they had a poll to that effect. That is the interesting thing. Polls do not mean anything on election day.

It is what is in the heart that matters. That is what they have done with Bill 70, Mr. Speaker. They have hit people where it hurts.

In 1988, people were concerned about Autopac. I have talked to people who have said, Autopac is minor in comparison to what this government is doing with Bill 70 to them. How much is Bill 70 going to cost someone earning \$20,000 a year? How much—\$1,000 a year, if you assume a 5 percent increase, not even inflation. For someone earning \$40,000 a year, it is \$2,000. That is the range that most public employees are employed at, \$1,000 or \$2,000.

Does anyone remember the concern about Autopac increases which were high in percentage terms but which were \$100 or \$200 on an individual basis? I would imagine that many of the Conservatives, indeed Liberals, would remember that because that was one of the main reasons behind the defeat of the NDP government in 1988.

How are they going to explain to the public servants in their riding how they took \$1,000 or \$2,000 out of their pockets, right out of their pockets? That is exactly what has happened in some cases directly because they had received final offer selection decisions. What are they going to say to them, because those people will remember. In perpetuity, those people will be \$1,000 to \$2,000 worse off than they are at the current point in time. That is more than any Autopac or any taxes in the last 25 years. That is the biggest hit on those families that we have seen in this province probably since its inception, because let us not forget even the federal Liberal government that brought in wage and price controls allowed for at least some cost-of-living increase.

People will remember in the next election. They will remember, I will predict right now. Out of this struggle of the labour movement of working people on Bill 70 will come the spirit of the next election, those working to defeat this government. I have no doubt that the canvassers, the volunteers in the offices next time in the election, a significant number of those people will have been politicized by this government and this piece of legislation.

They will remember in the next election because history has shown us, as I said earlier—and I referenced 1919 and I will reference it again—you can do what you want with the power of the state, with the power of any temporary majority in this

House—which indeed this Conservative is and probably more temporary than many—you can use the power of the state, the power of the courts, the power of law to do pretty well anything you want in the short term; you can break unions and strikes, as was done 1919; you can break the process of collective bargaining and destroy fundamental principles of labour relations, as this government is doing in 1991, but you cannot break the spirit of those people.

I want to say to the government—and when I have time in my next comments, I will elaborate further—that if they did not get the message from the Portage Daily Graphic, they are not getting it from the protests on the steps of the Legislature, wait until we get to the committee hearings, Mr. Speaker. Wait until we get to the committee hearings, because I checked the roster this morning, there are hundreds of individual Manitobans. Manitoba workers are going to be at that committee, saying to this government that what they are doing is unfair.

We are going to see an unprecedented number of people, as indicated by those registrations, more people probably than on any other bill in the memory of this Legislature, probably even the history. One would have to go to the Constitution to find as many people speaking on an issue.

Indeed, Mr. Speaker, this Bill 70 is as fundamental to many people as was the Constitution, because Canada is more than just about constitutions and pieces of paper. It is about our basic democratic principles, one of which is the freedom to organize, the freedom to assemble, the freedom of speech and the freedom of collective bargaining. That is why we are going to fight on Bill 70. We are going to fight, because we are fighting for something that is just as important as any Canadian Constitution. It is the rights, Mr. Speaker, it is the freedoms of Manitoba workers. Let no one in this government, with its temporary majority, ever feel that it can take those rights away.

**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 now adjourns. It stands adjourned until 1:30 p.m. tomorrow (Thursday).

# LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, July 3, 1991

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