



Second Session - Thirty-Sixth Legislature

of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

(Hansard)

*Published under the
authority of
The Honourable Louise M. Dacquay
Speaker*



Vol. XLVI No. 49 - 1:30 p.m., Tuesday, September 17, 1996

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Sixth Legislature

Members, Constituencies and Political Affiliation

Name	Constituency	Party
ASHTON, Steve	Thompson	N.D.P.
BARRETT, Becky	Wellington	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave	Kildonan	N.D.P.
CUMMINGS, Glen, Hon.	Ste. Rose	P.C.
DACQUAY, Louise, Hon.	Seine River	P.C.
DERKACH, Leonard, Hon.	Roblin-Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary	Concordia	N.D.P.
DOWNEY, James, Hon.	Arthur-Virden	P.C.
DRIEDGER, Albert, Hon.	Steinbach	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry, Hon.	Lakeside	P.C.
ERNST, Jim, Hon.	Charleswood	P.C.
EVANS, Clif	Interlake	N.D.P.
EVANS, Leonard S.	Brandon East	N.D.P.
FILMON, Gary, Hon.	Tuxedo	P.C.
FINDLAY, Glen, Hon.	Springfield	P.C.
FRIESEN, Jean	Wolseley	N.D.P.
GAUDRY, Neil	St. Boniface	Lib.
GILLESHAMMER, Harold, Hon.	Minnedosa	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSSEN, Gerard	Flin Flon	N.D.P.
KOWALSKI, Gary	The Maples	Lib.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
MACKINTOSH, Gord	St. Johns	N.D.P.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McALPINE, Gerry	Sturgeon Creek	P.C.
McCRAE, James, Hon.	Brandon West	P.C.
McGIFFORD, Diane	Osborne	N.D.P.
McINTOSH, Linda, Hon.	Assiniboia	P.C.
MIHYCHUK, MaryAnn	St. James	N.D.P.
MITCHELSON, Bonnie, Hon.	River East	P.C.
NEWMAN, David	Riel	P.C.
PALLISTER, Brian, Hon.	Portage la Prairie	P.C.
PENNER, Jack	Emerson	P.C.
PITURA, Frank	Morris	P.C.
PRAZNIK, Darren, Hon.	Lac du Bonnet	P.C.
RADCLIFFE, Mike	River Heights	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack, Hon.	Niakwa	P.C.
RENDER, Shirley	St. Vital	P.C.
ROBINSON, Eric	Rupertsland	N.D.P.
ROCAN, Denis	Gladstone	P.C.
SALE, Tim	Crescentwood	N.D.P.
SANTOS, Conrad	Broadway	N.D.P.
STEFANSON, Eric, Hon.	Kirkfield Park	P.C.
STRUTHERS, Stan	Dauphin	N.D.P.
SVEINSON, Ben	La Verendrye	P.C.
TOEWS, Vic, Hon.	Rossmere	P.C.
TWEED, Mervin	Turtle Mountain	P.C.
VODREY, Rosemary, Hon.	Fort Garry	P.C.
WOWCHUK, Rosann	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, September 17, 1996

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Seasonal Camping Fees

Mr. Stan Struthers (Dauphin): Madam Speaker, I beg to present the petition of Ed Lewicky, Trudi Gunia, Susan Kowalski and others, praying the Legislative Assembly of Manitoba urge the provincial government to review camping fees in line with cost of living increases and return to daily entrance permits to encourage the continued use and enjoyment of Manitoba's provincial parks.

Rail Line Abandonment

Ms. Rosann Wowchuk (Swan River): Madam Speaker, I beg to present the petition of Mel Davy, Bill Mosiondz, Ruby Patience and others, requesting the Legislative Assembly to request the Minister of Highways and Transportation (Mr. Findlay) and federal Minister of Transport to ensure that the communities currently using the Cowan Sub, Erwood Sub and Winnipegosis Sub are able to continue shipping their grain to markets.

* (1335)

TABLING OF REPORTS

Hon. Eric Stefanson (Minister of Finance): Madam Speaker, I am pleased to table two different reports. The first one is the report of the Manitoba Properties Inc. for the period ended March 31, 1996, and the second report is the Manitoba Hospital Capital Financing Authority, I believe for the period available, up to June 11, 1996.

Hon. Brian Pallister (Minister of Government Services): Madam Speaker, I am pleased to table the 1995-96 Annual Reports for Fleet Vehicles Agency,

Materials Distribution Agency and Land Management Services. Copies of these reports have been distributed previously in accordance with intersessional procedures.

Hon. Albert Driedger (Minister of Natural Resources): Madam Speaker, I would like to table the Annual Report for the year 1995-1996 for the Department of Natural Resources.

Hon. Jim Ernst (Minister of Consumer and Corporate Affairs): Madam Speaker, I am pleased to table the report of the Special Operating Agency for Vital Statistics, 1995-96 and on behalf of my colleague the Minister of Energy and Mines (Mr. Praznik), The Development Fund 25th Annual Report.

INTRODUCTION OF BILLS

Bill 301—The Native Alcoholism Council of Manitoba Incorporation Amendment Act

Mr. Eric Robinson (Rupert's Land): Madam Speaker, I move, seconded by the member for St. Johns (Mr. Mackintosh), that leave be given to introduce Bill 301, The Native Alcoholism Council of Manitoba Incorporation Amendment Act (Loi modifiant la Loi constituant en corporation "The Native Alcoholism Council of Manitoba"), and that the same be now received and read a first time.

Motion agreed to.

Speaker's Statement

Madam Speaker: Prior to Oral Questions, I would like to draw the attention of all honourable members to the Speaker's Gallery where this year, as usual, six persons have been appointed to the Manitoba Legislative Internship Program. In accordance with established practice, three interns have been assigned to the government caucus and three to the official opposition caucus. Their term of employment is 12 months. During their term they will perform a variety of research and other tasks for private members. These interns commenced their assignments at the beginning of September.

Working with the government caucus are: Ms. Tracy Kozar of the University of Manitoba, Ms. Marie Rajic of the University of Manitoba and Ms. Jodi Turner of the University of Manitoba. Working with the caucus of the official opposition are: Ms. Adrienne Danyluk of the University of Manitoba, Mr. Paul Labun of the University of Winnipeg and Ms. Kristin Tresoor of the University of Winnipeg. Copies of their biographies will be distributed to members shortly.

I would like to take this opportunity to welcome you and hope you find it a very enjoyable work experience.

Introduction of Guests

Also, seated in the public gallery from the University of Winnipeg Collegiate, eighteen Grades 11 and 12 students under the direction of Mr. Wayne Christianson. This school is located in the constituency of the honourable member for Wolseley (Ms. Friesen).

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

* (1340)

ORAL QUESTION PERIOD

Members of Legislative Assembly Salary Increase

Mr. Gary Doer (Leader of the Opposition): My question is to the First Minister.

Madam Speaker, across this country today there are wage increases for senior executives and corporations that are ranging between 3 and 6 percent, whereas working people are receiving wage reductions and wage increases that go up on average to about 1 percent. In this Legislature we have a situation where MLAs have received a wage increase over the last two years while in fact wage earners in the public service have been required by government policy to take a 2 percent wage cut.

I would like to ask the Premier, does he think it is fair to have one standard for MLAs in this Legislature and have another standard for the people that are working for the public service?

Hon. Gary Filmon (Premier): Madam Speaker, the member opposite may know that, for instance, the cabinet of the Province of Manitoba received no increase in their salaries for a period of 15 years and that the adjustment that was made after an independent third-party review of a commission that was appointed by all parties in this Legislature made some alterations that included the removal of a privilege that is enjoyed by every other Legislature, which is a portion of the salary as tax free, that removed the unfunded pension plan that had been available to MLAs leading up to that point and that made other adjustments in the package in recognition of, as I say, 15 years in which cabinet ministers' salaries were not adjusted.

That places us in a position where the cabinet and the Premier, for instance, are either lowest or second lowest paid in the country.

That being the case, all of these things are relative and people make comparisons based on the circumstances that exist and those are the circumstances that people must take into consideration when they evaluate whether or not fairness and justice are being meted out.

Mr. Doer: Madam Speaker, we certainly supported the Fox-Decent report, but since that report has been implemented there have been two automatic wage increases for members of this Legislature that have not been implemented for other members of the public service. I want to table a letter to the Legislative Review Committee that was prepared by the New Democratic Party which said that it is wrong for MLAs to take a wage increase when all the other workers in the public service are required to take a wage decrease.

Can the Premier tell the people of Manitoba, when was the last time a Premier of this province had one standard for members of this Legislature in terms of wage increases and another totally different standard for all the other workers in the public service?

Mr. Filmon: In fact, Madam Speaker, all previous Premiers for 15 years held that standard because they consistently gave increases to all the working members of government and did not take one for themselves.

Mr. Doer: Madam Speaker, the Premier never answered the question. All Premiers in this province, Schreyer,

Lyon, Pawley and, up to a certain point, Filmon, have taken the same wage decrease for MLAs that they have expected other people to take. How can this Premier justify a double standard for members of this Legislature when he is expecting other people in the public service to take a 2 percent wage cut? What kind of leadership, honesty and fairness are we getting from members opposite and this Conservative government?

Mr. Filmon: Madam Speaker, we will not speak to the hypocrisy of members opposite who voted for the report and now, when it is in their cheap political interests, are attempting to disassociate themselves from it.

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please. The honourable First Minister is the only one who has been recognized to respond to the question.

Mr. Filmon: Madam Speaker, when members of the cabinet of this province, myself included, went for 15 years without taking an increase in their cabinet salaries, during that period of time they ended up going from the middle or upper range of the provincial governments in Canada all the way down to being the lowest or second lowest in Canada. During that same period of time raises were consistently given to all of the government employees over that period of time, which resulted in them rising up to the top three or four in the country. We make those comparisons.

I can recall in 1990 or '91, I guess it was '91, when we made a settlement with the nurses of this province for a 15 percent increase over two years, it was in recognition that they had gone down over time to being I think eighth out of 10 provinces, and we wanted to lift them up to being somewhere in the middle to upper range so they were given a significant increase that other public servants were not given.

One has to look at those kinds of comparisons. One has to look at the fairness of all aspects of the things that we do, and we have to be able to live with those judgments. That is precisely what prevails in this circumstance. It is not the cheap politics of the opposition.

* (1345)

1996 Summer Olympic Games Premier's Travel Expenses

Mr. Gary Doer (Leader of the Opposition): A new question to the Premier. On July 25 the Premier told the people of Manitoba that his trip to the Olympic Games and Atlanta were being paid for by the Pan Am Games Society. Subsequently, on July 30, Frank McKenna informed us that the Premier in fact had been the guest of IBM for two nights and received hospitality from IBM for those two evenings.

Some Honourable Members: Oh, oh.

Mr. Doer: Well, if members opposite do not think honesty and integrity is an important issue, I am sorry to hear that, Madam Speaker.

Madam Speaker: Order, please. The honourable Leader of the official opposition to complete his question.

Mr. Doer: Yes, subsequent to the contradiction by Frank McKenna of the Premier's statement to Manitobans, he has informed Manitobans that he is, quote, repaying IBM for the gift that he received.

I would like to ask the Premier, how much has he repaid IBM for the gift he received in Atlanta, which he did not share with Manitobans on July 25?

Hon. Gary Filmon (Premier): I want to point out firstly that, once having made the decision to pay IBM for the expenditures which were made during my period of time there, that becomes a direct matter between me and IBM. It is no different than if I go to the grocery store and buy groceries, I am not using any public funds. I am paying completely out of my own pocket, and I paid in full the invoice that I was sent by them.

Mr. Doer: In light of the fact that the Premier said he received nothing from IBM on July 25, and in light of the fact that he did not come clean with Manitobans on the first chance to tell people the truth, I would like to ask the Premier, the person who is now telling everybody we need improved disclosure, we need to disclose all these things across the public service, which we support, would he now disclose how much was the gift from IBM and how much did he repay IBM for the gift that he received when he was at the Olympic Games, allegedly paid for by

the Pan Am Games Society when we found out later it did not happen?

Mr. Filmon: I received no gift from IBM. Had I, I would have declared it on my conflict-of-interest form. Instead, Madam Speaker, I went to Atlanta with the Pan Am Games Society. While there we did a number of things, obviously in the interests of developing and promoting the Pan American Games, including co-hosting a luncheon with the federal government to which we invited all of the delegates from the Pan Am countries.

In my last two days of a nine-day trip I went into a hotel in which IBM were the hosts in the hotel, and I repaid in full the costs of my hotel and incidental expenses that they paid.

An Honourable Member: Not paid. Repaid.

Mr. Filmon: I repaid IBM in full. I received no gift from them. I repaid in full the entire costs that they billed me for the hotel and incidental expenses, Madam Speaker.

Mr. Doer: In light of the fact the Premier did not even tell Manitobans on July 25 that he was receiving a gift from IBM—he said all the expenses were paid by the Pan Am Games Society—in light of the fact that he mingles the words “pay” and “repaid” in his answer to the question of this Legislature, I would like to ask the Premier, when he checked out of the hotel, did IBM pay the bill, and when did he repay IBM and how much was it for, for a gift that he received from IBM that came out later?

* (1350)

Mr. Filmon: I said on the 25th of July that my trip to Atlanta was paid for by the Pan American Games Society and that is true, Madam Speaker. The fact is that IBM, as I understand it, booked two entire hotels for a period of the entire two and a half weeks of the Olympic Games, and they billed all of those things to their credit in making their arrangements with the hotel. They then had to sort out—when I asked for an individual bill, one individual bill for my two nights and the incidental costs—and they itemized those and sent me a bill, and I repaid them for what they had paid, as they did for thousands of other people who were their guests there—in full.

Lottery Employees Labour Dispute Mediation

Mr. Daryl Reid (Transcona): Madam Speaker, since June 25 lottery workers have been on strike in Manitoba. A number of weeks later the Minister of Labour appointed a conciliation officer who has met with the parties to the dispute. It is my understanding that the officer filed his report with the minister some time last week and that the minister has at minimum had at least five days to review the conciliation officer's report.

I want to ask the Minister of Labour, instead of finger pointing—and this same minister who has said that strikes are not a bad thing in Manitoba—now appoint a mediator that was requested on July 7 by one of the parties to the Lotteries dispute. Will this minister appoint a mediator to resolve this issue in Manitoba right now?

Hon. Vic Toews (Minister of Labour): On September 9, the head of the MGEU wrote me requesting a mediator, and I wrote him back on September 11 indicating that I would be asking both the Lotteries Corporation and the conciliator for a report as to whether or not a mediator should be appointed. I received a conciliator's report late last week, and indeed I received a report from the Lotteries Corporation this morning. I will review that and I will discuss the issue with Mr. Olfert who wants to meet with me this afternoon, and I will hear from him why he feels a mediator should be appointed.

Conciliator's Report—Release

Mr. Daryl Reid (Transcona): Madam Speaker, to the same minister: In an effort to resolve this dispute that has been going on now for some 86 days, will the minister, if his government has nothing to hide and in the spirit of co-operation and openness, be willing to release the report of the conciliation officer to the parties involved in the dispute so they can see what work in progress the conciliation officer has made in resolving this dispute and lead towards the appointment of a mediator to further resolve this dispute so it does not have to drag on any longer than the 86 days that it has to this point in time? Will the minister release that report and take those steps?

Hon. Vic Toews (Minister of Labour): Madam Speaker, I will examine the legality of that request. As

the member opposite knows, there are certain restrictions on the use of conciliators' reports specifically set out in The Labour Relations Act. I will review the response of the Lotteries Corporation and I will speak to Mr. Olfert of the MGEU. and after I have considered those matters I will give him my response.

Mediation

Mr. Daryl Reid (Transcona): Madam Speaker, Section 67 of The Labour Relations Act allows the minister to release the report to the parties and that is why we called on him to do it today.

I want to ask the minister, in my final supplementary, why this minister has a double labour relations standard where he independently appoints a conciliation officer to deal with the lockout at Inco in Thompson and at the same time he will not appoint a mediator to deal with the lottery workers' strike in the province here, something that has been requested by one of the parties in the dispute. Why does he have a double labour relations standard in his department?

Hon. Vic Toews (Minister of Labour): Madam Speaker, there is quite a substantive difference between the two situations. I mean, if a union is asking for 10 percent increase for its employees and the employer's position is zero, there is a big difference and we need to put a conciliator in there. Mr. Olfert indicated in his letter that there was absolutely no progress reached by the conciliator and I have to examine why that is. If in fact the union is still requesting 10 percent for an increase when nurses, teachers and social workers took zero or less, I do not think the public—

Some Honourable Members: Oh, oh.

* (1355)

Madam Speaker: Order, please. The honourable Minister of Labour to complete your response.

Mr. Toews: Thank you, Madam Speaker. When casino workers or their union is requesting 10 percent and teachers, social workers and nurses receive zero or less, there is a serious question of whether even mediation will work in those circumstances. If you look at the member for Transcona's comments from last year, he indicated

that a 3 percent raise was excessive and set a double standard when the Lotteries Corporation gave that last year to the casino workers. Now the casino workers are still asking for more than that. Does he want us to set another double standard?

Inco Limited Labour Dispute Conciliator's Report—Workplace Safety

Mr. Steve Ashton (Thompson): Madam Speaker, the Minister of Labour is again today writing a new chapter in his version of labour relations, indicating the key factor in the Lotteries dispute seems to be the issues as he determines in particular whether wage requests that are at the bargaining table are important enough to appoint a mediator in this case.

I have a question about the situation at Inco. Thirteen hundred workers in my community were locked out by Inco, Sunday at midnight. The minister has appointed a conciliator. One of the key issues at stake is the proposal by Inco to move to a 12-hour shift, something that has caused a great deal of concern in terms of potential safety implications. I would like to ask the Minister of Labour, given the fact that we have had a number of mining deaths and that mining safety obviously is his significant concern, whether he has requested the conciliator to look not only at the collective bargaining aspects but also to look at the safety implications of moving to those 12-hour shifts.

Hon. Vic Toews (Minister of Labour): Madam Speaker, during the NDP years, during the 1970s and the '80s, there were 13, 14, 17 deaths a year in our mines. We, through a very aggressive management program in terms of Workplace Safety and Health, have been able to reduce that—unfortunately there are still deaths—but have been able to reduce that to one or two. This government cares about those workers. We care about workplace safety and health. We do not have to manufacture issues. We know what the problems are and we are working to resolve those.

Madam Speaker: The honourable member for Thompson with a supplementary question.

Mr. Ashton: Madam Speaker, it was the NDP government that brought in the right to refuse and other

innovations to workplace safety and health that have led to safer workplaces.

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please. I would remind the honourable member for Thompson this is not a time for debate. The honourable member was recognized for a supplementary question.

Mr. Ashton: Madam Speaker, I was only responding to the minister's political comments. I asked a question about a dispute in Thompson, a lockout that affects my community very directly and very significant safety concerns. I asked the minister one very simple question and that is, since he has appointed a conciliator, will he request that the conciliator, Mr. Fleury, also look at the workplace safety and health implications of moving to the 12-hour shifts, one of the major issues at dispute in the lockout?

Mr. Toews: I view, Madam Speaker, mine safety very seriously. This is an issue, of course, where if the union and the employer are able to reach an agreement and I trust they will do so shortly, no matter what that agreement is, our laws, our workplace safety and health laws apply, and they will continue to apply. If there are any concerns in that respect, whether the union enters into an agreement with the employer that is illegal or not, we will still enforce our workplace safety and health laws in this province.

* (1400)

Mr. Ashton: As a final supplementary, Madam Speaker, can the minister confirm that there is nothing under our Manitoban legislation preventing the movement to these shifts and that therefore one of the major concerns, the dispute in this lockout, the question of safety, will be resolved largely in absence of legislation? Will he then at least ask the conciliator to raise these concerns with both sides and ensure that we do not end up with a situation where miners and other employees at Inco are at risk in the future?

Mr. Toews: The member for Thompson is wrong. Our Workplace Safety and Health Act clearly covers any type of dangerous situation. It does not need to be spelled out. There is a very powerful general statement protecting

worker safety. I will, though, at his request, ask the conciliator to look at that issue and to ensure that, if the parties are moving forward close to a deal, they are mindful of all laws, including our Workplace Safety and Health Act. I do not want to see any sanctioning of dangerous practices through a collective agreement even if the union would agree to that.

Labour Disputes Government Involvement

Mr. Kevin Lamoureux (Inkster): Madam Speaker, what has become abundantly clear is that this government does have a double standard when it comes to labour relations. We have the private sector, whether it is Boeing, whether it is Inco, where we have seen government wanting to take action, direct action. When it comes to the public service, whether it is the home care workers, whether it is the teachers, and now it is the casino workers, there is definitely a lack of respect for the people who are working for Manitobans directly.

My question to the Minister of Labour or the Premier (Mr. Filmon) is to explain how they justify having a double standard for private sector unions and public sector unions.

Hon. Vic Toews (Minister of Labour): Madam Speaker, if I understand the question, he is asking how I justify a double standard, and the simple answer is I do not. I do not even admit that there is a double standard.

Madam Speaker: The honourable member for Inkster with a supplementary question.

Lottery Employees Labour Dispute Mediation

Mr. Kevin Lamoureux (Inkster): Madam Speaker, if that is the case, then why does the Minister of Labour not be as aggressive in terms of trying to resolve the casino strike and appoint a mediator today?

Hon. Vic Toews (Minister of Labour): The union, from my understanding of the situation—and perhaps Mr. Olfert can clarify that for me this afternoon—is asking for a 10 percent increase. The government corporation has indicated that they are not prepared to move outside of the framework that has been established for other unions

and other collective bargaining groups. The Liquor Control workers have accepted a contract just recently within the guidelines. So what we are saying is there is such a tremendous gap, mediation will simply aggravate the situation. Now I stand to be corrected if Mr. Olfert can demonstrate why a mediator should be brought in at this time. I have consistently said conciliation is appropriate, it should be utilized and we will continue to utilize conciliation.

Madam Speaker: The honourable member for Inkster with a final supplementary question.

Mr. Lamoureux: Madam Speaker, if the Minister of Labour is not prepared to call in a mediator today, will he explain to Manitobans what it is that is causing the fear in his mind? Why is he not prepared to try to at least attempt to resolve this particular strike? Why does this government feel that it is necessary to prolong it? Is it a form of union busting? Is that what the Minister of Labour is trying to do?

Mr. Toews: Madam Speaker, clearly this is not a matter of union busting, as my colleague knows. My colleague knows that the MGEU has been statutorily recognized. Even the workers, if they voted against the MGEU to get rid of the MGEU, could not. Not even the government can bust the union. They are statutorily recognized. So this is not an issue of union busting. That union is here because that is what the law says, whether the workers want it or not.

But what we have to do is to ensure that there is a collective agreement between these parties. The workers have decided to go out on strike to back their demands, and that is their right to do that. I, for one, do not take away their right to strike. Let them strike. But I do feel that this government has an obligation to ensure that there are channels of communication that continue to be open and the best channel, given my information at this time, is conciliation, and I support that process.

Deputy Premier Spousal Travel

Mr. Tim Sale (Crescentwood): Yesterday in the House, defending his decision to travel with his spouse at public expense, the Deputy Premier (Mr. Downey) stated

seven times there was a spousal program. The Premier (Mr. Filmon) has stated that there is an unwritten policy covering spousal travel in that where there is a spousal program, ministers can decide whether to take their spouses along at public expense. But, in fact, Madam Speaker, there was no spousal program for two reasons: No one else on that whole delegation took a spouse along; secondly, this was a Manitoba trade mission. There was no conference that was attended at which there was a spousal program.

So my question to the Deputy Premier is: Could he explain how there could have been a spousal program when there was only one spouse to attend it?

Hon. James Downey (Minister of Industry, Trade and Tourism): Madam Speaker, it is interesting to note that the member opposite does not appreciate the fact that many business people in South America have spouses, and they are invited to events of which it is a very important part of doing business as far as they are concerned. I am sure if the member really wanted to get serious about this, he would take a total look at all the facts that are available. The results of the trip of which Mrs. Downey has presented and which are available—the media has received them—at least 15 tourism operators, women tourism operators coming to Manitoba next year because of the visit.

There was a spousal program. Invitations to the embassies to be involved in receptions at which we met with many business people were a part of the trip. Far greater than the member for Brandon East (Mr. Leonard Evans) on any of his trips to Mexico, and his wife, where there absolutely was not; it was an absolute misuse of taxpayers' money through McKenzie Seeds. If he were to do a full investigation, I think, as well, Madam Speaker, it is important that all the facts get out. I am prepared to present all the facts.

Point of Order

Mr. Leonard Evans (Brandon East): Madam Speaker, on a point of order. The member refers to a visit I took to Mexico City 23 years ago. I took my wife, and I paid her full way.

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please. The honourable member for Brandon East did not have a point of order.

* * *

Madam Speaker: The honourable member for Crescentwood with a supplementary question.

Mr. Sale: Will the minister finally just admit the truth that three weeks before he made his trip, a government official contacted the Pan Am Games Committee and told them Mrs. Downey was going on the trip—the minister wanted to take his wife, and so he manufactured a role for her—that the initiative to do so was his, not his department's, not his office's, but his initiative? Will he admit the truth?

Mr. Downey: When the policy of the government is that there is a spousal program involved, of which there was, not unlike—it was referred to yesterday by Team Canada, of which the spouses of the—[interjection]

Well, the members laugh about it, Madam Speaker. They apparently do not want to hear the information. There was a spousal program. There were invitations to my wife to be participating in events in the ambassador's facilities. There were invitations for her to be involved in events that related to tourism and the Pan American Games. There were invitations and events to take place.

I am prepared, and I can table right at this particular time and will table some of the results of one of the meetings that Mrs. Downey attended as it related to the Pan American Games. In fact, if the member wants to take the time to read it, there is a request that they would like to have Mrs. Downey come back to do other events as it relates to the Pan American Games and tourism. If the member would take the opportunity to read the document, I think it would be helpful for Question Period.

* (1410)

Madam Speaker: The honourable member for Crescentwood with a final supplementary question.

Mr. Sale: Madam Speaker, the issue is not the question of Mrs. Downey's competence or her ability to lobby on behalf of Manitoba or the Pan Am Games. That is not

the issue. The issue is the minister misleading Manitobans about who initiated the request for her travel.

Will the minister finally do the right thing and admit that he misled the public and this House about who initiated this trip for his wife, and like our member, pay the costs of her travel, her meals and her incidental expenses?

Mr. Downey: Madam Speaker, I would expect the member for Brandon East (Mr. Leonard Evans) would provide evidence of the fact that he in fact paid for that trip. I would expect that he would do that. [interjection]

That he paid for it.

Madam Speaker, as it relates—

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please. The honourable Minister of Industry, Trade and Tourism to quickly complete his response.

Mr. Downey: Madam Speaker, as it relates to the trip to South America, there was a spousal program. Mrs. Downey participated in that spousal program of which there were many events. In addition, she carried out work as it related to the promotion of the Pan American Games which was very successful. There are positive results that flow from the taxpayers who supported a trip that was legitimate, and I can assure you there is no misleading of this House or the public. That is as it was.

Deputy Premier Spousal Travel

Ms. Becky Barrett (Wellington): Madam Speaker, my question is also for the Deputy Premier.

The Deputy Premier stated in the media last week that the Pan Am Games Committee initiated the request for his wife to undertake work for them on the trip to South America. Yet the Deputy Premier did not include her name in the press release listing the participants and did not talk about her duties and her events at that event until forced to by the media. What was the Deputy Premier trying to hide?

Hon. James Downey (Minister of Industry, Trade and Tourism): Madam Speaker, I am not trying to hide anything. As I indicated and I will indicate again—in fact, I cannot understand the member because yesterday she said the issue is not who started or initiated the program. Today she has changed her tactic. Yesterday's Hansard said that that was not the issue.

Madam Speaker, as I have indicated, and I will say it again for the benefit of the members who apparently do not understand, there was a trade mission which was developed to support 11 businesses. Fourteen people participated on a trade mission which, by the way, was very successful. I am quite prepared and will be reporting the success of the mission, the numbers of contracts that have been signed and the jobs that will flow from that. In fact, one major company signed an agreement in which some product will be made here in Winnipeg, and that was the consummation of the deal.

As it relates to other activities, there were legitimate spousal programs which Mrs. Downey participated in, No. 1. Number two, there were discussions between the department and the Pan American Games of which those discussions ensued that they were having an Ambassador Program which Mrs. Downey could participate in, and she did in the interests of the people of Manitoba and the benefits that this province will achieve from the Pan American Games. I have absolutely nothing to hide on this issue.

Resignation Request

Ms. Becky Barrett (Wellington): Given that the Deputy Premier stated in the House yesterday, and I quote: "The day that I am not able to tell the truth will be the day that you do not see me in this Legislature," and given that the Deputy Premier has now changed his story about who initiated the trip request for his wife from his original comment in the media over a week ago, that it was initiated on the part of the Pan Am committee and now his statement yesterday in the House and outside in the media that, no, his department or he initiated it, that is a major, major change in your story.

I would like to ask the Deputy Premier, will you now honour the words that you stated in the House yesterday and do the honourable thing and resign?

Hon. James Downey (Minister of Industry, Trade and Tourism): No, Madam Speaker, I will not resign, because I believe that I have told the absolute truth about how the events took place. I also want to indicate very clearly that the positive results of the trip that was taken to South America are absolutely quantifiable and will be continued to be reported upon as time goes on.

Members opposite may have a difficulty with the development of business internationally. They may like to get involved in the MTXs and send \$29 million to Saudi Arabia. That is what we get from the New Democratic Party when they are in office: \$29 million to Saudi Arabia, and who is answering for it over there? Nobody, Madam Speaker.

Madam Speaker: The honourable member for Wellington with a final supplementary question.

Ms. Barrett: I would like to ask the Premier (Mr. Filmon), how can the people of Manitoba have any confidence in your government when the Deputy Premier (Mr. Downey), the man who is a heartbeat away from being the leader of this government—

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please. Would the honourable member for Wellington please pose her question now.

Ms. Barrett: How can the people of Manitoba have any confidence in your government when the Deputy Premier has shown a complete lack of integrity by first trying to hide his wife's trip, then by changing his story to justify why she went along and now refusing to honour his own pledge in the House, which he stated yesterday, and resign?

Would you now do the honourable thing and demand his resignation?

Mr. Downey: Madam Speaker, I do have an apology to make and I was inaccurate, it was \$27 million, not \$29 million that they frittered in Saudi Arabia, so I withdraw that \$29 million.

Madam Speaker, I also appreciate the confidence the member has in the fact that I am only a heartbeat away from—I am not sure what she said, but I do want us to

take this very seriously, because it is an important matter. We had many Manitoba business people with us. We had discussions with the Pan American Games people, with myself and with Mrs. Downey, as it related to the speaking engagements that would be involved.

There is no attempt to hide anything. I am proud of being a Manitoban and being able to represent our province in South America. I am proud of being a Canadian, to tell the people of South America what a great country—and I am proud that my wife was with me to spread the message of how good things are in Manitoba. Thank you, Madam Speaker.

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

* (1420)

Speaker's Ruling

Madam Speaker: I have a ruling for the House.

On June 3, 1996, I took under advisement a point of order raised by the opposition House leader (Mr. Ashton) about comments made by the honourable Minister of Education (Mrs. McIntosh) when answering a question. In raising his point of order, the opposition House leader made reference to Beauchesne Citation 417 and asked that the minister be called to order and asked that the words spoken by the minister be withdrawn.

The opposition House leader referenced the phrase used by the minister, "Could you call the—The interruptions are most rude." The opposition House leader said the comments were "absolutely inappropriate and unacceptable" and that the minister "should not lecture anyone in this House about being rude."

The Minister of Education in speaking to the point of order said that the member for Wolseley (Ms. Friesen), "All during my attempt to answer the question the same member who asked the question was heckling from her seat, clearly not listening to the answer and distracting this side from providing the answer that I thought they had requested."

On the matter of the words spoken by the honourable Minister of Education which the opposition House leader

requested be withdrawn, the words in question I believe were, "The interruptions are most rude." These words are not in my opinion unparliamentary. I would, however, request that the Minister of Education observe the guidelines as referenced in Beauchesne Citation 417: An answer should (1) be as brief as possible (2) deal with the question raised and (3) not provoke debate.

MEMBERS' STATEMENTS

Entrepreneur of the Year Awards

Mr. David Newman (Riel): Madam Speaker, in today's fast-paced, ever-expanding global society, jobs and the issue of job creation are central to the hearts and minds of all Manitobans. The Filmon government has facilitated the creation of real lasting jobs in the private sector as distinguished from the old method of hiring people to do temporary government jobs.

In the spirit of meaningful job creation, I would like to extend credit and recognition to the individual entrepreneurs who have been such an essential part of this new era of economic challenge and innovation.

Awards for Manitoba's Entrepreneur of the Year were held on September 13, '96. I would like to extend my congratulations to this year's winner, Marc Raymond of Westsun, a company which deals in lighting and audio equipment for the event and entertainment industries.

Other finalists on the ballot included Richard Hoeschen of Fort Garry Brewing Company Ltd., Sam Katz of Showtime Productions, Terry Smith of Boyd Autobody & Glass, and Ed van Humbeck of Vansco Electronics. These individuals have all demonstrated that careful hard work and determination is needed to forge a bright and successful future for themselves and for Manitoba as a whole.

Job creation has taken on a new meaning for the youth of today. The challenge now is to delve into the consumer market and create innovative types of employment which address the needs of society. As businesses grow and expand, more residual jobs are in turn created and the individuals accepting the challenge of entrepreneurship are rewarded with the potential for untapped growth and incredible success. Self-

employment is one of the fastest growing elements of today's job creation.

Statistics are showing that women have become significant players in entrepreneurship, and increasingly women have dared to undertake some remarkable ventures and have further taken a lead in inspiring change and innovation, creating meaningful employment and developing extraordinary new products.

Congratulations are in order to these many entrepreneurs. Thank you.

Employment Creation Strategy

Ms. Diane McGifford (Osborne): Madam Speaker, Osborne, like all Manitoba constituencies, is alive with energy, ideas and vision. Consider, for example, the community garden at River and Bryce where local gardeners have turned a deserted lot into a productive green space. Consider the many gifted and socially responsible young people who in June graduated from our local schools and from Manitoba's universities. Consider Canada Day in the village, always one of the best celebrations in the country, or Labour Day weekend in south Osborne, another great community party.

Given this evidence of community commitment and ingenuity, you can guess my disappointment at a farewell party for a local family who are leaving Manitoba. Both parents, highly qualified professionals, had lost their jobs, and neither could find a new one. This family, active in the community and happy in Winnipeg, struggled to stay, but our dismal job market drove them to B.C.

The Minister of Finance (Mr. Stefanson) tells us that the economy is steamrolling ahead, but the job market must be underneath the rollers. The labour force shrank by 5,000 workers in August 1996. Why cannot a government which brags about its popularity with the banks and business put Manitobans back to work? Why this brain drain to B.C. and the common perception that Manitoba has no future?

Labatt's and North American Life have left, Richardson Greenshields has been sold. Now the CPR is decimating the Weston Shops, cutting 137 jobs and moving 138 out west. If, as the Minister of Finance tells us, the economy

is steamrolling ahead, if the economy is up, then why do Manitobans feel so down?

Infrastructure Projects Funding

Mr. Frank Pitura (Morris): The latest round of infrastructure funding was announced yesterday by Deputy Premier James Downey. The announcement took place at the site of one of the larger projects receiving funding, which is an expansion of the Sanford water treatment plant in the Rural Municipality of Macdonald, a part of the constituency of Morris.

The funding includes \$263,700 for 13 infrastructure projects, for new projects, and \$445,300 in additional funding for five projects already underway. The projects are traditional infrastructure improvements such as water and sewer treatment projects, street and road repairs, drainage projects and construction of waste disposal grounds. The announcement marked a final allocation of infrastructure program funds earmarked for rural projects. In total, about \$60 million of the \$204-million program have been channelled into projects of this kind.

Madam Speaker, rural Manitoba has been given the opportunity to create new jobs, to make community improvements and to build a stronger foundation for future growth. Although government alone cannot create jobs and wealth, the leadership of this government and our long-term policy framework has provided a favourable, competitive economic climate for the growth of jobs in the economy. The Filmon government has the vision and the leadership Manitoba needs to conquer challenges, build new opportunities and put us on the road to new prosperity. This government continues to make this vision a reality. We have put in place a long-term plan for sustainable job creation and income growth. Thank you.

* (1430)

Steep Rock Rail Line

Mr. Clif Evans (Interlake): Madam Speaker, residents of the Interlake are deeply concerned over the potential loss of the Steep Rock rail line in just a few months. Last year the federal government sold off CNR and brought in a new Canadian transportation act. Over 65 percent of CNR is now owned by American shareholders

whose interests are quarterly profits and not economic development in rural Manitoba. The new Canada transportation act was proclaimed on July 1. The act abolishes branchline subsidies and the appeal process for abandoning branchlines.

Using the new act on July 2, CN announced the abandonment of four branchlines, including the Steep Rock line. Running up the east side of Lake Manitoba, the Steep Rock line goes through communities such as Grosse Isle, Lundar, Ashern, Moosehorn, Gypsumville, St. Martin and Grahamdale. Hudson Bay Mining and Smelting and Inco are major customers of the lime process at the Continental plant at Faulkner. Farmers along the line transport grain using this line. Even the Prairie Dog Central, the tourist train, runs along part of the line to Grosse Isle from Winnipeg. Following the July 2 announcement, Continental Lime was forced to consider either buying part or all of the line or spending millions of dollars to build a new plant in Winnipeg, ship their product at a greater cost by truck.

The repeated attempts to negotiate with CN suffered a major setback on September 2 when CN published an ad in the Toronto Globe and Mail and formally announced the line was up for sale or abandonment. Since then residents and affected workers have been waiting impatiently to see what will happen. So far there is no indication of what will happen. The Liberal M.P. for the area has been silent as have the other 11 Liberal M.P.s in Manitoba. None of them appear to have spoken to the federal Minister of Transport over the cost of rail abandonment to this province. As the Interlake Spectator said in a recent editorial: This is a rural area where wheat among other things is still grown. Some people will lap up Internet surfing pushed by M.P. Jon Gerrard, but what about keeping an eye on what this region does have to offer, not what it might have to offer. Thank you.

The Maples Youth Services Canada Project

Mr. Gary Kowalski (The Maples): Madam Speaker, once again it gives me pleasure to speak about a group that I have spoken about many times in this Legislature, but are well deserving of the frequency of my comments. It is The Maples Youth Services Canada project. This is the second year, this is the second group of 10 young people between the ages of 18 and 25. It is a federally

funded program, but they are doing wonders in my constituency.

Their latest endeavour was last Wednesday. They attended the committee room here in the Legislature to practise their public speaking along with two mentors from the Toastmasters Club from the north end. I also want to take this opportunity to thank the Minister of Justice (Mrs. Vodrey) and the Leader of Her Majesty's official opposition (Mr. Doer) for joining me in welcoming them to the Manitoba Legislature. Listening to these young people, it again makes you realize how bright our future really is. When I heard these people speak on everything from self-esteem, to computer crime, to many topics, they amazed me by the depth and concern about society and their commitment to Manitoba.

So once again I would like to bring notice to this Legislature of the good work being done by The Maples Youth Services Canada project in The Maples, and possibly they might want to look at similar projects for their constituencies. Thank you, Madam Speaker.

ORDERS OF THE DAY

House Business

Hon. Jim Ernst (Government House Leader): Madam Speaker, I believe that there is a willingness to waive private members' hour today.

Madam Speaker: Is there leave to waive private members' hour today? [agreed]

Mr. Ernst: Madam Speaker, would you please call Bills 2, 3, 54, 17, 56, 49 and 34 in that order.

DEBATE ON SECOND READINGS

Bill 2—The Municipal Assessment Amendment and Assessment Validation Act

Madam Speaker: On the proposed motion of the honourable Minister of Rural Development (Mr. Derkach), The Municipal Assessment Amendment and Assessment Validation Act (Loi modifiant la Loi sur l'évaluation municipale et validant certaines évaluations), standing in the name of the honourable member for Wellington (Ms. Barrett).

Is there leave to permit the bill to remain standing?
[agreed]

Mr. Clif Evans (Interlake): Madam Speaker, I wish to add my comments to Bill 2 and some of the other rural development bills that are in place here this legislation session.

First of all, though, I would like to take the opportunity to welcome members back to the Assembly in continuation of our session, also to make welcome to our new interns whom we have recognized today here in the Assembly and also to recognize and welcome our new Pages who have begun this session with us. Hopefully, their term will be an enjoyable one and a learning one at that, I am sure as all the others who have been through the same process have learned many things here in this room.

Madam Speaker, Bill 2, The Municipal Assessment Amendment and Assessment Validation Act, we on this side of the House have not too many concerns with it, and after we make some further comments, I am sure that we will be passing it on to committee stage so that people in the rural area who have any concerns will in fact come to committee and make their briefs and presentations.

Bill 2, its intention from what we read is to include gas distribution systems in the assessment process, that also applies to railways and roadways. The purpose—I have gone through this bill—is to nullify the current applications for revisions of appeals against previous years' assessments by gas distribution companies, and I applaud that part of the legislation that has been presented to us. I think that it is fine. It is one thing to be able to prevent tax loopholes that certain companies and large corporations have in place, I would certainly hope that quashing this ability, previous ability, for gas distribution system companies, et cetera, to have this loophole is a start and being able to provide and maintain the quality service and also to be able to provide the necessary revenues that municipalities benefit out of these tax assessments on gas distribution systems, to be able to have the availability and the resources to pay for the fair share of services to the people in Manitoba.

Madam Speaker, in support of the bill, the bill gives us also a stable assessment rate, not just for the pipelines, but also for the cost of your labour and the cost of

installation, material, pipes and regulating equipment and meters.

So, on the whole, Bill 2 has in fact been able to put that cap on the appeal process and has been able to prevent these large operations, large companies in having some sort of a loophole by coming to the municipality and going to the board or going to the local government jurisdiction and saying that we feel this is too high and that we should not be paying this amount.

I feel that we all should pay our fair share to a point, and if there is an assessed value of something and a regulation on that, that is what it should be. However, the bill also gives us legislative authority over setting the rates and the schedules for the gas distribution system. The bill has provided a board of revision that has been designated to establish the rules for such things as times of hearings regarding rate applications, et cetera.

In retrospect, Madam Speaker, when we talk about being able to put a cap on the availability for gas distribution companies with large corporations in having tax loopholes, I wonder how we might be able to better act on the fact that what we are seeing and what has occurred in my member's statement re the CN rail line abandonment, we can do more to be able to provide the same sort of assurance and guarantee that others, large corporations and such, will not be able to go through the loophole system of appealing decisions on assessment that provide the services in rural areas and municipal areas.

Also what we are basically pleased with on this bill is that there has been provided a validation clause which sets current rates of gas distribution systems based on '94 and '95 and 1996 costs. It has been deemed with the enactment of this Bill 2 that these rates are binding and that the gas distribution people have no other alternative or option to appeal or to have a revision on the assessment for their services.

* (1440)

Madam Speaker, it is also very gratifying to a certain point that the bill will also prevent these gas distribution companies from changing their rate schedules and implying that, so that based on their rate of revenue, generated through the sale of the product rather than on

the actual cost or worth of the equipment. Also it includes such rate schedules that include our labour and so on.

We feel on this side of the House—and there may in fact be some other recommendations to this bill. At present we are dealing with the system as it is. We feel that this also protects the consumer and also protects the municipality from fluctuating rate changes carried out at the whim of the gas companies and others, so we support that part.

We think that some of those issues are important to the municipalities, and when we talk about municipalities and some of the major changes that we are going to see in the next couple of months with legislation that comes to Bill 54 and Bill 56 and Bill 43, the one point that I would like to make is the fact that this bill does protect the consumer and the municipality from rate changes. So what we are talking about, I believe, is the fact that it protects the municipality whose—the distribution system is in place within a municipality will know exactly how much revenue they will be receiving from the gas distribution system on the assessment of their labour costs and of their material costs.

Madam Speaker, I do not have a problem with that either, but I state that it is important. It is important to be able to protect our municipalities in our rural jurisdictions.

We see a tremendous change within the municipalities and within the system. We see an upcoming major change to The Municipal Act where in fact municipalities are going to be having to deal with many things. Assessments and taxes and infrastructure, changes within their system, resources, tax revenues, revenues in general are going to perhaps have to be altered in certain cases, in certain situations. They are going to have to deal with the issues of the day on their own.

I will certainly bring some points to that with Bill 54, but I must say that Bill 2 is perhaps a start, a start by this government in one way in protecting the accountability of our municipalities and protecting what municipalities do have coming to them and not having to go through cases, whether it be boards of revision or appeal process or legal action to decide whether in fact this is what the worth of the materials and labour is. This will provide

the municipalities to know that once the rates are set, then that is exactly what they will be getting, the opportunity for them to be able to have that figure in mind once it is assessed, be it to be able to be provided to them for the necessary work that they might use this money for.

(Mr. Deputy Speaker in the Chair)

I would certainly encourage the minister and encourage the government of the day to also hear the other issues that we will be seeing and dealing with in the next couple of months, and once Bill 54 comes into being passed and enacted that Bill 2 perhaps would be a small part of Bill 54 where we will be able to provide that certain level of uncertainty that municipalities might have within the system.

So, Mr. Deputy Speaker, I really just, in saying that we do support the concept of Bill 2 and feel that it is a step in the right direction, I caution the minister and caution the government of the day that the bottom line of anything that is enacted, a new act or amendment to an act, is how it will work after it has been enacted. What we are told on paper and what we are told in wording within the legislation is one thing. Whether it is going to work for everybody and whether it is the right process to work for everybody, we will have to wait and see. It is like anything. We will have to wait and see.

It may in fact work for some and hopefully we will not have to go back in a couple of years and say, well, we have to change, make amendments to Bill 2 because we have forgotten something or there is another loophole. We want to be able to protect—if we are going to enact this bill, we want to make sure that it is going to do what it is supposed to do for a long period of time and not have to deal with matters that will revolve around assessment amendments and the assessment validations for these municipalities when it comes to gas distribution systems in a period of a couple of years down the road. It just adds to more confusion and adds to the municipalities that are serviced by these gas distribution companies not to be able to have that opportunity to deal with it in a proper way.

Mr. Deputy Speaker, I understand that we are supporting this bill to go on into committee. We hope to get some response or get some input from the municipalities on this. I have had the opportunity of

speaking to some different councillors and reeves in the municipalities around Manitoba on my travels during these past couple of months, enjoying the Manitoba weather and the Manitoba scenery, especially within the Interlake, but have asked if there are any comments or any suggestions or any concerns that might be raised with Bill 2 so that we may bring it to the attention, and I have not heard anyone say contrary to a problem.

I want to make a point. When it comes to gas distribution and the whole gas assessment values where we have in southwestern Manitoba now the introducing of natural gas to many communities and municipalities within southwestern Manitoba which is being done by Centra Gas, I wonder out loud whether this Bill 2 may—and I say may—have an effect on the assessment and the value and the tax base that may be created by, may be applied to the new installation and the millions of dollars that is being invested in the infrastructure in natural gas in southwestern Manitoba.

Now when we talk about natural gas and the distribution of natural gas, we also wonder out loud whether the other areas that have requested natural gas in the Interlake area, eastern and western Interlake area, be not forgotten when it comes to being able to provide this very important service. I speak on this because I am concerned that, while on one hand there is an investment of millions and millions of dollars for natural gas in southwestern Manitoba, how is that going to affect the assessment, the values, the worth of the system implemented within the areas.

* (1450)

Is Bill 2 or is Bill 54 going to have an effect on the tax base of the local people? Is it going to have a greater tax assessment on the distribution companies? How is that going to be done and how is it going to be paid for? Is it going to be paid on people also who are using the system, not only using the system but those who are not using the system? Is—and again I think out loud about this—the fact that will Bill 2 in any way have an effect, will we see when the uproar of assessment and tax assessment come into play what the roar of the people will be and of the distribution company itself, and will we get into a troublesome issue and situation where we are again going to be going to appeals and repeals and law cases, court cases, Mr. Deputy Speaker?

I wonder out loud whether this in fact may have a play, and it may not. It may not, but I hope that we will in fact in due time see whether Bill 2 will be the solution for the problem that has been around for quite a few years, and certainly we hope that it does. We will certainly hope that other members, rural members, may have the opportunity to speak on this bill prior to us passing it to committee, but I believe that we will indeed see the bill go through committee and third reading, and still in the process we will still be questioning and talk to concerned municipalities, people who are involved directly with the changes in The Municipal Assessment Amendment and Assessment Validation Act, Bill 2, and others.

Now, I know that the distribution companies are probably not too pleased or impressed with bringing Bill 2 into legislation and having a board of revision designated to establish the rules and the regulations for rate applications, but we have to know, the municipalities, as I have mentioned, have to know just where they are going when it comes to resources and tax funding that they are getting from these gas distribution systems.

I believe that we should certainly support that part of it and indeed support the bill when it comes to third reading.

Also, in closing on Bill 2, I am certainly hopeful that we do not have to speak to another amendment on Bill 2 and that everything will come into play and that there is not anything that we should be worried about when it comes to once Bill 2 is enacted as law, that we will not be finding certain other loopholes or someone else finding loopholes that have made Bill 2 a bill that has perhaps missed something or we will have to add something in the future.

Mr. Deputy Speaker, Bill 2 goes—I know that a few other members on our side would like to speak to it and I am certainly willing to hear what they have to say on that before we go to committee and I can tell the minister that we will hopefully go into committee with this this week. Thank you.

Mr. Deputy Speaker: As previously agreed, this matter will remain standing in the name of the honourable member for Wellington (Ms. Barrett).

Bill 3—The Surface Rights Amendment Act

Mr. Deputy Speaker: On the proposed motion of the honourable Minister of Rural Development (Mr. Derkach), Bill 3, The Surface Rights Amendment Act; Loi modifiant la Loi sur les droits de surface, standing in the name of the honourable member for Wellington (Ms. Barrett).

Is there leave that this matter remain standing? [agreed]

Mr. Clif Evans (Interlake): To answer the comment by the Minister of Natural Resources, yes, it is actually the member for Interlake's day for a period of time but—[interjection] The Minister of Rural Development makes the comment, as long as I am nice. I think the Minister of Rural Development knows that I can be as nice as can be and otherwise too, but thank you.

I would just like to make a few comments with The Surface Rights Amendment Act, Bill 3.

I must say that on this bill—

An Honourable Member: You do not know what to say?

Mr. Clif Evans: I am not sure exactly.

An Honourable Member: Stuck for words.

Mr. Clif Evans: I am stuck for words on this one because there are situations and there are issues with this bill that I have had not the opportunity to talk and discuss with the Minister of Rural Development and I would probably appreciate that. I know that during the time of this past three or four months have been a busy time for both minister and others but there may be and are some issues with Bill 3 that I would like to clarify.

We are supporting the bill and we will pass it to committee this week. I know that there is some concern from some other members, rural members, about Bill 3, and I would like to give them the opportunity if they so wish to discuss it and perhaps discussion on Bill 3 may be short-lived if indeed there are no problems after I have an opportunity to discuss the matter with the minister and take it back to our caucus.

We understand that the bill does provide the opportunity for landowners to waive a 72-hour time span for oil research companies to come in and deal with their property. I at first found that strange that we should waive that, in discussing it with both the Surface Rights Board itself, the people that they represent and the petroleum producers that we know, and understand that there was a mutual consent to having this amendment brought in.

I see—and I will see better if I put my glasses on—that there was that 72-hour waiting period and actually would like to know in discussion with the minister why 72 hours came into play, and why now do both sides want to do away with it or have the option? It is now an option. It is not doing away with it, but it is an option. The intent of the decision to do that, does it provide easier access, quicker access for the oil petroleum producers? Does it provide the farmer or landowner who has signed to have drilling done on his or her property—is it beneficial to them? We are not really sure on that.

I would like to say, without being able to discuss this previously with the Minister of Rural Development (Mr. Derkach), that I would like to get better clarification on just where everything came from to do this bill and understand it a little bit better. Granted, as you say, there was consultation and agreement on both sides to have this done. Who initiated it? Why was it initiated? What was the problem of leaving it as it currently stands at 72 hours between the signing of the lease and prior to the actual drilling? But the part of the act that leaves that in place is that the waiting period will be optional or would be optional, that is, would be optional or will it be optional? That is something I would like to discuss with the minister, one of the issues.

We see, of course, that—and the minister's comments—there is no waiting period in Alberta or British Columbia. That, again, is something that we wonder why they do not have that at all, even if it is an option, that they are not providing that time to have the landowners perhaps, or the petroleum companies, make up their minds and decision on whether to go ahead?

* (1500)

We have heard no negative feedback. We have received no negative feedback from either MAUM or

UMM or landowners themselves on this, so I would say that with perhaps some discussion with the minister about Bill 3, we can perhaps—even some discussion prior to committee.

I have really no real serious concerns with Bill 3 at this time. It is like I have said on Bill 2, that we will see if it is an option that has been implemented that will work for both sides and that everybody will be satisfied with the changes to Bill 3 that we have in place this session. If not, then so be it. We were able to deal with it and let both the companies and the landowners do what must be done to either go ahead with such research or drilling or whatever might be done by the oil companies and petroleum producers to go ahead. If it is a satisfactory agreement between Mr. Smith, the landowner, and ABC Petroleum Company to have work started and everything going within the 72-hour period, so be it. If there are problems, then I am sure that hopefully that 72-hour option of holding it back will still stay in place so that there are not further confrontations or problems in the mutual agreement when it comes to that.

Mr. Deputy Speaker, we certainly agree to the fact that we go into committee. As I have indicated, there will be one or two more comments in House this week with respect to Bill 3 and pass it on to committee as quickly as possible.

Mr. Deputy Speaker: As previously agreed, this matter will remain standing in the name of the honourable member for Wellington (Ms. Barrett)

Bill 54—The Municipal and Various Acts Amendment Act

Mr. Deputy Speaker: On the proposed motion of the honourable Minister of Rural Development (Mr. Derkach), Bill 54, The Municipal and Various Acts Amendment Act (Loi concernant les municipalités et modifiant diverses dispositions législatives), standing in the name of the honourable member for Transcona (Mr. Reid).

Is there leave that this matter remain standing? [agreed]

An Honourable Member: Atta boy, Clifford. Hurray.

Mr. Clif Evans (Interlake): Thank you, Mr. Deputy Speaker, and I thank the member for Gladstone (Mr.

Rocan) for the rousing support and display of affection that he has kindly shown me today, not only today but for the last six years. Just on a good basis, good friendship basis.

I want to start with Bill 54 in saying again that I am very, very pleased to bring my remarks to the House with respect to a very, very important bill, one of the most important bills over the many years that have come into play, been presented by this government, a bill that after more than 100 years we have been able to see some changes brought into The Municipal Act, instead of having the problem over these many years of adding amendments and making small changes and cosmetic changes.

After about three years of research or studies done throughout Manitoba by a group of people who dedicated three years to review and go out to municipalities and go out to people across Manitoba, listen to reeves and mayors, councillors, community leaders and people in rural Manitoba and, of course, in the urban centres, the large urban centres, and attempt, over a period of three years, to put together a bill that will hopefully—and I say hopefully, but in such a bill I do not think it will occur—but hopefully the opportunity to have municipalities and jurisdictions across this province do many things that they have not been able to do before, have authority that they did not have before, have the options of being able to deal with the issues within their local jurisdiction that they did not have before, perhaps also work the other way where now the government of the day will have a stronger word and statement to make in certain areas.

So there are positive points, but in getting back to the people who—and I had the pleasure of attending in my constituency quite a few of these meetings and found them to be extremely positive with the leadership of Mr. Henry Wiebe, who was the chair of this review panel. They heard all the different problems and issues that were brought to their attention, and I am sure many of these were brought in over and over again by different municipalities and jurisdictions who have the same concerns and heard that there are concerns perhaps that only affected certain municipalities, certain areas.

In general, I believe in reading through The Municipal Act as much as possible in certain sections of it of course

dealing with my municipal leaders within my constituency and I think also in other areas of the province and the opportunities of course of attending meetings with the Minister of Rural Development (Mr. Derkach) as critic for Rural Development, the opportunity to be able to hear the people in the municipalities say that changes have to be made and we certainly agree to that. We agree that changes have had to be made. We agree that changes had to come into place.

As a former municipal elected official, local elected official, I know that being new in the field, it was so difficult at times to be able to understand what exactly The Municipal Act was and what it was meant to do and how it controlled all the jurisdictions within this province and in other parts of Canada of course, too, with the role in the different municipal acts that they have.

An act that is over a hundred years old is going to bring some changes, changes, as I have said, that perhaps not all are going to agree on. There are going to be changes to the act that may not please people or jurisdictions, in the constituency of Flin Flon, for an example, perhaps not for the people in the constituency of Dauphin, perhaps not even in the jurisdiction of the Minister of Rural Development we are not going to please. The changes are not going to help solve the problems that are out in rural Manitoba and perhaps may in fact create some problems down the line and problems that will have to be looked at I think from time to time.

I say that because, again, such an act of enormous amount of pages and different aspects of this act, whether it be the taxation part or how they are going to elect their people in the future, the changes are of such magnitude in size because we are not just dealing with a small portion of The Municipal Act, we are dealing with the whole act. We are dealing with everything right from the grassroots right up to the top, from east to west, from north to south of a jurisdiction. So we are not going to see an act that is going to be put in place that is going to support everybody's needs and problems.

* (1510)

So we say on this side of the House that the act, although one that has been long needed for this province, we would like to see how it will indeed service the

municipalities and the jurisdictions of Manitoba down the road. We also understand and I think I understand that it is an act of such magnitude that, are we going to be able to within this present government's mandate to find out whether there are major problems that municipalities and urban centres are going to be bringing to us as legislators to have to make changes again? We will see how the act will benefit; we will see how the act will be an integral part of assisting local municipalities to deal with the everyday issues, everyday problems that they have now, and some of the issues at hand, Mr. Deputy Speaker, just many changes, to go over them individually and each one by one is difficult. It takes an awful lot of research to be able to—an awful lot of discussion.

The one bit of nondiscussion that we have had, that I have had very little discussion with as yet—that is why I feel that, even though we are going to go through to committee with this, I think it is important that UMM and MAUM make the proper presentations and have them available to come, and local areas, local jurisdictions. I am sure that there may be some other issues that affect another municipality and do not affect a municipality at the opposite end of the province, so there are going to be problems. Hopefully, the local jurisdictions that feel that there is a problem with Bill 54 have made their case, either through us or through the minister's office himself or through UMM and MAUM, to have these issues brought forth, these concerns, that perhaps what the act is saying may not be of beneficial interest to their local jurisdiction.

I wonder, Mr. Deputy Speaker, whether some of the changes are going to be properly addressed, some of the changes that may be of concern to certain jurisdictions: residency requirements for candidates in municipal elections, should they be property owners, should they be residents, should they have a box number in a jurisdiction, live in another area and still be able to either vote or run for election? That would be a concern. I know it is a concern in some areas—and I myself have heard people say that is not the way to go—that, if you want to run in your area, you should be a resident of that area, not just a property owner. In other areas, it is said that is all right, that if somebody is living in Winnipeg and has a cottage in another community, he or she be eligible to vote. That may be a problem for some municipalities and jurisdictions, and it may not.

Other interesting changes that may affect some and may not affect others: ward boundaries reflect only permanent population; a city should have a minimum of 7,500 people; local government districts. I know that the LGDs in this province, the 16 of them, have raised grave concerns with the Minister of Rural Development (Mr. Derkach) about the changes to the act and how it will affect the LGDs and how it will affect the case of welfare in their jurisdictions. These LGDs are now going to become municipalities again. There might be LGDs, Mr. Deputy Speaker, which were at one time municipalities that went bankrupt, that had to be taken over by the government of the day in the province of Manitoba. The opportunity for them to become municipalities again and deal with the issues as they did as a municipality without any support of resource from the government of Manitoba, the government of the day, might it be a concern? We have not as yet heard from the LGDs as to whether they are satisfied, whether their committee is totally satisfied with the changes that The Municipal Act brings into play for their issue itself.

Another issue that I would see could be a problem, and that is that the vote of a chairperson, that the head of the council should be allowed to vote. There is much discussion on that, I feel, I believe, and, again, I hear that in some areas this change would be welcome. In other areas, it would not be welcome, but we are also saying that might create a problem in a lot of jurisdictions where certain issues come up into play before the council, certain issues that I believe should be dealt with by all the council of the day. So it is an issue that some will have a problem with and some will have to say whether they want to or they do not want to do that. Those are another issue or another part of Bill 54 that may become a problem.

The fact that there is only going to be now two types of municipalities is something, without hearing any problems about that, I do not feel it is much of a problem, the single process for formation, dissolution, consolidation and annexation. Now, there have been discussions over the past many years about consolidating and annexation, formation, of getting municipalities or jurisdictions together. You hear support of it on one side of the fence and you hear an absolute no from the other side of the fence. You hear perhaps two municipalities, a town and an R.M. discussing it, and then in another area, you hear that even just a word of amalgamation or

formation, to process together, be a sinful word to even bring that to the attention.

Now, I know the act will provide the opportunity for these people to be able to openly discuss it and perhaps work within themselves, and maybe amalgamation may not be the answer, but the sharing of certain services might be better served within the communities where one community that has equipment and has been able to provide full service within its jurisdiction can assist a neighbouring jurisdiction within itself with those problems.

Having said that, though, we do not support the fact, what the Minister of Highways (Mr. Findlay) suggested a year ago about offloading gravel roads onto municipalities. We do not agree with that. We do not agree with the fact and I do not agree with the fact, and many jurisdictions across this province, many do not agree with that and say that that is not the way to go either. So it is a problem that perhaps will increase as a bigger problem for certain jurisdictions that do not have resources, do not have a tax base, do not have the available equipment to be able to take on such a task that the Minister of Highways is suggesting to our rural areas. It is going to be an added burden, an added problem to them.

One of the many issues, and it is difficult to cover all the specific issues that are in play, but one of the issues that is a concern, we will get more feedback on that in the next week or two. We certainly, again, I repeat, we hope that people make presentations to this, if not through their local associations, then as individuals. I think that is important. I think that part of it should be there and that we are able to be able to show them what we feel about the changes in this act and how they feel about it and in turn tell the Minister of Rural Development (Mr. Derkach) and the government that these changes are good or bad for their area so that down the road in the many years to come these jurisdictions are not affected in any negative way.

That is important. Our rural areas are too important to have in place something that might become a detriment to the betterment and improvement of a local jurisdiction in rural Manitoba. That is beyond saying. That is the first category, the leading category, to make sure that

everybody is satisfied and can do what they have to do to better their areas and their communities.

* (1520)

One of the other issues that comes into play now, and we will be again discussing this with the proper people, the people that are going to be affected, is the formation of a new entity within the jurisdictions and that being a CEO, a new CEO. When looking through the act under that section, I find—I am sorry, Mr. Deputy Speaker, I am going to have to reverse my comment. That is not CEO; that is CAO. But this new CAO position is actually the administrator, the secretary-treasurer of the jurisdiction. It is also providing in the act, it is providing the CAO different ground rules within the system. They have to become an entity that is accountable or can hold their council, their elected people, hold them at task in performing the necessary duties of a councillor and a reeve or mayor, et cetera, et cetera. Now, instead of being specifically an advisor, an administrator, someone who has to know the act backwards, inside and out, I am concerned, we are on this side of the House concerned, in fact, that perhaps that role might have a different avenue of mandate to it.

We will certainly continue in discussions with the administrators association of Manitoba on this. I am sure that they will in fact have a presentation to make to the minister, to our committee, on certain issues under the heading of CAOs. It is, without getting into too much—I worry. I worry that the CAO may in fact be an arm of the minister where in fact a CAO or administrator or secretary-treasurer is basically working for the people, the community that he or she is working for, whether it be an R.M. or an LGD, a town, a city or a village. So I put that on record that there is concern. I hope that that concern will be addressed during committee and by the administrators association in the very near future, and I know that is what will come in play.

Some of the other issues that the bill brings into play that we might have difficulty with, a section of the act that states where a municipality is in financial difficulty, and that it must submit to the supervision by an officer of the minister who I feel and believe right now, and I might probably be proven wrong, that by an officer of the minister also could mean the CAO. Now, that is something that we are not positive about with that. This

officer of the minister, could it be the CAO of the local jurisdiction that is having financial difficulty, their financial plan and proposed taxation shall comply with the instructions of the supervisor, again, the officer of the minister? So we look at that, and we wonder where in fact some of these things are going to affect the municipality that is in jeopardy of their financial difficulties.

An Honourable Member: Clif, you keep listening to yourself.

Mr. Clif Evans: Well, the Minister of Natural Resources (Mr. Driedger) says I am listening to myself. That is fine. I am listening to myself, and if the minister would listen to himself sometimes, then perhaps he might encourage rural Manitobans to be better off instead of trying to make it difficult for rural Manitobans to work and to live, and especially in his department when it comes to Fisheries and Water Resources.

The one other concern that again may affect, and I pick these out of the many, many notes that we have done over the past few months to try and get a handle on Bill 54, but one of the other potential problems that we might have is that the liability of municipalities is pretty limited or will be. An example that I have been provided with and reading through it is that there is little or no liability for failing to conduct a building inspection, for loss or damage on a municipal road or for failing to do something that it has the mandate to do but decided in good faith not to do it.

Mr. Deputy Speaker, I may have a problem with that. There may be a problem with that and we are just saying that you are providing authority to these municipalities in certain aspects, and yet you are perhaps making it so they do not have to have any kind of authority in doing what is right in the mandate, and the mandate may, in fact, change.

There are some other issues, and I know that my colleagues will be dealing with other issues with this act. We have a concern that the limitations on the economic growth and rural communities set by the estimated expenditure formula which does not include borrowing and by having again an arm of the minister being the CAO enforce the formula that is put into place; but, on the other hand, the CAO, he or she, is also on—instead of

having a two-thirds majority within council to say that they are doing their job or not, all it is is 50-plus one, and the CAO might not be a CAO or an administrator or anything.

I want to say that Bill 54 has many, many different clauses and different parts to it that it will take us some time to be able to really feel and know what is going on with it. We will constantly want to hear from the municipalities once the changes are made, once the act is put in place. We will constantly be asking the different associations, the different jurisdictions about hearing about their problems that they are having with Bill 54 and whether in fact it is affecting them.

But what is affecting them—and I made mention to the Minister of Rural Development (Mr. Derkach) in our committee meetings and Estimates—that rural Manitoba is a very, very important part. Maybe the population is not there, but it is an important part of this province. Not only do we try to better rural Manitoba with Bill 54 and other bills related to rural Manitobans, but the fact of the matter of what is being done in general—the minister will remember this—by this government when it comes it affects the people not only in the cities and the urban centres but in rural Manitoba.

The concerns that I am hearing and have heard for the past six months about the changes to MTS, about the changes to the infrastructure, about the changes to the Fisheries, about the changes to the infrastructure when it comes to roads, when it comes especially to the changes that are being implemented by this government on education and health, this is all part and parcel. How it relates to Bill 54, they do relate to Bill 54, because Bill 54 or any other rural bill would not be necessary if there were no people living in rural Manitoba. Well, we do not want to see that.

We want to see more people going to rural Manitoba. We want to see more people living in rural Manitoba and being able to provide the services that should be provided, not just through Bill 54 but through MTS, through Hydro, through infrastructure, through health care, through education. That all is affected. How do the local elected officials deal with those issues after they have come into play and working with the changes that Bill 54, the new municipal act has brought in? How indeed will these elected officials be able to deal with all

the necessary problems that this government is creating and has created in the last many years of its mandate?

* (1530)

So, Mr. Deputy Speaker, I encourage the minister by telling him that we will take this Bill 54 to committee as quickly as we can, deal with it, but make sure. I hope that his department and his mandate does what is right for rural Manitobans, and that is, speak up in cabinet. When they want to talk about cutting more health care, when they want to talk about cutting more education, when they want to cut infrastructure and all the other things that are creating problems in rural Manitoba and in this province, let the Minister of Rural Development (Mr. Derkach) stand up for rural Manitobans. Thank you.

Mr. Gerard Jennissen (Flin Flon): Mr. Deputy Speaker, I shall follow this spellbinding oratory.

I would like to talk briefly on Bill 54. As the minister stated on June 5, as he introduced Bill 54 for second reading, this is indeed the first attempt in a century to try and update a bill that certainly was in need of updating. I am quite appreciative of the fact that it took three years to take into consideration the concerns of citizens and organizations in rural and northern Manitoba.

However, even though the trend of updating is noble and the bill certainly intends to do some very good things, we do have some concerns. In general, municipalities are going through difficult times. In the last year alone, as the member for Interlake (Mr. Clif Evans) has pointed out, the offloading of gravel roads on municipalities was not always received with great joy in certain quarters. Of course, up North, we would be only too happy to have a gravel road. We cannot even get along from Thompson to Leaf Rapids on that cow track called 391. Other concerns we have, of course, or municipalities would have, is the proposed privatization of MTS. That is going to be very negative for rural Manitoba and northern Manitoba. We have no doubt that that will increase basic costs to people in rural and northern Manitoba.

So municipalities are facing difficult times. Bill 54 attempts to address that and streamline things for us, but there are some problems with it. I would not quibble with some of the statements, for example, that the bill

attempts to give municipalities more autonomy and more flexibility. I think everybody would be in favour of such a motherhood statement, but not every municipal leader, though, is rejoicing over this bill, and I would like, if I am allowed, Mr. Deputy Speaker, to point out three instances of people who have contacted me over some specific aspect of the bill.

One of them is from the UVD of Cranberry Portage, the Unincorporated Village District of Cranberry Portage. They are seriously concerned about losing their local independence because they do not have the size to form a local urban district. Therefore, they would be amalgamated into a future municipality, probably called the municipality of Consol or the municipality of The Pas, and that would be a shame because that particular UVD has been very independent and has very little in common with the rest of The Pas or Consol because that is a farming area. Cranberry Portage is not a farming area, so there must be some way we can get around that, perhaps changing the numbers necessary for incorporation because at the moment the UVD of Cranberry Portage operates as an individual entity. They have their own machinery; they hire their own people. If they should be absorbed in a larger component, they would only have three councillors on that council, and we doubt very much that that would reflect the best interests of Cranberry Portage.

So it may be just a cosmetic thing, just a minor change in terms of numbers, but it certainly is an issue in Cranberry Portage, and I would not want to downplay that one. We would not want to lose local control, and I think that is what that is all about. We want local control, and I think that is the intent of the bill. Therefore, we have to allow places like Cranberry Portage that do not meet that 1,000-member limit for incorporation the opportunity to still be independent. I think there are special needs and special cases in the North, although I must admit that this particular government is not always sensitive to that.

There is a second specific case I would like to deal with, and that is Flin Flon. I think the honourable minister has the letter that was addressed to him on July 4 from Larry L. Fancy, the assistant secretary-treasurer for the City of Flin Flon. I will not read the letter, but basically it deals with a council resolution, Resolution No. 11, which states in effect, and I will summarize here,

that some of the citizens of Flin Flon live not in Manitoba but actually live in Saskatchewan. Therefore, those 330 citizens, because they are paying taxes to the City of Flin Flon, should be represented on the town council, but because of I believe it is Section 85 of Bill 54, Eligibility for nomination and election to council, this is not possible.

One of the restrictions is that the person nominated for council must be a resident of Manitoba, and, of course, these people are not residents of Manitoba. Because of some quirk of fate, they happen to live just across the line. Now, this is not just Flin Flon; I guess there are other cases, for example, in Lloydminster. So what we are suggesting is that in this particular case that section be amended and perhaps read something like—this is subsection (c) of 85. Instead of saying resident of the province, perhaps state it as resident of the province with the exception of residents of the City of Flin Flon who live on the Saskatchewan portion of the City of Flin Flon.

So those people would not be disenfranchised as they presently would be because that is one of the criteria, that you cannot run for council unless you live in Manitoba. These people pay their taxes in Manitoba, but they live in Saskatchewan, just a matter of yards, but it is a technical fact, and I think that is something that we have to address because I am sure that the intent of Bill 54 was not to disenfranchise anybody. Now, perhaps this can be dealt with in the committee stage. It is just something that I am alerting the minister to and something that we intend to work on and I think that has to be changed.

Also, there is another issue, a third issue, that has come up in my particular constituency, and these are all northern issues, and that is from the Town of Leaf Rapids. We will call it a city, I guess, if you want to, but they do not meet the numbers criterion either. This is a letter that actually I received today. It was faxed to me, and it is regarding the proposed Municipal Act. It is concerned with the fact that—and perhaps it would be simpler for me just to read a portion of the letter. The concern here is that in some portions of the act it allows councillors to abstain from voting, and this should not be the case because the mayor of Leaf Rapids states, and I will just read one or two lines: It is my firm belief that, when an individual is elected to a council, they are there to make decisions on behalf of the community as a whole and should therefore not have the opportunity to abstain

from voting other than for reasons outlined in The Conflict of Interest Act.

Now, it is a gray area, that particular section, but I think it will allow a councillor—the way it reads now, at least to me, it will allow a councillor to abstain from voting on controversial issues, and all the councillor would have to do is give a reason. I do not think that is acceptable because as the mayor happily states, these people are elected to make decisions, sometimes unpopular decisions. Having a headache, as the honourable member says, is not a good enough reason to abstain from voting, and especially that is so because the intent of the bill appears to be to let municipal leaders and chairpersons of councils vote as well. So it would only make sense that all councillors will be required to vote on resolutions. In fact, if I can read the last line: I request that you bring this to the attention of the Legislature and press for the change in wording required to ensure that all members of council vote on any issue which is presented to them in the form of a resolution so that no councillor who is elected can dodge his elected responsibility. I think that is a serious issue, and I think we have to take it seriously.

* (1540)

There are a few other minor points I want to talk about before I will turn it over to more learned colleagues. One was the appointment of youth councillors. I think that was a good idea. I think, however, it is largely symbolic, but still it is a recognition of the fact that the youth sector is important, and having at least a youth representative on the council, I think, is an excellent suggestion. I used to suggest similar things when I was a teacher trying to have a young person, you know, whenever we had staff meetings, a youth representative, a student body representative. I think this is in a similar vein, and I think it is a good democratic direction. Unfortunately, that particular member will not have any power and will not be included in the quorum and so on, but that is something that perhaps we could look at later, changing.

There are some other concerns, and again I must admit that this act is huge. It is over 250 pages. So I have difficulty, you know, reading all the possible implications that could result from the implementation of this act. But there are at first blush some areas that I have some concerns with, and I will just list a few of them. One of

them is the collective bargaining issue when municipalities amalgamate. Collective bargaining might indeed be compromised where new regulations regarding dissolution, amalgamation and annexation may operate despite a collective agreement. That is a concern I have and certainly some of my colleagues would have and certainly people in the labour movement would have. Also, I feel that some of the LGDs think that the special assistance that they currently enjoy might be compromised, because any revenue they get from the provincial government they would like to keep that up to where it is rather than take a chance at losing money. So I am not sure, but I believe that most of the LGDs or some of the LGDs feel there is a chance of them losing money in this new proposed direction that the act will take us.

As the member for Interlake (Mr. Clif Evans) said this is a very important bill. It has been 100 years in the making, so it is a bit frayed at the edges. The new bill, because of its hugeness, is going to create some growing pains or there is going to be a lot of fine tuning necessary, I am sure, and I guess the proof will be in the pudding. We will soon see, at least within a year or two, the reaction out there. I think some of that reaction I am sure we are going to see at the committee stage where some of that fine tuning will have to take place. I am disappointed in one sense that we did not get more feedback from the communities, the municipalities. I attribute that not to a lack of interest but rather to the fact that this is a huge bill, and during the summer months that is not a good time to be reading 250-paged documents.

An Honourable Member: Why not?

Mr. Jennissen: Except for my honourable colleague over there who is very committed.

So I think we will get feedback. I think a lot of it will be positive, but I think some fine tuning will be needed. With that, I will turn it over to colleagues that will know a lot more about Bill 54, I am sure. Thank you.

Mr. Gregory Dewar (Selkirk): Mr. Deputy Speaker, as was mentioned by my two previous speakers, this act, Bill 54, that we are debating is an amendment to The Municipal Act which is over 100 years old, which is

about the same age as some members in this Chamber, I would suggest to you, Sir.

I do want to make some comments about this legislation and base it upon information that I received from the mayor of the Town of Selkirk, Mayor Bud Oliver.

I do understand that, as the member for Interlake (Mr. Clif Evans) has stated, this bill has taken three years to draft. There has been a discussion paper put out. Members of the public were given the opportunity to review the act, and I believe there was a committee that was established, and it was their task to listen to the reeves, to the mayors, councillors and residents throughout this province to have their input to the drafting of this particular bill. I want to just congratulate all those individuals who participated in the review process of this particular piece of legislation.

But, as the member for Interlake stated, we must also consider this piece of legislation as it affects rural Manitoba and consider what this government has done to the lives of individuals who decide to live in rural and northern Manitoba. It was mentioned previous to this, to my discussion today, someone mentioned the sell-off of the Manitoba Telephone System, which is a piece of legislation that we will be debating later on in this session and the detrimental effects that the ill-conceived privatization, the sell-off to corporate interests of the publicly owned telephone system will mean to rates in rural and northern Manitoba and to jobs in rural and northern Manitoba. We know now, those of us who live outside of the city of Winnipeg, our telephone rates, our subscriber rates, are subsidized by all those subscribers in the province, and, in fact, our rates would be substantially higher if it were not for the cross-subsidization currently in place. When you consider that the privatization of the telephone system would mean, unfortunately, the elimination of that cross-subsidization, we would, unfortunately, see an increase in our rates.

As well, we know that MTS has been able to maintain district offices throughout the province in small communities outside the city, and it is a major employer in many of the communities. We are concerned about the jobs and the effect that the privatization of MTS will have upon those jobs, so while we are debating the bill here that will make changes to the municipal government,

we have to bear in mind that this government has taken a number of actions which will hurt rural Manitoba.

My colleague the member for Flin Flon (Mr. Jennissen) mentioned the offloading from the province to the R.M.s of a significant number of highways. I recall in this Chamber a couple of years ago my colleague from Swan River (Ms. Wowchuk) stood up with a map—she stood up in this Chamber, and she asked, where is the road, because it is not on the map? [interjection] My colleague says Albert was the minister at the time. That is the same minister, I recall, who wanted to privatize roads. He wanted to put a toll on the road between Selkirk and Winnipeg, so anytime I drive in I have to pay a quarter to get in. Now he wants to put a toll on the road from here to Dauphin, so every time you drive in, he is going to charge you a quarter. That is how that government and that is how that minister protects the interests of rural Manitobans. They offloaded miles and miles of road to the R.M.s. The R.M.s now have to pick up considerable costs associated with maintaining these roads.

Another issue, of course, as it relates to rural Manitoba, and my colleagues mentioned fishing and infrastructure, is gambling and the introduction of VLTs and the effects that VLTs have had upon rural Manitoba and northern Manitoba. I recall the minister, this was years and years ago, when the member for River East (Mrs. Mitchelson), when she introduced VLTs into rural Manitoba, she said, they will only go into rural Manitoba, and all the money that is generated by the introduction of VLTs, all that money will go back to rural Manitoba. At that time I believe they forecast a revenue projection of around \$7 million. In fact, it was significantly higher, as we all know, significantly higher. Again, I am just trying to remember, but I believe it is in the range of \$30 million. So what they did is they said, well, we are going to give you seven back because that is what we thought we were going to raise, not the 30 that we promised. They promised all the money would go back into rural Manitoba.

So we have a situation here where the current administration is bleeding rural Manitoba dry on the backs of rural Manitoban gamblers, taking literally millions of dollars out of the rural economy and placing very, very little back to replace the millions of dollars that have left. In my community, for example, it has been estimated that \$2 million leaves the Selkirk area—I am

talking Selkirk and Lockport and the West St. Paul area—per year, and very little of that money goes back to help the R.M.s, the municipalities, whose task it is to provide services to the residents. Now they have been given back in limited grants, and they have been using those things for different worthy projects within the R.M.s, I am not going to deny that.

An Honourable Member: Gimli is getting ripped off.

* (1550)

Mr. Dewar: Well, my colleague from Dauphin says that Gimli is getting ripped off. [interjection] He says that Gimli is getting the short end of the stick when it comes to VLT money coming back into your community that leaves. [interjection] The member for Gimli (Mr. Helwer) is saying, well, he is pouring lots of money into his constituency. He is saying he is pouring lots of money back into his constituency. He is making sure that the people, as far as he is concerned, votes the right way, gets the money. It is not like the Deputy Premier—

Mr. Deputy Speaker: Order, please. We are starting to drift a little bit. I have been listening very carefully, and the relevancy of Bill 54 is not quite being reached at this point. I would ask the honourable member to refer back to Bill 54 at this time.

Mr. Dewar: As I was stating, we are talking here about The Municipal Act, the amendments to The Municipal Act, and some of the effects of this government's policies upon life in rural Manitoba, and the effects upon municipalities within this province.

I do want to offer some concerns that have been raised by the mayor of Selkirk, and the mayor of Selkirk has written to Mayor Glenn Carlson, who is the president of the Manitoba Association of Urban Municipalities, and he has offered some of his and the council's concerns related to this particular act. He states that only the test of time will determine if the Minister of Rural Development's (Mr. Derkach) statements in his press release issued on June 4 of this year will, in the long run, provide a more cost-effective and a cost-efficient municipal government delivery system. He had some concerns about the way the minister is projecting this in his public relations campaign and the actual legislation when it is presented here in the Chamber.

I want to talk a little bit about Part 2 of the legislation that deals with the amalgamation and the annexation, and the mayor states, Part 2 makes it quite clear that the desire of the province to have conflicts between urban and rural municipalities resolved through a negotiated process, amalgamation rather than the legal process, annexation. Although we can agree that negotiated dispute resolution is preferred to the legally expensive process of annexation, there will always be need for a provincial authority prepared to make a final decision based upon the best financial and service interests of the province.

Another issue relates to, the mayor says, the potential for increased frustrations and conflicts become even more apparent when we take into consideration the direction taken by the Province of Manitoba, and the cities of Portage la Prairie and Dauphin regarding the provision of urban infrastructure services beyond the boundaries of the urban municipalities. He states that taxpayers who have paid or will pay a considerable expense both in capital and debt costs will be paying for those individuals who moved into the rural municipalities fully aware of the lack of such services. He feels that Bill 54, the philosophy behind it, is totally inappropriate unless rural taxpayers are required to pay their fair share for both the past and future infrastructure provided by the urban municipality.

He has another concern about the new classification of urban centres within a municipality, and they are going to be calling those now local urban districts. They have a number of questions here. Is the magic number 1,000 where the Province of Manitoba will require a LUD committee to become accountable for the provisions of urban services, an urban political and administrative structure plus separation from the municipality? He states that within this particular piece of legislation the province, it appears, is not prepared to address this particular issue.

(Madam Speaker in the Chair)

Again my friend, my colleague the member for Flin Flon (Mr. Jennissen) has raised the issue of having an individual, a youth representative on council. Looking at this, it appears to be a good idea. No one will dispute the necessity to encourage young people to get involved in the political process, but the problem is, of course, that they cannot vote or they cannot aid in establishing a

quorum. This appears, Madam Speaker, to be largely a symbolic gesture on behalf of this government on this particular issue.

Another contentious issue is the voting rights of a particular member of council. Again, I want to bring to the attention of the government that it is the opinion of the Selkirk town mayor and the Selkirk town council that each member of council should be required to vote either positive or negative on each issue. They should not be given the opportunity to abstain from voting on a piece of legislation that comes before the council. The mayor himself also offers some concern regarding his particular position within council, and he feels that the chair, which is the position that the mayor serves on council currently, must be and must seem to be unbiased in the discussion of issues before council.

He feels that it is the responsibility of the head of council to ensure each member of council has the ability to present their positions without interference, to ensure each member of council is not interrupted during their presentation, to ensure the debate on an issue is fair and complete—much like your role here, Madam Speaker—to ensure that all the facts and the information, administrative and political, are presented to the members of council and if necessary to break a tie. These responsibilities could be compromised very easily if the head of council, whether that would be a reeve or a mayor, is seen to be on one side or the other side on a particular issue prior to a vote.

Some other concerns that have been raised by the town council—they are talking about here in specific clauses of the act, for example, Clauses 89 to 92, where they do not specifically address who has the right to disqualify a councillor, is the disqualification by council or by the Minister of Rural Development? They feel that these particular clauses that I quoted do not address what to do if an individual does not resign, but they do not address who makes a demand for the resignation. Is it the council itself that decides to disqualify a particular member of council, or is it the minister's responsibility?

We on this side of the House, as has been mentioned by the previous speakers today, we feel that Bill 54 does represent some positive steps forward, but we also have to recognize that some of the changes put forward in this particular legislation will increase the costs of provisions

and services that municipal governments must provide. But has this legislation given the governments a greater ability to provide those services? I think that is still a question that has not been answered, and I assume and I hope, when the legislation comes before a committee of this House, that presenters will come forward and raise these issues with the government as we are raising them here today and the government at that time will provide the opportunity, will provide answers to some of the concerns.

Has Bill 54, for example, provided more flexibility on how services should be delivered to the citizens that are affected within the various RMs in rural urban centres within this province? Unfortunately, the mayor and the council in Selkirk conclude that they do not have the answers to these very important questions.

* (1600)

As mentioned before, you have to take this particular piece of legislation and view it in terms of what this administration has been doing to rural Manitoba in general and northern Manitoba, whether the sell-off of our publicly owned assets such as the telephone system or some of the concerns I know that my colleague the member for Kildonan (Mr. Chomiak) will be raising in terms of health care cuts—so it is important that we review this piece of legislation, not simply in isolation, but when you consider what municipalities have faced, the terrific costs that they have been having to incur because of offloading of this particular government and how those issues will be worked through when we deal with this particular piece of legislation.

Madam Speaker, with those few comments, I would like to have a chance to conclude my debate on this particular bill. Thank you.

Madam Speaker: As previously agreed, this bill will remain standing in the name of the honourable member for Transcona.

Bill 17—The Government Essential Services Act

Madam Speaker: To resume debate on Bill 17, on the proposed motion of the honourable Minister of Labour (Mr. Toews), The Government Essential Services Act (Loi sur les services gouvernementaux essentiels),

standing in the name of the honourable member for Wellington (Ms. Barrett). Is there leave to permit the bill to remain standing?

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please. Is there leave to permit the bill to remain standing in the name of the honourable member for Wellington? [agreed]

Mr. Conrad Santos (Broadway): Madam Speaker, I would like to speak on Bill 17 in the following manner: First, I would analyze the specific provisions and specific clauses of the bill, exploring their effects and consequences and asking questions. Then, I will dwell on the procedure of the difference between unilateral imposition of essential services as against the negotiated ones. Finally, I would like to speak on the role of labour in human life.

Bill 17, The Government Essential Services Act, defines employee as an employee of the employer who is covered by a collective agreement. If we analyze this definition, Madam Speaker, it is a very restrictive definition because, if an employee is not unionized, he does not fall under this definition.

What if some essential government services are contracted out to some private outfit or to a private organization? Does the nature of the service change if they are being done by employees who are not covered by a collective agreement? What happens then? Will this act apply? Will the nature of the service change from being essential services to nonessential services?

So, there is something wrong with this provision. It means that government services, essential in their very own nature, can be contracted out to a private entrepreneur, to some private organization, and then they will not be covered by this legislation, whereas the nature of the service itself will not change.

Now, the certain specific provision they think about, the definition of essential services, it means services that are necessary to enable the employer to prevent a) danger to life, health and safety; b) destruction or serious deterioration of machinery, equipment or premises; c) serious environmental damage, or d) disruption of the courts or the legislative drafting.

When the Minister of Labour (Mr. Toews) was interviewed on whether the prison guards are rendering essential services and whether or not they would be covered by the essential services legislation, he said, on a matter of technicalities they will not be covered because they are not in a position of strike, they are simply withdrawing their services and refusing to render the services because of the dangerous situation in the prison system.

Let us analyze the situation in a prison system where there is commotion, where there is riot, where there is anarchy, where there is unlawfulness. Question: Is there a danger to life, health and safety? Definitely. Anybody could be killed, inmate or guard. There is a danger to health and there is a danger to safety.

Secondly, is there a danger or serious deterioration or destruction of machinery, equipment or premises? Definitely, because the equipment, the premises will be destroyed. There will be block burning and looting in the prison premises.

Is there serious environmental damage? Of course. It affects the environment, the community and the surrounding circumferences of the scene of the riot.

Is there disruption of the administration of the court or of legislative drafting? Definitely there is, because the imprisonment of convicted people, their incarceration is part of the justice system, is part of the system of court administration.

It satisfies all the definition of essential services. Why did the Minister of Labour say the guards will not be covered by essential services? There is no logic, there is no reason why they will not be considered doing essential government services.

They declare the services listed in schedule as essential services, and if I look at the schedule, I see their departmental units in ministries. You look at those ministries, Department of Agriculture, Culture, Heritage, Energy Mines, Environment, Family Services, Finance, Government Services, Health, Highways and Transportation, Justice, Labour, Natural Resources, Rural Development—almost all of the departments of government are named here. Does this mean that any other services that are not listed in the appendix are nonessential, even if they

satisfy the definition of essential services in Section 1—danger to life, health, safety, destruction, deterioration of property, serious environmental damage, disruption of administration of court system or legislative drafting?

* (1610)

If we follow the normal legislative rule of interpretation, the inclusion of all the listing there means the exclusion of any other service. *Inclusio unius est exclusio alterius*—if you list anything, anything that you did not list by definition are excluded. But then Section 6 said if in the opinion of the Lieutenant-Governor-in-Council a service not listed in the schedule is an essential service as defined in the act, the Lieutenant-Governor-in-Council may by regulation declare the service to be an essential service. What is this? This is a declaration after the fact, after the event. Somebody must have died already, some property must have been destroyed, and then the Lieutenant-Governor-in-Council, meaning the cabinet, declare by regulation that such a service is an essential service. It is *post facto*, it is a declaration after the fact.

Cabinet therefore is taking away the power from this legislative body to legislate back-to-work legislation and essential services depriving the MLA as representative of all the people of this province, not merely the government representing the party in power, their followers and their sympathizers. The seat of authority resides in the Legislature, not in the cabinet. The Legislature should be the ultimate forum by which we decide what services are essential, what services are not essential. It should not be the few people who sit in the cabinet as Lieutenant-Governor-in-Council.

Section 7(1) says in the event of anticipation of work stoppage, the employer shall serve notice on the union setting out the classification, the number of employees and so on. Here the question is: is the government acting as an employer or is the government acting as government? Can the government do, in the role of an employer, those things that are not authorized by any collective agreement? As government they can do anything because government is sovereign, but as employer they fall under the employment labour legislation act defined by this legislative body. But by taking away the seat of authority from this legislative body and putting it into cabinet, they are trying to

diminish the power of this Legislature and put it in the hands of the cabinet. That is simply wrong and not in accordance with the principle of representation of all the people in this province.

Now Section 8(2) says on board hearing: On receiving an application under subsection (1), the board may conduct any hearing or investigation the board considers necessary for the purpose of determining whether to vary the number of employees in each classification who must work during the work stoppage to maintain essential services. The legislation says “may.” What if the Manitoba Labour Board says we do not want to conduct any hearing? What is the remedy? They are empowered under this permissive phraseology not to do so; then there is no remedy. But the law in general, any legal system of law, should provide a remedy. Where there is a right, there must be a remedy. There is a defect in this legislation.

The legal question is, can the Manitoba Labour Board, having only discretionary power not mandatory power to do so—not an obligation or a duty—can they be required by *mandamus* to fulfill their duties to hold a hearing whether to determine or not the number of employees needed in case of flooding, for example, in this province? How many employees will be needed to take care of the essentiality of services during an emergency like that? That is a matter of discretion on the part of the board, and if the board's discretion is exercised or not exercised, there is no remedy.

Then again, the regulations, the Lieutenant-Governor-in-Council may make regulations declaring services to be essential services. This is the crux of the matter. The authority, the power is given to the Lieutenant-Governor-in-Council, to the cabinet. This is a power of the Legislature. It cannot be taken away from this Legislature without its consent. That is why this legislation is bad legislation. It is taking the power of the legislative body and putting it in the hands of the cabinet, which is the appointee of the government in power, the party that temporarily happens to be in power.

An Honourable Member: Right.

Mr. Santos: Wrong.

An Honourable Member: Very temporary.

Mr. Santos: Very temporary. They should not have the power to declare services to be essential services. The power should reside in this Legislature all the time because this is the Legislature of the province.

I have stated some of the loopholes and defects in the statutory legislation that we are trying to analyze. Now, let me, in general, talk about the procedure: how to define, who can define, when to define, when services are essential and when they are not essential. In this legislation, the procedure in doing so is unilateral by the government alone. There is no hearing, there is no input, there is no opinion coming from any other source. The government, as employer, is acting as government. It is imposing its authority as the government of the day. Whereas, if they had negotiated essential services agreement with the union, which they should have done before, then there should be a negotiated system of what is essential services. Then both sides will be happier than when it is imposed by one of the sides, which is management or government. It is always the case in any system of democracy; if anything is imposed, it does not work very well. Only when it is negotiated and agreed to by both parties will it be a good system.

The effect of this legislation is to remove the issue of what constitutes essential services from the collective bargaining process and put it in the hands of the cabinet, with no input whatsoever from any other source. It increases, therefore, the managerial right of the government as employer and at the same time diminishes the authority of this Legislature to determine in a proper case what should constitute essential services.

It seems to me that there is a wrestling, a taking of power from the Legislature and at the same time a weakening of the collective bargaining system by granting sole authority to determine and define essential services by rules and regulations by the Lieutenant Governor in Council, meaning the cabinet. This is a grab for power of the Legislature and the destruction of the collective bargaining system itself.

That is why this legislation is not very good legislation. It leaves the power to determine exactly what is essential services solely in the discretion of the government, and the government can only be as good as people who are in government. What if all the people who ran the government of the day are so narrow-minded in their

point of view and their perspective? I am not talking of the present government; I am talking of any government. What if they are motivated by some selfish, self-centred narrow interest? Then the power is given to those who do not deserve it. They are not the representative of the whole Legislature; they are simply the leaders of the party in power. That is basically wrong.

What is essential service anyway? It is a matter of opinion. To those who are deeply affected by what is being rendered and deprived of it, if it involves their lives or their limbs or their property, to them it is essential; and to those who are not affected, they may just shrug their shoulders and say, well, that is not really essential, I am not affected. Until the people themselves felt the effect of the legislation, they will have no opinion on it sometimes. They do not care, but we do care, we do care for all Manitobans.

We in the Legislature should be very cautious in defining what the essential services are, and it should be a matter of consensus of all the elected body of the people, not just the government, not just the cabinet. Even the backbenchers in the government have no more say in what will be essential services. You people in the back bench there, even if you are with the government, you do not have any say what essential services are. It resides in the hands of your cabinet ministers. Wrong, it is wrong to give such power to the cabinet.

Without work, whether in or out of government, there is no life, there is no enjoyment. We live in order that we may work, and we work in order that we may live. Work is a good thing.

An Honourable Member: Yes, and profit is a good thing, too.

* (1620)

Mr. Santos: It leads to profit, according to the Minister of Urban Affairs (Mr. Reimer). I do not deny it. The minister is right, because if you work you produce output. If you produce output, you gain some credit, some assets, some money, liquid assets. Then, of course, you have an obligation to pay for taxes. But let him labour, and he who works with his own hand, he is doing a good thing that he may have something to give to his fellow man who happens to be in need, but the idle ones do not

contribute at all to those who work hard, and we work because we have to satisfy the basic necessities of our lives.

What do we give for our life? What would we give for our lives? How fleeting this life is, and yet we labour all our lives. We produce, we accumulate, we covet, we hide, we save, we cheat—sometimes.

Some Honourable Members: Oh, oh.

Mr. Santos: I am talking of humanity. When you file your income tax, you produce some receipts that cannot be justified. [interjection] No, no. No man is upright. No one is without sin. What does it profit a man even if he gain the whole world and he loses his life? You tell me. Even if you covet and crave and build and hustle and do all these things in your life, what does it profit you in the end? Nothing.

We work because work is good. We work because it gives us the activity that we need in our physical body. We work because we need to satisfy all our desires, all our needs primarily. Sometimes even our expectations that are beyond our means, this is good for us. We work and we labour with our hands and we benefit from work because it supplies us of our needs, it makes us tired so that we can sleep better and it provides us happiness. In all our labour there is profit, but in idleness it only leads to poverty. We labour and we work and that is good for us.

When we labour with our hands and we eat the products of our labour, then we become happy because all is well with us. He who labours with his hands is doing good and his sleep will be a sweet kind of sleep whether he eats little or much. But the very abundance of those people who surfeit in money and things that they can no longer control, they can no longer manage, will not permit them to have a good night's sleep.

It is essential that we protect our workers. Without the workers of this world there is no production. If all are owners of capital and they do not do their work, then there will be no output, no economic activity, no benefit to society, no benefit to our people. There should be a good relationship between management and labour. There should be a good relationship between employer and employee because they are partners in industry and

only when there is good relationship that the productive capacity of society are put up to its maximum. Instead of confronting one another, we should be able to negotiate and talk with one another that this society, this province may find a better day and better economic activity and better future.

Like chamber of commerce and other business organizations, labour organizations are just like any other organizations. Sometimes they act very well, sometimes they do not act very well. But when we are dealing with labour organizations, we should be dealing with them under the same rule as we deal with business organizations; there should be no difference in rules. Both of them are organizations and they are partners of industry. When they act well, we should protect their rights. Sometimes we have to balance these different groups who want to exercise collective power in our society. When an organization becomes too powerful, we get worried, and so the power is either curtailed by regulations of government or the government itself will become in danger of being taken over by this powerful group. It is the obligation of the government and the state to regulate the collective use of power. Just as it may regulate the collective use of labour power, so it must also regulate the collective use of capital of business organizations. What is good for the goose is good for the gander. Whatever rule there is that applies to one set of organization must also apply to the other.

As I have stated before, there is no disadvantage at all in working. I will tell you a story about a young man who applied for a job when he saw a classified advertisement. The advertisement said, opportunity of a lifetime. Ah, this is what I am looking for—he said. So he went in and applied for it, and the prospective employer said, yes, I am looking for someone who is able to do all my worrying in running this company. Then the young man said, how do I get this job, how much does it pay? The prospective employer said, well, it will pay \$20,000. The young man said, where will the \$20,000 come from? He said, ah, that is your first worry.

Therefore, if we are looking for work, there must be a proper reward. The work must be justly and fairly rewarded. If we can offer increases to members of this Legislature because we work hard in doing our job here as public officials, then the same rule must also apply to the public service employee union, because they also

work hard for the promotion of the essential services of government. We cannot say, you have to take a cut, when we get an increase. Whatever increase we have must be shared with these people who work with us as government whether in elected or appointed capacity. When we have one rule for one set of circumstances and another rule for another set of circumstances, then we are not acting justly. When we do not act justly, then we are morally in the wrong.

In conclusion, I would like to say that we cannot run away from labour or toil, whether it is mental or physical. It is part of our destiny as human beings, because it was so stated even in the very beginning of time when the Lord said to Adam, the first man: Cursed is the ground for your sake. In toil, you shall eat of it all the days of your life. By the sweat of your face, you shall eat bread till you return to the ground, for out of the ground you were taken. Dust you are and to dust you shall return. That is all there is to our life. Thank you, Madam Speaker.

Madam Speaker: As previously agreed, this bill will remain standing in the name of the honourable member for Wellington (Ms. Barrett).

* (1630)

Bill 56—The Manitoba Investment Pool Authority Act

Madam Speaker: To resume debate on second reading, Bill 56. On the proposed motion of the honourable Minister of Finance (Mr. Stefanson), The Manitoba Investment Pool Authority Act (Loi sur l'Office manitobain de mise en commun des placements), standing in the name of the honourable member for Transcona (Mr. Reid).

Is there leave to permit the bill to remain standing?
[agreed]

Mr. Clif Evans (Interlake): Madam Speaker, I would like to make a few comments about Bill 56, The Manitoba Investment Pool Authority Act. To provide a bit of a background on Bill 56, the intent of this bill is to provide and to create a pool that would be comprised of investment funds coming from municipality sectors, the

MUSH sector, health facilities, school divisions and universities.

This act has been lobbied by the Manitoba Association of Urban Municipalities quite heartily to have this put in place, mainly because it will provide an opportunity for the MUSH sector and, of course, municipalities involved, to gain a greater investment on their investment dollars, greater interest and greater revenues on the monies that are made available by them for investment. So MAUM and UMM has worked at this for quite some time to set the rules and set the regulations on how they want to operate such a pool and such an authority over the past couple of years I believe, and they seem to have come to an agreement and a conclusion as to how it is to be brought forth, what they would like to see it be able to do and basically be able to—hopefully that they would like to see a greater, much better return on their investment dollars. So it will give these different sectors the opportunity to be able to pool their monies together, to be able to invest in certain higher-rate investment projects, and thus individually the opportunity perhaps would not be there if this environment or Manitoba Investment Pool Authority Act would not be coming into play.

They have done their homework, Madam Speaker, I believe, both MAUM and UMM and all the other sectors that are involved. They have done what is necessary to be able to work together in getting an authority put in place, and they have decided too that it is time that such an act be put in place, and have requested this government to put in place such an act that would be able to provide all of these sectors, the public bodies basically, to have the opportunity to have such a one-mandate group of people to be able to invest dollars and, of course, obtain as great of a return as they possibly can. It is ironic in one way though. I remember that the people who wanted and were lobbying for this to come into play have come across some stumbling blocks with the government of the day.

It was commented at last year's MAUM convention that there was a problem, that there were certain problems in getting this authority going, and stated by government people that there had to be a proper agreement between UMM and MAUM, there had to be a better business plan, that the government would not introduce this act until next spring's session, which created quite the controversy and created quite a concern

amongst the people, the sectors that were hoping to have this put into play this past session. That was last spring, and now we see that towards the end of this spring session, after the government of the day having said that they were not satisfied with everything that they were seeing, informing this authority group, that we see Bill 56 be introduced in our late spring session and that we are debating it here this fall. Hopefully, we will be passing this legislation at the earliest convenience, which, Madam Speaker, we have received, I have received and our side of the House has received, much support in favour of having this Bill 56 legislated and brought in and passed. We have had letters of support and resolutions from councils across the province supporting such action by this government and to proceed with arrangements so that they are able to go ahead and get the necessary people.

The people from the municipalities and from the MUSH organization sector have the opportunity to start working with something. There are certain monies available that they would like to see gain greater interest, so that they have funds to be able to do certain things that they cannot do now under the revenue resource that they have. But, I am leery on one side of this, that with creating such an authority, and even though perhaps it will be run properly—it has been researched very well—it is putting in place as far as a board goes. They are doing everything that they are supposed to do. They are doing everything to make representation be in place from every association that is possible, not only from MAUM, and UMM, and the MUSH organization sectors.

There is a concern out there that perhaps, if this authority, an investment pool, brings on the fact that the organization is earning a tremendous amount of money, Madam Speaker, on their investment, the government of the day might decide that they would not want to spend or improve or provide financial resources and services to certain areas by saying, well, you have got this investment pool worth millions of dollars, and, according to the research, the authority and the group could, in turn, in three to four years, have a vested interest and revenue of quite a few hundreds of millions of dollars made available to them.

Now, the other side of that is where that money is going to be used and how it is going to be used, which would be up to the boards. Of course, as each sector puts in a certain amount, the percentage of investment is based

on how much is put in, might the government of the day, Madam Speaker, say, we are not going to build another school because such and such school division has invested so much money in the authorities act, and then say, well, why should we spend money on the school or an education? You can take money out of your share of that pool, of that money.

* (1640)

So there is a concern. There is a concern, but the sectors that are involved, I feel, have covered a great many of the concerns that may arise out of such an act and such a pooling of funds. I know that it will be run extremely well by the board of directors and the people that are responsible for the investment authority. So we are not greatly concerned and very supportive of the idea that this has been made available to those who wish to be able to have the opportunity to get involved through their school, university, through their municipality, to be able to invest and earn the larger interests when you are talking about a larger scale of money that you can invest, you know, not the now minus 2 percent of prime that they are getting on their interest on their monies. So we support this along with others throughout Manitoba who have worked very hard in getting this authority together, working at it and making sure that everything is in play.

At one time, of course, as I mentioned earlier, they were very, very worried that this would not come into play or not be able to come into play until 1997. The object of MAUM and UMM and everyone concerned is that, of course, October 31 being the end of the tax collection year for most and all of the jurisdictions in the province, they want the opportunity and availability to be able to go proceed and proceed quickly prior to the end of this year of December of '96, to be able to have that opportunity to invest their funds and get it going, get it together, get what they are planning on doing and setting up the mandate, the full mandate, setting up a line of orders of how they are going to proceed once they have got everybody in play.

We are looking forward to seeing this work, Madam Speaker, and I am sure it will work. We will indeed be supporting this. Hopefully, the organizations that are involved and so strongly lobbied to have Bill 56 put in play by the government of the day, that they do make a presentation in committee and make all of us feel that we

have done and are doing the right thing by providing this doorway to a greater opportunity of investment and revenue gain for all the sectors that are wanting to be involved in this.

Madam Speaker, I know that the honourable member for Brandon East (Mr. Leonard Evans) is wishing to talk on this bill, a bill that we on this side of the House support. I have put on record that we support it and that we recognize the concern that is there over the past years for the need for something like this and that we certainly have told all the people who have come to us that we would be certainly passing the legislation on through third reading and, of course, for final support this fall. Some of us may speak very briefly on it and some of the other things that might be involved with Bill 56, but in general in full support. We are in full support of this. Hopefully, it will be a bill that will provide many of our sectors and universities, municipalities better opportunity for the future to be able to raise that money that they so sorely need to do the things that they want to do within their own jurisdictions, to do some of the things that the government of the day has refused to acknowledge that is necessary and is needed and has refused to provide funding or the services that are needed.

Having said that, I hope that we get good support during committee for this bill, and if there are any further concerns or issues, that they be brought to light at committee stage so that we can make any necessary changes, if that be it, to make sure that Bill 56 works for everybody in rural Manitoba and, of course, across Manitoba for better investment for their revenues and a better chance and opportunity of gaining higher revenues for their dollars. Thank you.

Madam Speaker: As previously agreed, this bill will remain standing in the name of the honourable member for Transcona (Mr. Reid).

Bill 49—The Regional Health Authorities and Consequential Amendments Act

Madam Speaker: To resume debate on second reading, on the proposed motion of the honourable Minister of Health (Mr. McCrae), Bill 49, The Regional Health Authorities and Consequential Amendments Act (Loi concernant les offices régionaux de la santé et apportant

des modifications corrélatives), standing in the name of the honourable member for Brandon East.

Is there leave to permit the bill to remain standing?
[agreed]

Mr. Dave Chomiak (Kildonan): Madam Speaker, I welcome the opportunity of rising to discuss with members of this chamber the ramifications, implications and our position with respect to Bill 49, the government's Regional Health Authorities Act.

At the onset, I want to discuss two of the frameworks of this particular act. Firstly, it is the purpose of the act and, secondly, it is a little bit of the history before I get into some of the details concerning the act.

This government since it was elected in 1988 has had a series of stop-and-start measures with respect to regionalization. There was a major rural task force study that was undertaken that suggested a form of regionalization. In fact, the government went so far as to contact all regional and local bodies outside of the city of Winnipeg and suggest that they regionalize in a particular framework. Well, many of them did that and a few months later the department wrote back to these agencies and said, we are not doing it this way, we are going to do it another way. The government set up another task force, the northern and rural task force. They went around, talked to limited groups of people, made recommendations, and now we have before us a very wide ranging, very all-encompassing act concerning regionalization.

Secondly, Madam Speaker, there is no doubt that regionalization is one of the vagues of health care reform. Almost all experts and people in the field of health care suggest that regionalization is one of the better ways to deliver health care and can improve the delivery of health care that crosses the board and is unrelated to political orientation and is unrelated to almost philosophical orientation but, in fact, is almost a mantra on health care. So there is no questioning that the move to regionalization which is happening in the vast majority of Canadian provinces in many jurisdictions is something that has been recommended. The question is, of course, how one regionalizes and what is the purpose of regionalization. If regionalization is, as we suggest on

this side of the House, only a means of having the government move decision making and the political heat from that decision making on to local boards, if that is the only purpose of regionalization, and if the only other purpose of regionalization is to cut services in the communities and have the political accountability removed from the government that is responsible for health care, then that is bad regionalization.

If regionalization on the other hand, Madam Speaker, is an attempt for grassroots decision making, democratization of the process, input from the public and better health care, then, of course, regionalization is a plus. Unfortunately, if one reads the provisions of this bill and if one studies the comments of the Minister of Health (Mr. McCrae), I am afraid the former, that is political expediency, becomes the reason for this government's regionalization plan. There is no doubt that the government's philosophy is twofold: Let us try to off-load services in rural Manitoba and let us try to remove ourselves from the daily political heat that we experience from the terrible mismanagement that we have done since we have come to office, this Conservative government in 1988, of the health care system. Unfortunately, that appears to be the purpose and the direction of the government's Bill 49 on regionalization.

* (1650)

Madam Speaker, members opposite ought to study this bill very, very carefully. I have yet in my experience in the Legislature to see a bill not only as bad as this particular bill but is so, to quote the words of observers other than myself, dictatorial in the provisions of its powers. This bill is a bad piece of legislation, and if you look at this bill as a bad piece of legislation combined with the obvious government intention in regionalization, it makes it abundantly clear that support by this side of the House of this bill is not forthcoming. In fact, we will do our part to oppose this bill.

I want to make it clear that some form of regionalization with democratization, with local input from local communities, real decision making and the improvement of health care delivery is something that we would support, Madam Speaker. Unfortunately, given the provisions of this piece of legislation, we cannot do so because this bill does not provide for that.

Now, we recently put out a critique of the bill so that individuals and communities could have an opportunity to focus on the provisions of this bill. We put out 100 reasons, 100 problems with this bill, and we were hardly trying. Those 100 criticisms and problems with this bill did not include the 50-odd criticisms, problems and suggestions made by MHO, the Manitoba Health Organization that is responsible for a large part of the delivery of health care in this province, but without even trying very hard, it was very, very abundantly clear that this bill is bad legislation.

The Minister of Health (Mr. McCrae) will say, well, what are we supposed to do? Perhaps the Minister of Health could reflect back on some of the suggestions made by members of this side of the House during the Estimates process when we said, why do you not take a white paper, why do you not take a discussion paper of this bill to the population and discuss it with them prior to bringing this legislation forward, Madam Speaker? Why do you not get some input from communities and those people that are going to be responsible for delivering these health services prior to putting through this legislation? That would be a better course of action. That kind of action would have support from members on this side of the House, and that kind of action would provide individuals and communities with an opportunity to have input into so-called health care reform that we have seen in this province.

I would suggest, and we cannot suggest stronger, that the government withdraw this legislation, put out a white paper, examine it, review it and then come back to the Legislature. You know, the bill has been recently introduced, and already we are going to see at least two significant amendments to this legislation. The first will be the government's backing down from its commitment to faith institutions. The minister is going to have to put some kind of commitment in here because no one accepts his word with respect to the faith institution, so they are going to have to amend the act significantly in that regard. Secondly, after the government introduces a regional health bill, after they have talked about redesigning the province, they come up with the "great" idea, how we are going to have a superboard for the City of Winnipeg.

Well, Madam Speaker, will those superboards be under the auspices of this bill, or will there be a separate piece

of legislation? If those superboards in Winnipeg come under the auspices of this bill, this bill will require significant amendment in order to do that. If it does not and it comes under a separate bill, there is a question as to, why are you treating one part of the province one way, that is, outside of Winnipeg one way, and why are you treating the City of Winnipeg a different way? In fact, the government's policy of the superboards in Winnipeg came so much at the end of the day and is so poorly thought out that the governing structure that has been put in place to Winnipeg does not reflect the government structure that has been put in place in rural Manitoba. There is an incongruence; it does not even correspond. So the bill is still in the debate stage, and already two major significant amendments will have to be made on this bill before it could even function.

Now, I spoke of a hundred major problems with this bill, and I could—[interjection] The Minister of Highways (Mr. Findlay), I will send him a copy of our critique, and perhaps he could look at it and distribute it amongst his community so that they could have opportunity for input. That is a start. Members indicate a hundred is a lot. I indicate that is a start.

Let me highlight some of the problems with this bill. Firstly, the government campaigned on democratization and on elections of these boards. Now, if you look through this bill, there is only one actual reference, and it is permissive and not mandatory to some form of democratization or elections. The boards had been appointed. Good Tory board chairpersons have been appointed by this government, Madam Speaker, and the members opposite wonder why we suggest that perhaps this is a political manoeuvre. When you look at the appointments of the boards, it reads like a Tories who's who. It is clear that it is going to be a Tory group of people who are going to make the government's decisions, so that is one of the reasons. The government's own task force recommended elections. It was a mandatory recommendation, and the government rejected that particular recommendation.

So not only is the politicization evident, but the government, by doing this, has taken away from the basic philosophy of regionalization, and that is empowering local people, empowering representative people in the community to have an opportunity to control health care and to have input into health care. On those two points

alone, Madam Speaker, you could see why we have grave difficulty with this bill.

The bill also creates, and I said this publicly, something only a Tory government can do. It creates the most cumbersome, incongruent, illogical structure that is evident. Now, in some jurisdictions, they set up regional boards. They abolished local boards and set up advisory bodies. In other jurisdictions, they set up local boards that through representation on larger boards, through representation from the local boards to the larger boards, that was where the input was provided.

An Honourable Member: Where was this, Saskatchewan?

Mr. Chomiak: Well, Saskatchewan is one example. Alberta is another example. B.C. is another example. The Quebec example is more one where you have local boards empowered to having representation.

Madam Speaker, the monster that this government has created is superbureaucracy at one level, retaining local boards, advisory committees, and nobody knows who talks to whom and who represents who and how it will be governed. It strikes me as a politically expedient way of avoiding early criticism of the act and an attempt to then superimpose a superboard, but, in fact, the animal that has been created, if I can use that term, by this government through this act is not even logical and, in fact, again, goes contrary to the recommendations of the minister's own committee.

Now, the minister bragged about the fact that they had received representation from hundreds of people and that they were in touch with thousands of people with respect to these committees and to the structure and yet rejected the specific recommendations made by those very committees about the structure of regional boards. So, Madam Speaker, again, it is the most cumbersome—and outside of Winnipeg people are asking, I am sure they are going to Tory members and saying, what happens to our local board? What happens to our hospital board? What happens to our personal care home board? They have no idea, and this bill, this structure, is to take effect next budgetary year.

A third major criticism is that this bill does nothing to support a universal public health care system. In fact, if

you read the bill, it is clear that the Tory privatization scheme, be it in home care, be it in personal care homes, be it in home care equipment, will be advanced and maintained outside of Winnipeg in this rural structure. Specific powers are given to boards to charge for services. There is no statement whatsoever in here about the principles of medicare, the five major principles, or the standards that we are supposed to follow in Manitoba. In fact, the structure is very clearly based on the New Zealand model where the department—by the way, Madam Speaker, that is another point. Where did the department send its experts? Where were the experts sent to examine health care reform? Well, because New Zealand is so close geographically to Manitoba, they sent them down to the island of New Zealand to study their regionalization, as somehow that could be representative of Manitoba? No, they sent them down there because politically and ideologically the structure in New Zealand is a free-enterprise model.

* (1700)

That is the model they are following, Madam Speaker. [interjection] The Minister of Labour (Mr. Toews) will have his chance to talk on this, but if he looks at any studies or any data concerning the New Zealand system, it goes hand in glove with this particular act, and I have had an opportunity to examine that.

So, what we see is absolutely no support for a public health care system. What we see is a move towards a private system based on private contracts and based on, yes, if you read the five or six major principles of the New Zealand program, what a surprise. The five or six major principles of the New Zealand program coincide entirely with the Manitoba program.

But I digress, Madam Speaker. There is no commitment whatsoever to the maintaining of a public, universal system. There is a move towards purchasing of service, private contracts, privatization. That is suggested in the act.

The act, for some time now, we have said that this Department of Health under this minister is poorly administered. You see it again in this bill and in this regionalization model. We had the fiasco recently of hospital boards being told that their surpluses have to be used to pay for the new superboards that are being put in place. So, if a hospital or a board functioned efficiently,

that money would be taken back and put to the government's administration to pay for these superboards.

Not only is that not fair, but that was not in the ground rules originally. Again, it goes contrary to recommendations made by the minister's own committee, but, notwithstanding that, there are provisions in here for debt structuring. Has anyone talked to the municipal authorities about the debt restructuring that is being imposed on hospital boards as a result of this act? I dare say not, which is another reason, I might add, for a requirement of some kind of major amendment dealing with the City of Winnipeg.

Leaving that aside, there are major financial implications of this bill. There are major financial implications.

The government talks about the provision of core services, and perhaps here we see the greatest threat to health care from this bill and from this government with respect to where they are going. The government will define what core services are. The regional boards will be charged with the responsibility of delivering some form of core services, but it is decided totally by the government.

If a region, according to this act—think about this—in a region of Manitoba, if they decide to offer a service that does not meet with the government's core service, as narrow as I am sure that will be, they will have to find the resources to pay for that health care service out of their own pocket.

Think that through. The government says, we want to give you the authority to deal with health care in your region. So that region says, we want to have a form of, for example, physiotherapy or palliative care. Well, let us use the case of palliative care, because it is quite noteworthy that there is a problem in that area in Selkirk, for example. So that region says, we want to pay for palliative care. The government says, that is not part of our core services; you pay for it yourself. Well, that then implies—in fact, that leaves no choice to that jurisdiction but to put in place user fees to pay for that palliative care, because there is no other means of obtaining the money.

We know the members opposite, because they give the authority to provide user fees here; we know that that is

in fact what the government intends to do. The government intends to narrowly define what core services are, and the rest will be user fees, which we have seen in the city of Winnipeg and we have seen all across the province of Manitoba in a whole variety of health care services.

So, by narrowly defining core services and by not allowing communities to have actually have flexibility, what the government intends to do is to privatize health care even more than they already have.

The labour relations portion of this bill, and I hope the Minister of Labour (Mr. Toews) is listening to this, is nothing short of disastrous. The labour relations provisions of this bill are the most all-encompassing and backward-looking legislation that I have ever seen. They permit the Minister of Health to become a mini-Minister of Health and to make all of the decisions through his commissionaire.

They take away time-honoured democratic rights that have been provided to individuals for over a century, and they put the authority completely in the hands of the minister. They give the Minister of Health—little Labour minister, we should call him now—the authority to do what he or she wants in this area, completely, arbitrarily, dictatorially. That provision alone is enough reason for not voting for this bill. I have never seen a piece of legislation that takes away more rights than does this piece of legislation.

So, I continue. The bill says—and it makes a lot of sense that regional boards should submit a yearly plan, should outline their plans. Great, makes a lot of sense, the northern task force suggested three-year plans, but we will leave that aside, makes some sense. But, do you know what? They submitted to the minister, and the minister has the complete authority to reject outright and to recommend these plans.

The regional boards are supposed to have public meetings on a regular basis. Great suggestion. Does the Minister of Health have the right or have the responsibility of holding public meetings? No. The board is supposed to submit its budget for approval by the minister, the great imprinter of the minister. But do the boards have the right to have a look at these plans ahead of time? No, Madam Speaker.

What the government intends to do is to cut funding dramatically by tens of millions to rural Manitoba, throw the responsibility onto these regional boards and say, you close the hospitals' boards, you close the personal care homes, you cut the services, because we are making you do that. That is, in fact, what is going to happen under the provisions of this act.

Madam Speaker, the minister gives the boards all types of responsibilities in terms of by-laws, in terms of public meetings, in terms of plans, but the minister has no reciprocating rights. All the minister gets to do is to make all the rules, and if he does not like it, he gets to reject them all. That goes totally against the whole philosophical basis of why we have this legislation. Further, it suggests to us obviously what the government is intending to do in this regard, and that is to force the regions to do the government's bidding and to do the government's cut, because the government does not want to take the political heat outside of Winnipeg with respect to the major changes the government is planning for rural Manitoba. That is why this legislation is drafted the way it is.

This legislation talks about regional boards taking on social services. Is there any provision for financial remuneration from other agencies? No. What it simply does is, it makes a statement. There is no philosophical basis behind it. We do not know what social service. We do not know why. We do not know if there is going to be an integration of the Department of Family Services and the Department of Health outside of Winnipeg. We do not know any of that. Boards do not know any of that.

Why do we not know any of that? Because the government is not telling anybody. Either the government does not know or the government is keeping it under wraps because they know they will receive a lot of political heat for what they are trying to do. If the process was truly aimed at democratizing health care, the minister would be going around the province holding open public meetings and answering these questions. But they are not, Madam Speaker, because it is very clear that it is a dictum from the government that you shall operate health care this way, and it is going to be done through our boards, through our Tory-appointed boards. That causes us obviously to not support this legislation.

* (1710)

If the government was being frank and honest in this legislation and in this act, they would tell us what the numbers are. They would tell the regions what their budgets are going to be and what the budgets were in the previous year in a comparative basis so those regions could function efficiently and plan efficiently, but they are not, Madam Speaker. They are not, because there is going to be an overall cut of tens of millions of dollars to all of your constituencies, to all of your health boards, because the government has managed health care so badly in this province. Then your boards are going to be given the responsibility of making those cuts and implementing them on behalf of the government.

Now, I hear comments from the other side that they would—that is true, I actually believe fundamentally that it will not be up and running before the next election, because the government will not want to take the political heat, because there is no way that I think they can do what I have called before the Winnipeg solution in rural Manitoba, that is, the massive bed closures and the massive cuts, because the government knows their political hides are at stake with respect to their base in rural Manitoba, and they know those communities will not agree with the massive cuts that have taken place.

Madam Speaker, I would like to go through my hundred criticisms. What about the power of capital? Where does the power of capital reside? It has now been taken totally into the hands of the Minister of Health (Mr. McCrae), who said, no more capital, even though he promised it two years ago, no more capital. What happens to the capital? Who makes the decision on capital? What about information technology?

This bill, in its paternalistic attempt to put in place some form of regionalization, is bad legislation. Our recommendation to the government is to withdraw the legislation, put out a white paper, go to rural Manitoba, go outside of Winnipeg, talk with the caregivers, talk with the patients and come back with a more realistic alternative. [interjection] The member says, talking about consulting. If the member looked through the recommendations of the minister's own task force and saw how many recommendations were not put into this legislation, then perhaps he would think otherwise. As it was, the consultation process was narrowly defined and was very exclusionary but, in addition, even in that context of that narrowly defined consultation process, they did not listen

to them anyway, and they put in place a bill that is so flawed that even MHO came up with 50 major criticisms, and I think that is unprecedented. MHO came up with 50 major criticisms of this bill, and I do not think they even tried that hard, because we came up with our hundred criticisms without actually trying that hard.

Madam Speaker, I have not even addressed the issue of Winnipeg and the superboards that have been laterally announced, lately announced by the minister. You know, the minister makes a lot about the fact there was some consultation process. It was by invitation, I might add. I attended one of those consultation processes, and the one area there was no consensus, no agreement that the government do, is put up superboards.

So what does the minister do? He comes back and he puts up a superboard, and that was the one area that all participants agreed was not a good idea. The only people that thought it was a good idea were the minister and who knows who made those recommendations except some—heaven knows, we do not know where a lot of these recommendations come from, but they certainly do not come from Manitobans.

I see that my time is short, my time to discuss this bill at this point, but I think I outlined some of the highlights and some of the difficulties that we have with this legislation, and I think that the government ought to take this back, rethink it, because frankly you are not going to introduce it, it will cause so much difficulty in rural Manitoba, you are not going to do it before the next election. I guarantee you, you will not do it before the next election, because you know you will get so politically damaged by this. I am trying to do you a favour. I am trying to suggest you have an opportunity to take it back and redo it, but we know that that is the reality.

Members opposite know that, and I hope they carefully read—if any members opposite want to contact us about our criticism, our hundred points, we are happy to distribute it to them. We are happy to take it back to your communities. [interjection] The member says, are we concerned? We are concerned about health care in this province and the deteriorating state of health care and the fact that we have the longest waiting list in the country, the fact that the minister is promising another, at least, 600 bed closures, the fact that the government is privatizing health care left, right and centre, and the fact

that this government has not been able to adequately manage our health care system and ought to be called to account by the people of Manitoba. Thank you, Madam Speaker.

Madam Speaker: As previously agreed, this bill will remain standing in the name of the honourable member for Brandon East.

Bill 34—The Contaminated Sites Remediation and Consequential Amendments Act

Madam Speaker: To resume debate on second reading, on the proposed motion of the honourable Minister of Environment (Mr. Cummings), Bill 34, The

Contaminated Sites Remediation and Consequential Amendments Act, standing in the name of the honourable member for Transcona (Mr. Reid).

Is there leave to permit the bill to remain standing?
[agreed]

Hon. Jim Ernst (Government House Leader): There may be a will, Madam Speaker, to call it 5:30 p.m.

Madam Speaker: Is it the will of the House to call it 5:30 p.m.? [agreed]

The hour being 5:30 p.m., this House is adjourned and stands adjourned until 1:30 p.m. tomorrow (Wednesday).

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, September 17, 1996

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