



First Session - Thirty-Seventh Legislature

of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

**Official Report
(Hansard)**

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Seventh Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, August 1, 2000

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

Committee of Supply

Mr. Conrad Santos (Chairperson): Mr. Speaker, the Committee of Supply has adopted certain resolutions, directs me to report progress and asks leave to sit again.

I move, seconded by the Honourable Member for Selkirk (Mr. Dewar), that the report of the Committee be received.

Motion agreed to.

MINISTERIAL STATEMENTS

Forest Fire Conditions

Hon. Oscar Lathlin (Minister of Conservation): Mr. Speaker, I have a statement to make.

This statement has to do with the update on the fires. In Manitoba, fire burning conditions are classified as being extreme. With the hot weather that we have had over the past few days, conditions are expected to remain extreme until there is a change in the weather patterns.

Smoke from forest fires in northeastern Manitoba is being driven into the Winnipeg area by north winds. The northerly winds are expected to continue over the next 24 hours, shifting to the northeast over time. The smoke will continue its southerly movement with the north winds.

Currently, Mr Speaker, there is a total of 58 fires burning in the province, with 44 fires in northeastern Manitoba. Fortunately, the fires are

not directly threatening any communities and no evacuations are anticipated at this time. Manitoba Conservation is doing everything it can at this time with 257 firefighters, 27 helicopters, 7 water bombers and 3 single-engine air tanker aircraft fighting the fires.

With the extreme fire-burning conditions, Manitoba Conservation is requesting that all Manitobans use every precaution necessary when in the forested areas. Thank you.

Mr. Glen Cummings (Ste. Rose): I thank the Minister for his update. Too often I think we fail to recognize that we have a highly competent, skilled and dedicated workforce out there in the Department of Conservation that can mount up a battle to meet the challenges of runaway fires and hot and dry weather conditions. I noted yesterday from the report of the fire marshals that there are a number of fires that are, in fact, in an area where action is not required, but I note from the report the Minister has given that nevertheless there are a number of areas where they are mounting a significant offensive. I would join with the Minister in encouraging everyone who might be working or living in an area where there is a high fire hazard to be extremely cautious and do everything we can to assist the Department in this fight.

Hon. Jon Gerrard (River Heights): I ask for leave to speak on the Minister's statement.

Mr. Speaker: Does the Honourable Member have leave? [*Agreed*]

Mr. Gerrard: I thank the Minister for bringing us up to date and second the comments of the Honourable Member for Ste. Rose in supporting those who are working very hard within the Department of Conservation in the effort to make sure that forest fires in Manitoba are kept to the minimum and those that do occur are put down as quickly as possible. I think it is a worthwhile effort that is being made to bring to everyone's attention in Manitoba the potential risk at the moment and to try and make sure that

all Manitobans make every effort possible not to accidentally start fires. Thank you.

* (13:35)

ORAL QUESTION PERIOD

Elections Finances Act Amendments—Justification

Mrs. Bonnie Mitchelson (Interim Leader of the Official Opposition): The Premier has decided to interfere in the process of elections by introducing a gag law on third parties during provincial elections. The National Citizens' Coalition has reviewed the Premier's legislation, Bill 4, and has decided to declare war on the Premier's gag law. Stephen Harper, the president of the National Citizens' Coalition, has stated today: "We are waging a war against Doer's gag law. . . . We are taking this action because we see Doer's gag law as the most dangerous and oppressive gag law in Canadian history. . . . Not only does Bill 4"—*[interjection]* Mr. Speaker, these are not my words, these are words of a citizen of Canada, and I wish the Government would take issues by people, ordinary citizens, seriously.

Mr. Speaker, I will repeat again: "We are waging a war against Doer's gag law. . . . We are taking this action because we see Doer's gag law as the most dangerous and oppressive gag law in Canadian history. . . . Not only does Bill 4 stifle the rights of citizens to speak out, it also muzzles the province's Opposition parties." My question to the Premier is: Why does he insist on introducing this gag law when it is clearly unconstitutional and violates Manitobans' rights to free speech?

Mr. Speaker: Order. Before recognizing the Honourable First Minister, I would just like to remind the Honourable Interim Leader of the Official Opposition that referring to "Doer's gag law" is unparliamentary because it is using a quote, and also referring to it as a quote from someone else's is also unparliamentary in the House.

Point of Order

Mr. Marcel Laurendeau (Opposition House Leader): On a point of order, Mr. Speaker. I would like to table the news release of the

National Citizens' Coalition which states that it is a gag law.

Mr. Speaker: The Honourable Member does not have a point of order.

* * *

Hon. Gary Doer (Premier): Thank you, Mr. Speaker. Last week in committee the Chief Electoral Officer of Manitoba reported to all members of this Legislature, including the Member opposite, that in fact the issue of full disclosure of third parties, the issue of third party limits, was a recommendation that he had made to the former government for a number of years.

We are proceeding with the recommendation on disclosure, and we are dealing with the issue of reasonable limits. As the Supreme Court said in the Liebman case, if political parties have reasonable limits and have full disclosure laws, it is only appropriate that those people, the special interests that are trying to influence the public of Canada or the public of Manitoba, should also play by some rules. We are implementing rules, Mr. Speaker, and that makes good sense in a democracy.

Mrs. Mitchelson: Mr. Speaker, the Chief Electoral Officer in committee made it very clear that his recommendation was regarding disclosure. So let not the Premier put words into anyone's mouth about what the intent and the comments of the Chief Electoral Officer were. They were about full disclosure. I do not think anyone in this House would disagree that full disclosure around expenditures is certainly the right way to go.

The Premier says that his motivation is pure, but we know that he says one thing in public and another thing behind closed doors, because we have already seen the Young New Democrats reveal what this Premier's motivation is. A screw-the-Tories mentality is what is exactly behind Bill 4.

What does the Premier say, Mr. Speaker, to the Canadian Association of Broadcasters who state, and I quote: Limits of \$5,000 on communications expenses by third parties effectively precludes broadcast media and

contravenes the right of free expression and freedom of association under the Charter of Rights and Freedoms.

What does he have to say to the Canadian broadcasters?

Mr. Doer: Well, Mr. Speaker, there is certainly the opportunity of third parties to advertise in election campaigns, prior to election campaigns. The disclosure provisions are there. The restrictions that are consistent with political parties are there for periods during the election campaign for partisan ads attacking an individual or a political party. This is, again, an area that was identified by the Chief Electoral Officer, particularly after the '95 election campaign.

What I have to say to the individuals that the Member opposite is quoting, the Liebman case determined by the Supreme Court of Canada says there has to be a balance between the rights of individuals to speak and the rights of the public to have fair election campaigns in a democracy. We are providing that balance in this legislation, and members opposite should vote for that balance instead of maintaining the status quo to have union and corporate donations. They can vote for the status quo or they can vote for the future.

* (13:40)

Mrs. Mitchelson: Mr. Speaker, but it is clear that this government and this Premier's definition of balance is to gag the public and citizens of Manitoba when they want to speak out for the electoral process. Again—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mrs. Mitchelson: Thank you very much, Mr. Speaker, and again to the Premier. Regarding Bill 4, the Canadian Taxpayers Association says, and I quote: Election campaigns are not an exclusive club; all should be able to participate. The last time we looked at election campaigns, elections were for the people, not for politicians.

Mr. Speaker—

Mr. Speaker: Order.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Point of Order

Mr. Doer: Mr. Speaker, the Member sat down and you were not standing up. The question was therefore in order, and I am prepared to answer it.

Mr. Speaker: The Honourable Interim Leader of the Official Opposition, on the same point of order.

Mrs. Mitchelson: It was obvious by the activity that was going on on the other side of the House that in fact the Government was trying to gag the Opposition and keep us quiet and not allow us to ask questions.

Mr. Speaker: Order. May I remind all honourable members that a point of order is a very serious matter and should be heard in silence.

Mrs. Mitchelson: Again, Mr. Speaker, the kind of noise that comes from the Government side of the House when we are trying to pose—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mrs. Mitchelson: Mr. Speaker, the arrogance of the Minister of Education (Mr. Caldwell) is showing, as it has many times in this House.

Mr. Speaker, I think that many times you have called members of this House to order because the noise is so loud that you have difficulty, in fact, hearing members of the Opposition pose their questions. I would ask that you call the Government side of the House to order.

There are many citizens in Manitoba that would like the opportunity to know exactly what legislation this government is bringing in and what impact it is going to have on them. This legislation is going to have serious impact on people, citizens in Manitoba, to be able to

express their point of view through the political process. It is important that the Government listen to the questions and respect Manitobans and answer in an appropriate fashion.

Mr. Speaker: Order. Before ruling on the point of order, I would just like to remind all honourable members when rising on a point of order it is to draw to the attention of the Speaker the diverting of rules or breaking of rules.

On the point of order raised by the Honourable First Minister, I was calling order at the time, and I could not hear the question. I am ruling that the reason that the Honourable Member sat down was because I was calling order. There is not a point of order, and I would ask the Honourable Interim Leader of the Official Opposition to please put her question.

* (13:45)

Mrs. Mitchelson: Thank you very much, Mr. Speaker, and I will repeat the question.

Regarding Bill 4, Mr. Speaker, the Canadian Taxpayers Association says, and I quote: Election campaigns are not an exclusive club. All should be able to participate. A legal opinion obtained by the Canadian Taxpayers Association found this gag law violates the Charter of Rights and Freedoms. What does the First Minister have to say to this group and to others who are opposed to Bill 4 and see it as a violation of their basic right to free speech, that it violates the Charter of Rights and Freedoms? Does the Premier not believe that their opinions matter?

Mr. Doer: Mr. Speaker, a number of questions contained within the initial preamble and the second preamble of the Member opposite. It is kind of passing strange that the former campaign manager of the Conservative Party would fund two candidates in a provincial campaign, but when they talk about exclusivity of democracy, they cannot find more than one candidate to run for their leadership. There is one exclusive club in this—if we want to talk exclusivity, members opposite better bring a great big mirror to Question Period.

Mr. Speaker, members opposite raised a couple of questions about the provisions in the

Act. First of all, Liebman, Supreme Court decision. That is not a legal opinion; that is a decision of the Supreme Court of Canada, the highest court in the land, a source that was referenced on considerable occasions at the Committee that was held.

The other issue that was raised is the public policy. Just last week, the Institute for Research on Public Policy, chaired by Mr. Hugh Segal, said that the influence of money was leading to an increase in cynicism. They looked at some of the practices in the United States and Canada and recommended that we reduce the influence of money in politics and increase the activity of people in politics. That is what we are doing.

On the last point, there was a legal opinion or a press release cobbled together by the Taxpayers Association the Member opposite is quoting. They referred to the balanced budget legislation. Under the Conservative's balanced budget legislation, all the rules to deal with the referendum to deal with tax increases can be established by the exclusive cabinet under the Conservatives. All the rules and limitations on spending were given to the power of cabinet. Again, by putting in rules in laws, we have gone a lot further than members opposite under balanced budget.

Elections Finances Act Amendments—Legal Opinion

Mr. Harold Gilleshammer (Minnedosa): Mr. Speaker, as we know, legislation that is virtually identical to Bill 4, on third-party advertising, was recently struck down by the B.C. Supreme Court as unconstitutional. Can the Premier indicate if a constitutional opinion was sought on Bill 4, and if so, what did it say, and can he table that opinion?

Hon. Gary Doer (Premier): I will table the Liebman decision, which is a ruling of the Supreme Court of Canada, for the Member opposite. I have not got it with me, but I will bring it back to the House and table it. It is a Supreme Court decision. It is obviously the superior legal document in the sense that it is the Supreme Court of Canada rather than a court of appeal at a provincial level.

Mr. Gilleshammer: Mr. Speaker, I would ask the Minister of Justice if this bill has been referred to the Manitoba Court of Appeal to seek an opinion on its constitutionality, as requested by the Manitoba Taxpayers Association?

Mr. Doer: The Manitoba Taxpayers Association that represents 4000 people, Mr. Speaker, when they referred to the balanced budget legislation, I think it is section 83 or 183, I will find the section. I am not sure whether they sent Bill 4 and Bill 17 to their legal counsel but did not send the balanced budget legislation. This was a bill brought in by members opposite in 1995, the authority to establish limits in a referendum dealing with a proposed tax increase, those provisions are established and limitations are established by the Lieutenant-Governor-in-Council, in other words, the Cabinet.

We have listened to the Taxpayers Association's advice. I suggest the Taxpayers Association read the balanced budget legislation.

* (13:50)

Mr. Gilleshammer: Mr. Speaker, would it not be a wise move, and I ask the Premier, to save the taxpayers of this province considerable dollars, rather than passing this bill that has previously been struck down as unconstitutional in other jurisdictions, send it to the Manitoba Court of Appeal for an opinion?

Mr. Doer: I am sorry I had the wrong section in balanced budget legislation. Balanced budget legislation passed, proclaimed 01/96. I believe members opposite were in government at the time—01/96. Quote: The question to be put to voters in a referendum under subsection 10(1) shall be determined—now listen to this—by Order-in-Council of the Lieutenant-Governor-in-Council at the commencement of the referendum process; 11(3): The Lieutenant-Governor-in-Council may make any regulations that the Lieutenant-Governor-in-Council considers necessary respecting the referendum process to give effect, including, without limiting the generality of the foregoing, the governing of the preparation of voters' lists, the governing—listen to this—of expenses, if any, that may be incurred,

and the contributions, if any, that may be made, and by whom, in connection with the referendum.

Mr. Speaker, I think it is truly obvious that members opposite do not know their own legislation. These Bills 4 and 17 establish the balance between the right to speak in a democracy and the right to conduct elections without undue influence of money. Members opposite have the choice. They can vote with the people and against special interest groups contributing money to political parties or they can vote with the special interest groups.

Manitoba Environmental Council Termination

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, on May 22, members of the Round Table for Sustainable Development and the Manitoba Environmental Council wrote to the Minister of Conservation and noted, and I quote: The Government has so grossly breached the Act that it makes a farce of what was promised by the Act. The intent, the purpose and specific sections of the Act have all been breached.

After a late, carefree response from the Minister, the members forwarded their concerns to the Premier (Mr. Doer). Shortly after that, members of the Environmental Council received legislation notifying them of the termination of their body. Why is this minister terminating the Manitoba Environmental Council for exposing his breach of the law?

Hon. Oscar Lathlin (Minister of Conservation): That statement by the Member opposite is totally wrong. Our government did not dismiss the Manitoba Environmental Council because there was criticism. I indicated to the Member in committee that the Manitoba round table will continue that tradition of independence established by the former Manitoba Environmental Council. That independence can be achieved by several ways. Number one, their non-government representatives are in a majority in a council. Fourteen of the twenty members are non-government members. I indicated to the Member this morning that all new members to the round table will be appointed from outside.

Finally, the appointees are there for their expertise and independence of mind. To suggest that they would somehow be inhibited in their advice because of the presence of some members of government on a round table is—

Mr. Speaker: Order.

* (13:55)

Mr. Maguire: I just heard the comments of this minister saying that it was his understanding that the statement that these people wrote to him is wrong. Is he calling the people that wrote this letter liars?

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Lathlin: No, Mr. Speaker.

Mr. Maguire: Well, then, Mr. Speaker, can the Minister explain why he is following the same dictatorial pattern of his Premier's (Mr. Doer) gag process by squelching not only criticism, but also supportive comments from this valuable group of volunteers?

Mr. Lathlin: Mr. Speaker, I would turn around and ask the Member: Is he telling me that the five members from the former round table, the five members from the former Manitoba Environmental Council, and the six new members that we appointed are not qualified to serve on this round table?

Dauphin Lake Conservation Minister's Meeting

Mr. Glen Cummings (Ste. Rose): Mr. Speaker, it pains me to say that the shortcomings of this Minister of Conservation (Mr. Lathlin) are starting to mount up. First of all, he failed to notify communities about well contamination; then he failed to immediately deal with 100 tonnes of contaminated soil in East St. Paul; he failed to take action on fish stocks in Lake Dauphin; and he failed to follow the law as set out in The Sustainable Development Act.

My question to the Premier: Will he intervene and ask this Minister of Conservation to meet with the people from Lake Dauphin?

Hon. Gary Doer (Premier): I believe the Member opposite has asked a question that had been answered previously by the Member in terms of the meeting that was held in the area, Mr. Speaker.

Mr. Speaker, I find it passing strange that a minister who I do not believe had a public Clean Environment Commission for how many years, was it, three years, four years, five years? How many years was it? This Minister has established a new Clean Environment Commission, chaired by Terry Duguid, with credible people who will listen to a balanced approach.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Point of Order

Mr. Cummings: On a point of order, Mr. Speaker. The Premier should not exaggerate.

Mr. Doer: On the same point of order, I agree with the Member.

Mr. Speaker: On the point of order raised by the Honourable Member for Ste. Rose, he does not have a point of order.

* * *

Mr. Speaker: The Honourable Member for Ste. Rose, with his supplementary question.

Mr. Cummings: But I was right, Mr. Speaker.

Wildlife Act Amendments—Public Consultations

Mr. Glen Cummings (Ste. Rose): Mr. Speaker, the Minister of Conservation (Mr. Lathlin) organized meetings on Bill 5, this bill that removes the right of certain people to continue to make a living in this province. He has organized meetings on this bill, and then he cancelled it.

Mr. Speaker: Order.

Point of Order

Hon. Gord Mackintosh (Government House Leader): On a point of order, Mr. Speaker. It is a supplementary question. The Member is going on and on and on with some preambles. Preambles are not needed for supplementaries. Could you ask him to please put his question succinctly?

* (14:00)

Mr. Cummings: On the same point of order, Mr. Speaker. I want to ask the Premier why he will not direct this minister to reopen those meetings?

Mr. Speaker: Order. On the point of order raised by the Honourable Government House Leader, he does have a point of order. *Beauchesne's* Citation 409(2) advises that a supplementary question should not require a preamble.

I would like to take this opportunity to remind all honourable members, when up on a point of order, not to use a point of order to ask a question.

* * *

Mr. Cummings: I apologize, Mr. Speaker, but I want my questions to get the Premier's attention. Will he intervene and ask the Minister of Conservation (Mr. Lathlin) to reinstate the hearings prior to the passing of Bill 5?

Hon. Gary Doer (Premier): Mr. Speaker, if we reopen the public hearings maybe the Tories will have a third position on Bill 5. You know, the Bill that deals with banning penned hunting, it reminds me of those old arcade games where the bear is in the ring and it keeps going back and forth as somebody in the arcade is able to hit the target, and that is the position of the Tory Party. Before the election, they were in favour of banning penned hunting. After the election, today's Conservatives are opposed to it. If we have a third set of public hearings, will they have a third position?

Mr. Speaker: The Honourable Member for Ste Rose, on a new question?

Amendments

Mr. Glen Cummings (Ste. Rose): On a new question, Mr. Speaker. This Premier has just stated that he is in favour of taking away the livelihood. He did not attend the meetings when the people were literally in tears approaching this government to deal in a sensible way with this act.

Does he not intend to entertain any amendments?

Hon. Gary Doer (Premier): I know this is difficult for members opposite to understand, but what you say before an election should be the policy you attempt to implement after the election. We said we would bring in legislation to deal with penned hunting. Members opposite said they also were going to support, and I can have the chapter and verse of the Member for Tuxedo (Mr. Filmon) who said also he was going to prevent penned hunting.

Mr. Speaker, we are pleased that there have been some accommodations and amendments to deal with the bison producers. We feel that it is important to deal with the submissions made from the public. Even though we believe it was not necessary to amend it, we thought we should as an abundance of caution. But one thing is clear: members opposite changed their minds, changed their position, changed their public commitment after the election; we have kept our word.

Mr. Cummings: Mr. Speaker, a supplemental to the same Premier. Bill 5 does not even mention penned hunting. It does not even mention penned hunting.

Will he reconsider amendments to this act?

Mr. Doer: Mr. Speaker, we listened to the public and made an amendment to have public hearings.

First Ministers' Conference Representation

Mr. Ron Schuler (Springfield): Mr. Speaker, last week I received a letter from the Minister of Conservation (Mr. Lathlin) responding to

comments made during Estimates. Much to my surprise, the Minister responded using the letterhead of the Premier of Manitoba. Since we now seem to have two premiers in Manitoba, my question to the Premier, whoever that may be, is: Will the Member for Concordia or the Member for The Pas represent Manitoba at next week's Premiers' Conference?

Hon. Gary Doer (Premier): Yes, Mr. Speaker.

Minister of Conservation Premier's Confidence

Mr. Ron Schuler (Springfield): Mr. Speaker, has the Premier, the one from Concordia, lost confidence in the Minister of Conservation, the one from The Pas, to the point that all phone calls made go through Jane Gray, the Premier's policy analyst, and all letters written go through the Premier's Office?

Hon. Gary Doer (Premier): Well, Mr. Speaker, I recall members opposite confusing astrology and astronomy. If the wrong letterhead was made, we will correct it.

Executive Council Cabinet Shuffle

Mr. Ron Schuler (Springfield): Mr. Speaker, I would like to table the letter that shows the Minister of Conservation is having an identity crisis.

As Manitoba cannot handle two premiers, my question to either premier is: Will there now be a cabinet shuffle and who is the odds-on favourite to emerge as premier? Who, Mr. Speaker, will it be?

Hon. Gary Doer (Premier): Mr. Speaker, the Member opposite has written a question about a substantive issue dealing with the Manitoba Hydro Dorsey environmental licence 2433, and I note that the Member opposite is not having any difficulty with the substance of the letter, rather a slight—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Thank you, Mr. Speaker. Out of the thousands of letters that were written and signed by members opposite in the past and members opposite in the present and probably with members on all sides of the House, there will be the odd administrative error, which clearly this is, but what you will not have from this Premier's Office is people phoning, the Premier's Communications staff phoning from the Premier's Communications offices into open-line radio shows trying to purport to be a citizen when in fact they are part of the Premier's Communications staff. Now that is serious, and we will not do it.

Manitoba Environmental Council Termination

Hon. Jon Gerrard (River Heights): Mr. Speaker, yesterday the Premier's Office was caught trying to influence presenters to committees on Bill 43; today the Premier was caught answering his Minister of Conservation's correspondence. June 15, the Minister of Conservation, or was it the Premier, said he would not change The Sustainable Development Act until he had the advice of the round table. Did the Minister or the Premier change his mind and decide to act quickly to eliminate the Manitoba Environmental Council because he knew the round table would never, never give him advice to eliminate the council?

Hon. Oscar Lathlin (Minister of Conservation): Mr. Speaker, I continue to find it strange that the Member for River Heights has become such a convert on the environment. Yet when he was with the federal government party, when he was Minister of Science and Technology, his government—

Mr. Speaker: The Honourable Official Opposition House Leader, on a point of order.

* (14:10)

Point of Order

Mr. Marcel Laurendeau (Opposition House Leader): Mr. Speaker, *Beauchesne's* 417: "Answers to questions should be as brief as possible, deal with the matter raised and should not provoke debate."

It is not up to this minister to be accusing this member, who is an honourable member who represented us federally, about his past. It is up to him to answer the question that was put to him.

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

Hon. Gord Mackintosh (Government House Leader): To respond, there has not even been a response in full provided by the Minister yet. Clearly, every question has to be put in its context for a proper answer.

Mr. Speaker: Order. On the point of order raised by the Honourable Official Opposition House Leader, there is not a point of order. The Honourable Member was just getting into answering the question.

* * *

Mr. Speaker: I would ask the Honourable Minister of Conservation to please continue answering the question.

Mr. Lathlin: Mr. Speaker, our government opted to strengthen the round table by incorporating the best features of the Manitoba Environmental Council into the new Manitoba round table. That included appointing several key members of the former MEC to the round table. It also meant transferring all the powers from the former MEC to the new round table. But, more importantly, our government is committed to a more open round table process in the tradition of the former Manitoba Environmental Council because we feel that that would ensure that the Government will be accountable for how it deals with the advice coming from the round table.

Mr. Gerrard: My supplementary: Will the Minister not admit that he was wrong to say, as he did this morning, that a separate Manitoba environmental council is contrary to the principles of sustainable development and that the real reason for liquidating the Manitoba Environmental Council is to suppress independent opposition to his government?

Mr. Lathlin: You know, Mr. Speaker, last week the Member for River Heights congratulated me for appointing Terry Duguid, a Liberal, to the chair of the Clean Environment Commission. So now he is saying I am trying to suppress our critics. Far from the truth. Our direction is to follow the principles of sustainable development. As I indicated to the Member this morning in committee, I said by definition sustainable development is the integration of environment and economy. One cannot be considered separately from the other; so that is why our government has taken the option of taking a balanced approach in the development of sustainable development strategies.

Mr. Gerrard: My supplementary to the Minister of Conservation. I ask the Minister to admit that Sid Green was correct when he set up the council and said it was set up to provide eternal vigilance in the environment, and what he is doing is to eliminate a council which was to exist for eternity and to provide the vigilance that Manitoba citizens need. Clearly, in obliterating this council, he is doing a disservice to Manitobans and a disservice to the heritage left by a previous NDP government.

Mr. Lathlin: There are others as well who have said in the past, including the former head of the sustainable development unit, that sustainable development policy of the former government had become unabashedly pro-business or pro-development and that they also referred to sustainable development initiatives of the former government as capital D.

Livestock Stewardship Public Presentations

Mr. Jim Penner (Steinbach): Mr. Speaker, I stood in a hot, stuffy hall in Steinbach yesterday, all afternoon and evening, listening to over 60 presenters on livestock stewardship. These presenters think that they are contributing to the development of bills: The Planning Amendment Act and the sustainable development bills. They are still speaking today and they are probably speaking tomorrow. I wonder how these presenters, who think they are influencing legislation, how these messages are going to get

to the Minister before these bills, 35 and 43, are passed.

Hon. Oscar Lathlin (Minister of Conservation): Mr. Speaker, I thank the Member for the question, even though he asked the same question this morning in committee. Let me repeat my responses to him again.

The livestock panel that is out there in Steinbach holding public hearings will submit its report to government, probably in the fall, and that is the vehicle for public input to come to government. That is why the panel was created in the first place, and whatever information they gather will be used subsequently to formulate a policy that will guide the management of our livestock industry in Manitoba.

Public Investors

Mr. Jim Penner (Steinbach): Mr. Speaker, I would like to ask another question along the same line. There are people who are contemplating making serious investments, lifetime investments, long-term investments, and that will be to the benefit of this province. They walked out of there yesterday totally confused.

How can we regain the confidence of the investors in the community?

Hon. Oscar Lathlin (Minister of Conservation): Mr. Speaker, of course, we encourage and support that kind of industry developing and growing in Manitoba. We have never said that we would stop or hinder any kind of development of that nature in Manitoba. What we have said was that we have to take a look at the way the industry is growing with a view to putting in policies that will guide the development and the growth of that particular industry in Manitoba so as not to let development go uncontrolled, as it was before, and harm the environment.

So let me once again say to the Member, whatever information that the panel is gathering now until they are finished, that information will be used to formulate policy subsequently.

Hon. Gary Doer (Premier): I would like to table the Supreme Court decision on the Liebman case, as I indicated earlier, three copies.

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

* (14:20)

MEMBERS' STATEMENTS

AgPro

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, it is my pleasure to rise today to welcome and congratulate AgPro on their recent opening of a huge grain inland terminal located west of Boissevain in my constituency.

Last Friday, July 28, I had the opportunity to gather with other area residents at AgPro's official opening. Mr. Speaker, AgPro's newest commitment to Manitoba is a welcomed asset to our region. I do want to say congratulations to President Marvin Wiens and to all of the staff that will be working with the agricultural community in the Boissevain area. The staff, under the facility's Operations Manager Dan Phillips' stewardship, I know, will be an asset and a resource to farmers in the southwest area of Manitoba.

Mr. Speaker, the grain terminal has a capacity to hold more than 20 000 tonnes of grain. There is an additional 22 000 tonnes of storage space in the annex where producers can lease condo storage for a variety of commodities.

Mr. Speaker, again, I welcome AgPro's newest facility to southwest Manitoba. Thank you.

Fibre Manufacturing Inc.

Ms. Nancy Allan (St. Vital): I would like to take this opportunity to highlight another Manitoba business success story. Fibre Manufacturing Inc., a Crystal City manufacturer of haying equipment, will create six new jobs after expanding its plant with the assistance of a \$400,000 Grow Bond issue.

Grow Bonds encourage Manitobans to invest in the economic future of their communities. Locally controlled bond corporations can invest in commercially viable projects such as manufacturing, processing, tourism, export service industries and environmental initiatives.

Recently, our government introduced proposed amendments to The Rural Development Bonds Act which would make the Grow Bonds Program a province-wide initiative by including the city of Winnipeg. We know that a revitalized partnership with Manitobans is important to our community and economic development efforts. We want to provide ongoing support for Manitoba companies to raise new capital and expand employment.

Fibre Manufacturing's equipment is sold throughout western Canada and in the midwest United States. During the past three years, the company has designed and manufactured several types of haying equipment. The expansion will include a large manufacturing area, a showroom, parts display and counter areas, as well as new offices.

The company currently employs 10 people and will hire an additional 6 employees from the Crystal City area once the expansion is complete. I am sure all members of this Assembly will join me in congratulating the owners and employees of Fibre Manufacturing and in wishing them much continued success.

Livestock Stewardship Hearings

Mr. Jim Penner (Steinbach): Mr. Speaker, I feel compelled to rise in the House today to inform members of the impressions I have from attending the last of this government's livestock stewardship hearings held in Steinbach yesterday. As I understand it, they are still continuing.

Mr. Speaker, yesterday afternoon and evening, in front of two standing-room-only crowds, residents from around southeast Manitoba came to make presentations and try to get a handle on which direction this government is taking the livestock industry in Manitoba. There were a variety of opinions and emotions expressed yesterday. Many investors expressed concern about the money they have invested in

the industry and a government that was putting it at risk. Others said that they were holding back on investing and hiring because of the uncertainty this government has created in the industry. It was mentioned at the meeting that conflicting signals were being sent by members of this government when the Premier (Mr. Doer) states publicly a barn is stopped and the Conservation Minister says no, we are looking at it to see if we are moving it ahead.

Concern was expressed by developers who have suggested the departments of Conservation and Agriculture have ground to a stop and that even the bureaucrats within the departments are confused in terms of the direction being given. Concern came from the farm labourers and those in the industry who fear that their jobs may be in jeopardy because of the uncertain government policy.

Family farmers were uncertain and expressed concern about the role that their operations are to play in the Manitoba economy. There was also a great deal of concern expressed that this government had already established the direction it wants to take and that the hearings were just a joke, just window-dressing, and there is no justification for them submitting their energies to this hearing board. Above all, what was expressed was the strong economic impact the livestock and farming industry provides to our province and our region and that it should not be destroyed.

Mr. Speaker, this government has caused more confusion in the past 10 months in the livestock and agriculture industry than perhaps has ever existed in the history of this province. Thank you.

World Martial Arts Championship

Mr. Cris Aglugub (The Maples): I want to take a few moments today to inform members about the success of some young Manitoba people in the World Martial Arts Championship held in Toronto. Kruze Ottenbreit, Shane Martin and Jeremy Martin, along with their instructor, Kevin Lingasin, participated in this competition which drew participants from countries such as Mexico and India. These young men were all very successful in Toronto, bringing home gold,

silver and bronze medals in both team and individual martial arts events.

Excelling at this competition in Toronto required a great deal of commitment and self-discipline. The boys have trained every day for the past year and a half. I am sure that they have learned how determination and hard work can pay off when you achieve your goals.

I would like to congratulate Kruze, Shane and Jeremy on their success, as well as Kevin and Earl Lingasin for providing a place where young people can learn new skills and improve their self-esteem. I also want to thank Cloud Nine Cabaret for sponsoring the boys' trip to Toronto.

I am sure that members of this Assembly will agree that the achievements of these young men make us all proud.

Wildlife Amendment Act

Mr. Glen Cummings (Ste. Rose): Mr. Speaker, I wanted to take a couple of minutes this afternoon to respond to and put on the record concerns of people who are in my constituency and other parts of this province who see their potential for livelihood disappearing as a result of what I would say is some misguided, albeit well-intentioned, legislative activity on the part of the current government.

I remember sitting a week or so ago in committee listening to a lady by the name of I believe it was Jeannie Sasley talking about how her entire life's savings have been invested, how she now has no idea whether or not her ability to operate, her ability to make a living is going to continue. She is somewhat in limbo. She, along with people like the agricultural producers, the Reeve of Rosburn, a number of private citizens, came forward with concerns about whether or not they were now embarking into an area of entirely uncharted waters, which I would argue need not necessarily occur.

* (14:30)

Having just heard the Premier (Mr. Doer) say that Bill 5 was pretty well sacrosanct when we requested additional reconsideration by him

in terms of reviewing this bill, I feel moved to rise on behalf of citizens of this province who are being directly affected by Bill 5 and by what will be very much a limbo in terms of being able to finance. They now are going to be faced with a very uncertain future. I hope that this government recognizes in its heart if nowhere else that there is a liability being accrued by them on behalf of the taxpayers of this province.

TABLING OF REPORTS

Hon. Eric Robinson (Minister of Aboriginal and Northern Affairs): Mr. Speaker, I seek leave to revert back, just for a moment, to tabling of reports.

Mr. Speaker: Is there leave to revert back to ministerial statements and tabling of reports?
[Agreed]

Mr. Robinson: Mr. Speaker, I am pleased to table the Quarterly Report for the Communities Economic Development Fund for the period ending June 2000.

ORDERS OF THE DAY

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, would you please call debate on second readings with bills in the following order: 51, 4, 17, 47, 18 and 44.

DEBATE ON SECOND READINGS

Bill 51—The Interim Appropriation Act, 2000 (2)

Mr. Speaker: To resume debate on second readings, on the proposed motion of the Honourable Minister of Finance (Mr. Selinger), Bill 51, The Interim Appropriation Act, 2000 (2) (Loi no 2 de 2000 portant affectation anticipée de crédits), standing in the name of the Honourable Member for St. Norbert.

Mr. Marcel Laurendeau (St. Norbert): Mr. Speaker, we are looking forward to next year, when we no longer have to deal with these interim appropriation acts and we have a set agenda that is a lot better established than we had this year. I think it is because of the late start in the season, I do believe is probably the reason

that we have run into this problem on The Interim Appropriation Act.

But I do want to take this one opportunity, Mr. Speaker, to say that I do believe that this government is a little bit misguided in some of the avenues that they have been taking on some of their legislative packages. I do hope that they take into account that when we have these public hearings that they will listen to the public.

I do believe the public has been gagged in a lot of these committees when we are limiting some of these debates, especially when some of the presenters are putting forward the views for thousands of people. I do not believe that the 15 minutes that is being allocated to them is quite enough, especially when we start looking at bills such as Bill 44, which will be coming to committee in the next weeks, and Bill 17.

Mr. Speaker, there are people from across Canada who come to speak to these bills. They fly in from Montréal, Vancouver, Calgary. What do we do in this province? We have one of the best systems in all of Canada where we listen to the public. But in committee at this stage we are gagging them and allowing them 10 minutes. If these people were aware that they were flying into Manitoba for 10 minutes, I do not think they would be wasting the thousands of dollars for their flight.

I am prepared to see this bill move on to committee so that we can get on to the next stage.

Mr. Speaker: Is the House ready for the question?

An Honourable Member: Question.

Mr. Speaker: The question before the House is second reading of Bill 51, The Interim Appropriation Act, 2000 (2).

Is it the pleasure of the House to adopt the motion?

Some Honourable Members: Agreed.

Mr. Speaker: Agreed and so ordered.

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, just to make it clear, it

was our intention to proceed with the interim supply bill through the usual course.

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, I move, seconded by the Minister of Justice (Mr. Mackintosh), that Mr. Speaker do now leave the Chair and the House resolve itself into the Committee of the Whole to consider the report of Bill 51, The Interim Appropriation Act, 2000 (2); Loi no 2 de 2000 portant affectation anticipée de crédits, for the third reading.

Motion agreed to.

COMMITTEE OF THE WHOLE

Bill 51—The Interim Appropriation Act, 2000 (2)

Mr. Chairperson (Conrad Santos): The Committee of the Whole will now come to order to consider Bill 51, The Interim Appropriation Act, 2000 (2). Does the Honourable Minister of Finance (Mr. Selinger) have an opening statement?

Mr. Greg Selinger (Minister of Finance): No.

Mr. Chairperson: Does the Finance critic from the Official Opposition have any statement?

An Honourable Member: No.

Mr. Chairperson: We shall proceed to consider the bill clause by clause. The title and preamble are postponed until all other clauses have been considered.

Clause 1—pass; clause 2—pass; clause 3—pass; clause 4—pass; clause 5—pass; clause 6—pass; clause 7—pass; clause 8—pass; preamble—pass; title—pass. Bill be reported.

Committee rise. Call in the Speaker.

* (14:40)

IN SESSION

Committee Report

Mr. Conrad Santos (Chairperson): Mr. Speaker, the Committee of the Whole has

considered Bill 51, The Interim Appropriation Act, 2000 (2), and has directed me to report the same without amendment.

I move, seconded by the Honourable Member for Transcona (Mr. Reid), that the report of the Committee of the Whole be received.

Motion agreed to.

Hon. Greg Selinger (Minister of Finance): I move, seconded by the Minister of Justice (Mr. Mackintosh), that Bill 51, The Interim Appropriation Act, 2000(2); Loi no 2 de 2000 portant affectation anticipée de crédits, reported from the Committee of the Whole, be concurred in.

Mr. Speaker: Is there leave? *[Agreed]*

Motion agreed to.

THIRD READINGS

Bill 51—The Interim Appropriation Act, 2000 (2)

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, by leave, I move, seconded by the Minister of Health (Mr. Chomiak), that Bill 51, the Interim Appropriation Act, 2000 (2), (Loi no 2 de 2000 portant affectation anticipée de crédits), be now read a third time and passed.

Mr. Speaker: Is there leave? *[Agreed]*

Motion agreed to.

DEBATE ON SECOND READINGS

Bill 4—The Elections Finances Amendment Act

Mr. Speaker: To resume debate on second readings, on the proposed motion of the Honourable First Minister (Mr. Doer), Bill 4, The Elections Finances Amendment Act (Loi modifiant la Loi sur le financement des campagnes électorales), standing in the name of the Honourable Interim Leader of the Official Opposition (Mrs. Mitchelson).

Is there leave for the Bill to remain standing in the name of the Interim Leader of the Official Opposition?

Some Honourable Members: No.

Mr. Speaker: No. Leave has been denied.

An Honourable Member: Mr. Speaker, she is just on her way to the Chamber. If we could wait a few minutes, she will be here.

Mr. Speaker: Is there will of the House?

Hon. Gord Mackintosh (Government House Leader): I wonder if it might be the will of the House to do a couple of third readings while we wait.

An Honourable Member: We could do that.

Mr. Mackintosh: Mr. Speaker, if you could call third readings, Bills 11 and 24. *[interjection]*

Mr. Speaker: It has been announced that we will not proceed into third readings, so we shall resume debate on second reading, on the proposed motion of the Honourable First Minister, Bill 4, The Elections Finances Amendment Act, standing in the name of the Honourable Interim Leader of Official Opposition.

Mrs. Bonnie Mitchelson (Interim Leader of the Official Opposition): I am glad to have the opportunity to be able to put some comments on the record regarding Bill 4, The Elections Finances Amendment Act, and significant changes that have raised a lot of questions in the minds of many Manitobans and indeed Canadians right across the country on the ability of a government with a very one-sided approach making significant changes to The Elections Finances Act that in fact have been called by many unconstitutional, would not stand a challenge of the Charter of Rights and Freedoms of individuals right across this country to participate fully in the electoral process right here in Manitoba.

Some of the highlights of this legislation are that union and corporate donations to political

parties will be banned, that individual donations are kept at \$3,000 per year, that third-party spending is capped at \$5,000 for election advertising, that political parties are capped at \$50,000 per year for advertising, not including the election period, and that spending limits have also been placed on advertising conducted by political parties during an election period.

Mr. Speaker, I believe it is very unfortunate that we are seeing a bill of this magnitude before us this session of the Legislature. I know that the Premier (Mr. Doer) has indicated that these were commitments that were made during the election campaign and commitments that he is following through on but with a very unilateral, one-sided approach, without any discussion or consultation with many, any, individuals outside of his party and his cabinet or caucus that have approved these amendments and brought them forward.

There were many election commitments that this government made during the fall election campaign. We have seen, in many instances, where they have not followed through on those election promises. A prime example, certainly, is in the area of health care, where the now-Premier (Mr. Doer) and the now-Minister of Health (Mr. Chomiak) stood many, many times and said: Just elect us and we will fix health care in this province. Within six months, we will end hallway medicine. Well, indeed—*[interjection]*

Mr. Speaker, members of the Government clap, but indeed we are finding that promise has been broken, and it continues to be broken. They were not truthful with Manitobans. It was so very simple. It was so very easy. Just elect us and we will fix it. Well, we are finding and Manitobans are seeing today that they are still waiting in hallways. Indeed, they are travelling the highways to places like Kenora for dialysis, as late as this week, in fact, because this government is now in charge of a Department of Health, a health care system that cannot provide the dialysis services here in Manitoba for those Manitobans who need it.

Mr. Speaker, it is a shameful situation that we see ourselves in. With waiting lists growing longer, with the promise to open 100 new beds not coming to fruition, the promise to hire 100 new nurses not coming to fruition. They have

time and time again broken all of the commitments that they made during the election campaign on the health care side. I think it is very shameful for the Minister of Health to even begin to say that he has lived up to any of the commitments that he has made.

* (14:50)

Mr. Speaker, we also see this government, through many of the legislative changes that they have introduced or amendments that they have introduced in this session, showing absolutely no regard for the citizens of Manitoba, no regard for the consultation process leading up to introduction of legislation that could be workable and certainly could receive the support of many presenters that present before the House or before committee, or many Manitobans who really were fooled into believing that this government was going to listen. They talk a lot about consultation but they certainly do not walk the walk when it comes to consulting Manitobans and finding out what Manitobans feel about the changes that are being made.

We see it in this bill, Bill 4. There is a thread of the kind of legislation that we see in Bill 4 right throughout legislation that has been introduced, very anti-democratic legislation. I could speak about Bill 44, The Labour Relations Act, and how the democratic rights of workers are being taken away, the democratic rights to a secret ballot that workers in Manitoba will no longer have as a result of this government's legislation. The secret ballot is a fundamental right in many electoral processes. Why should it be any different for those who are contemplating unionization in the workplace.

We see that workers, again, through Bill 44, will no longer have the democratic right to choose whether they want their union dues used for political purposes. Bill 44 and Bill 4 have many common similarities. Again, this government, through Bill 4, certainly appears to be wanting to gag Manitobans and indeed Canadians and ensure that their democratic rights are not respected through this legislation.

Mr. Speaker, we also see that common thread from Bill 4 and Bill 5 that have been introduced into this House. We know that many,

many Manitobans are very concerned about what the implications and what this Minister of Conservation (Mr. Lathlin) is doing in regard to Bill 5 with no regard for listening to what Manitobans have to say.

Mr. Speaker, we have also indicated and heard from many citizens that this bill is virtually identical in terms of provisions relating to third-party advertising with those provisions that have been struck down as unconstitutional by the British Columbia Supreme Court earlier this year due to its violation of the Charter principle of freedom of expression.

On July 20, the Canadian Taxpayers Federation wrote to the Attorney General, the Minister of Justice (Mr. Mackintosh), and indicated that they had obtained an independent legal opinion which found that this legislation violates the Charter of Rights and Freedoms. And they asked the Minister of Justice a very simple question. They asked him whether he would seek a reference from the Manitoba Court of Appeal on the constitutionality of the legislation.

Now, Mr. Speaker, that is a very simple request, a very straightforward request. The Taxpayers Federation would rather see that simple question asked and the answer to that question before we invest the time, the energy, the effort, and taxpayers' dollars into passing a piece of legislation that will indeed be challenged in the courts.

There is no question there are many out there that have indicated that they will challenge this legislation, and we will go through that whole process again of having to refer it to the courts and spend again more taxpayers' dollars trying to defend an ill-conceived, ill-thought-out piece of legislation, when it would be very simple for this government and this Minister of Justice to seek that legal opinion.

This is not unlike the whole issue around the former Minister of Gaming who, you know, the Premier (Mr. Doer) could have taken a very simple approach and had a legal opinion sought on the whole issue of conflict of interest. That service was there and available to the Minister of

Gaming, to the Government, and this government chose not to go that route.

What they are in essence saying, in both instances, is that we are above the law. We do not need to seek legal advice. We can bring in bad legislation. We can make bad decisions around ministerial responsibility and conflict of interest. And it is a sad day to see that, for the first time in over a decade, we have had a resignation of a minister on the Government side of the House who may not have had to resign and face the public wrath like this minister of Gaming has, if only the Premier had taken responsibility for governing this province and referred the issue to legal counsel.

Mr. Speaker, we see here, with Bill 4, the same thing, again the arrogance of the Premier and this government, when citizens of the province ask a very simple, a very basic question of the Attorney General of the Government of the Province of Manitoba. Refer this to the Manitoba courts, get a legal opinion and move forward with the legislation, if it is deemed to be constitutional through that process. Very simple, but we see time and time again that this government, I will repeat, just believes that they are above the law.

Mr. Speaker, this legislation seems to be very near and dear to the Premier's heart. He stood up and defended it in the House, talked about the fairness and balance that many others are saying is not there, and it is not there in much of the legislation that is being introduced. But a very direct question for the Premier would be, if the courts strike down his legislation, is he prepared to use the notwithstanding clause in order to get his way, Mr. Speaker? We know that he has not listened to us or to anyone when simple legal opinions could be asked for. If, in fact, he finds that the legislation was ill-conceived and was unconstitutional, a question that needs to be asked of the Premier is would he, indeed, use the notwithstanding clause to ensure that he has his way.

* (15:00)

Mr. Speaker, these amendments to Bill 4 have been introduced without any public consultation, and they will have a very

tremendous impact on the democratic and Charter rights of all citizens of Manitoba. You know, we have seen time and time again in this House that the consultations happen by this government after the fact. They are not prepared to look, in their to rush to bring in legislation, and I guess I might question why they would be rushing so fast to bring in legislation on elections or elections finances.

You know, we have just gone through the 1999 election campaign. We all know the results of that campaign, and we live with the results of that campaign. But the reality is that the Chief Electoral Officer—[interjection]

Point of Order

Mrs. Mitchelson: Mr. Speaker, I would ask you to call the Minister of Family Services (Mr. Sale) to order. He has a habit of shouting across the room, again not listening to issues that are being raised but showing his arrogance and his ignorance. I would ask you to call him to order. I believe I deserve an opportunity to speak freely on this legislation without the intervention and the arrogance and the ignorance of the Minister of Family Services.

Mr. Speaker: On the point of order raised, I would ask the co-operation of all honourable members that members speaking should have the opportunity to be heard. I would ask the co-operation of all honourable members.

* * *

Mrs. Mitchelson: Thank you very much, Mr. Speaker.

I want to repeat again, because I think it is important to note, that the Chief Electoral Officer has not even tabled his report on the 1999 election campaign. He indicated at committee the other day that it would be ready within a matter of months. It is unfortunate in this Premier's and this government's rush to gag citizens of Manitoba and citizens of Canada that in fact they have rushed in a piece of legislation without public consultation and without waiting for the recommendations from the Chief Electoral Officer to incorporate them into any legislation that they might want to introduce.

Mr. Conrad Santos, Deputy Speaker, in the Chair

I wonder what the rush is. I am not anticipating that there will be a general election in the province of Manitoba for a few years yet, I would imagine at least three years. I mean, what is the rush, and what is the hidden agenda of this government and this piece of legislation?

Well, members of the Government say there is no hidden agenda, but that is not what the Young New Democrats say. I think it bears reading into the record what the Young New Democrats say about Bill 4 and this piece of legislation. Mr. Speaker, I know that members of Government do not want to hear and do not like to hear what members of their own party are saying about the mentality of this Premier (Mr. Doer) and this government. So it is important that this is on the record.

I want to quote from the Young New Democrats and their newsletter that went out. This is what they had to say about Bill 4, this piece of legislation that is being rushed through and what the behind closed doors hidden agenda of this New Democratic Government is: "It is also alarming to note that in many respects this legislation is motivated by a 'let's-screw-the-Tories' mentality. At the Provincial Council meeting of December 4, 1999, this issue was hotly debated by delegates."

I guess, if members opposite were at that council meeting, they probably would have hotly debated on the side of their Premier and their leader. Their approach and their position would have been the same as Premier Doer, who "attempted to bolster his position by referring time and again to the amount of money the Tories stood to lose, and how it was important to pass this legislation as quickly as possible before the Tories had a chance to fill their war chest with quickie fundraisers."

He went on to say: "This 'screw-the-Tories' mentality also displays an unfortunate lack of fair play. . . . It should not be the sole motivating factor behind this legislation. . . . If the NDP is the governing party, then it has an obligation to do what is best for everybody in Manitoba. To pass legislation with the expressed intent of

humbling your political enemies is a betrayal of those democratic principles which we so strongly championed during the vote-rigging inquiry."

Mr. Speaker, that is the Young New Democrats talking about the principled approach that they would like to see their leaders take. Unfortunately, they are not even listening to those who support their party. It is a travesty and it is something we have seen time and time again through the legislation that has been introduced and the comments of this government, with a lack of consultation and the lack of respect for Manitoba citizens that have the democratic right to participate in the political process, whether it be through election campaigns, whether it be through contributions, whether it be outside of the writ period or whether it be in public consultations around legislation that is introduced by any government.

Mr. Speaker, I say shame, shame on the new government for their approach to dealing with citizens. We see in their arrogant attitude in answers to questions that they have no respect or regard for citizens in Manitoba who want to have the ability to present their point of view. I watched the Minister of Education (Mr. Caldwell) through public consultations on Bill 42 show utter disrespect for citizens in this community who had a point of view to present to the Legislature. I know that those who were sitting at committee, who were members of the Government caucus, were not extremely impressed and were embarrassed on behalf of their government and their Minister of Education, as were members of the public.

It is that type of gag mentality that we see by many members opposite. It gives all of us as elected officials a black eye. It is unfortunate that we had to experience that, and we had to experience the intimidation that was used by the Minister of Education to try to make some sort of point that did not even relate to the Bill or the presentation. Normally speaking, questions during the committee process and public hearings at the committee stage of any piece of legislation allow members of the public the opportunity to present their point of view.

You know, Mr. Speaker, I know we were in government for many years, and there was legislation that was introduced that was controversial. We know that it does not matter who the governing party is, there will be policies or legislation from time to time in all instances that not every Manitoban agrees with. We know that people have very definite points of view. But it is very important that we as legislators remember that we must always respect members of the public that come forward, put their names on the list, go on the public record as having a stated opinion.

It is important for us to listen, it is important for us to ask questions to clarify what their position might be, and it is important for us not to use our authority or our power through that legislative committee process to intimidate members of the public. Every member of the public has a right to speak. Every member of the public has a right to have their voice heard. We did not see a display of that kind of respect from the Minister of Education. It was a sad day. I have been in this Legislature for 14 years. I was in opposition back in the late '80s, I was in government and back in Opposition now, and I have never seen members of the public treated in that fashion by a minister of the Crown.

* (15:10)

So I hope he has learned a lesson from that experience. But we do know that that seems to be the mentality that permeates this government and this government's agenda. It is that mentality where, if you shout members of the public down, if you try to gag them, try to limit their ability to participate in the political process, somehow you, as government, become the winner. Well, Mr. Speaker, I do not think any of us become winners in that respect, and I think that every Manitoban deserves the right to be heard and deserves the right to participate in the political process here in Manitoba.

But, you know, Bill 4 goes further than limiting what Manitobans can do. It actually bans Canadians from outside of the province of Manitoba from participating in any way in the political process right here in Manitoba. Now, Mr. Speaker, if Bill 4 passes, a business person

that might live in Kenora or just outside the borders of the province of Manitoba, and that would be his principal residence and would not have the ability to vote in Manitoba because he does not reside here, might run a significant business or corporation and hire many individuals in our province of Manitoba that would contribute in a significant way to the economy and the strength of what Manitoba is. But if that individual determined that he wanted to come to Manitoba to participate in a fundraising event held by the New Democratic Party or the Liberal Party or the Conservative Party and that ticket was \$50 or \$100 to come to participate in that process and hear what the Government or one of the opposition parties had to say about what was happening in Manitoba, under law he could not participate because this legislation bans that individual from participating in the political process. But we do not deny him creating jobs and economic activity in the province of Manitoba. That is a shameful thing for a government to be doing.

It also does prohibit the freedom of any individuals right across the country from participating in some way in the political process. It denies them their freedom to participate in what we believe, as Canadians, is our democratic right throughout Manitoba and certainly throughout Canada.

Mr. Deputy Speaker, I mean, I am not sure if the Government really realizes what the implications of this legislation could be. It limits financial contributions to \$3,000 for individuals, but if an individual contributed \$100 or \$500 or \$3,000 to a political party in January of some year and then decided that they were going to move out of Manitoba in March or April of that year, under this law, they would have committed an offence because they were not here for the full year when they contributed to any political party. That is denying a Manitoban, at the time, their rights to participate.

I am not sure that the Premier (Mr. Doer) understands what the implications of this legislation could be for individuals. What Manitobans are hearing and what Canadians are hearing as a result of this legislation is that they do not have a right to participate in the democratic process in Manitoba if they do not

live in Manitoba. So I think the Premier needs to think very seriously about the implications of Bill 4, maybe listen to those that make representation or presentation and withdraw the Bill. I know one of my colleagues has suggested that we set up an all-party committee to look at election finance reform, to look at limits, to look at all kinds of issues, and maybe come up with some agreement or some consensus on a direction that we might go. But the Premier has flatly again limited legislators of any other political stripe from participating in a process of having truly meaningful reform of The Elections Act, which we will talk about a little later, or The Elections Finances Act.

I think when you see that kind of unilateral, heavy-handed approach by government in issues so fundamental as exercising your right as a Manitoban or a Canadian to participate in the democratic process, you have to ask what the hidden agenda is. If there is no hidden agenda, there should be opportunity for legislators of all political stripes in this Legislature to have meaningful input before these kinds of heavy-handed decisions are made. There should be some sort of public hearing process or some sort of a paper that is sent out to the public for public input and discussion before this kind of legislation is brought forward. So I think that this government, through Bill 4, has done very much a disservice to the people of Manitoba and to the democratic process.

Mr. Deputy Speaker, I said earlier today that elections are not for politicians, elections are for people to exercise their democratic right, and this government again is trying to gag Manitobans, for whatever reason. Maybe it is the Young New Democrats that really have the reason. We have seen a travesty done to the electoral process here in the province. But that does not seem to be an uncommon thread, as I said earlier, in this government's attempt or wishes, I guess, to play Big Brother and to take away the freedom of citizens to effectively express themselves and participate fully in the democratic process.

Mr. Speaker, I indicated earlier in my questions in Question Period that the Canadian Taxpayers Federation stated, and I quote: The

NDP are taking the most extreme measures to tread over citizens' freedom of speech at the most critical point of the democratic process, an election. It does restrict the manner in which any individual citizen may take or may make the choice on how to spend their money, limiting their donations to political parties to \$3,000 annually.

Although it may be laudable to look at what types of spending limits or what types of contributions might be appropriate, really what this government and this Premier is doing with Bill 4 is taking away the individual rights of Manitoba citizens who might believe that no political party that is established today represents their point of view. They might want to form another political party, Mr. Speaker, and ensure that their voices are heard and they have the ability to communicate with Manitobans. In essence, this legislation and this bill prevents any new party from becoming established. If you had a handful of people that wanted to create a new political party, they would only have the ability to contribute \$3,000 each. Now, if you had five people that got together and put their \$3,000 together, you would have \$15,000 in order to start a new party. That takes away the ability of people to express themselves freely in a democratic society. I do not think the Premier (Mr. Doer) or his government has thought through what the implications of this could mean to individual citizens that might believe that they are disenfranchised because they do not believe that any political party that exists today represents them.

* (15:20)

Mr. Speaker, we have indicated that not only the Young New Democrats have spoken out very clearly against Bill 4 and the motivation of this Premier and this government, but we see organizations such as the National Citizens' Coalition who only today—and it is not the first news release that they have put out, by the way. It is the second one since this ill-thought-out legislation was introduced. It is the second news release that has been distributed.

They indicate—I think it bears reading into the record—that the National Citizens' Coalition "Declares War' on Doer's Gag Law." Those are

their words, not mine. I quote: "The National Citizens' Coalition announced today that it will blitz Manitoba with a massive multi-media ad campaign opposing Bill 4, Premier Gary Doer's election gag law.

"We are waging a war against Doer's gag law,' says NCC president Stephen Harper. 'In the next few weeks we will launch an unprecedented media campaign featuring radio, TV and newspaper ads which will urge Manitobans to oppose this dangerous law.'

"Harper also adds that he will go to Manitoba in the near future to announce further actions his group will take to oppose the gag law.

"We are taking this action because we see Doer's gag law as the most dangerous and oppressive gag law in Canadian history,' says Harper. 'Not only does Bill 4 stifle the rights of citizens to speak out, it also muzzles the province's opposition parties.'

"Bill 4 makes it illegal for independent citizens or groups to spend more than \$5,000 on advertising, and it restricts political parties to \$50,000 on advertising between elections.

"The net impact of Bill 4 will be to confer an enormous advantage on incumbent governments,' says Harper. 'It will silence Opposition voices, but do nothing to limit how much public money governments can spend for their own political benefit. This is one-party dictatorship kind of behaviour.'"

I think that bears repeating: "one-party dictatorship kind of behaviour."

I indicated earlier, Mr. Deputy Speaker, that if the Premier was serious about election finance reform or reform of the election process in Manitoba he would have convened an all-party committee. We would have all had an opportunity to provide some input into what was fair and balanced and reasonable. Certainly we could have had a paper drafted that could have gone out to the citizens of Manitoba and beyond to all Canadians, because Canadians do have a democratic right to participate in the political process right across this country.

We could have had that kind of a process, we could have had meaningful reform to elections finances, but this Premier chose the one-party dictatorship kind of behaviour that Stephen Harper talks about in his news release and that many are seeing as a common thread throughout the policies and the legislation that are being implemented by this new government.

Mr. Deputy Speaker, getting back to the National Citizens' Coalition news release: "Harper calls Bill 4 a major threat to freedom both in Manitoba and across Canada.

"If Doer gets away with this law, it might lead other politicians to emulate him," says Harper. "This gag law must be stopped now."

"The NCC has already vowed not to adhere to Doer's gag law even if it is passed.

"Earlier this year, the British Columbia Supreme Court clearly ruled that gag laws are unconstitutional," says Harper. "We have the right to express ourselves."

"Harper has also launched a personal legal challenge to the federal government's election gag law, Bill C-2."

Mr. Deputy Speaker, this just indicates clearly how far this government is prepared to go on its own political agenda, taking no notice or note of other citizens of Canada. Well, you know, Mr. Speaker, I hear members of the Government again putting down an individual, not unlike what we saw from the Minister of Education when he took on citizens of Manitoba through the Manitoba Association of School Trustees when they were presenting to government.

It was the arrogance and the intolerance of the Minister of Education that permeates through the Government side of the House. We hear again members of the Government putting down Stephen Harper, Mr. Deputy Speaker, a person who has a right to be heard and to make his point of view known. Again we see the arrogance and the ignorance of this government in their comments. I think it is reprehensible. It is exactly that kind of an attitude that permeates

the legislation that has been introduced in this House.

Mr. Speaker in the Chair

There is a common thread right throughout where, let us silence the public, let us gag the public, let us take away their democratic rights. Government knows best and people know nothing about what they want or what they should do. It is that kind of an attitude and it is that kind of a philosophy, Mr. Speaker, that we are seeing from this government in its first term, in its first session of this Legislature. It is that anti-democracy, heavy hand of government saying to Manitobans that we know best what is good for you. You have no idea about what you want, but government will tell you, because we know best.

That is the same kind of mentality we saw through the Pawley years, and we are seeing Today's NDP act in exactly the same manner with the kind of regressive legislation, the kind of gagging legislation that is being brought into this legislature, that tries to prohibit Manitobans from speaking their mind, providing their opinion on what might work best in Manitoba. Mr. Speaker, Manitobans will see through the arrogance that this government has shown in their first few months in office.

We also see the Canadian broadcasters association very concerned about this legislation. We are seeing letters and comments from them, and I know we will have an opportunity to hear from them through the public hearing process at the committee stage, Mr. Speaker. We are seeing again that they believe that this bill is clearly unconstitutional, that this bill clearly does limit the freedom of expression, the freedom of people to speak through the political process that has been provided to them in the democratic society that we call home right here in Canada and in Manitoba.

* (15:30)

Again, we see in Bill 4 the unilateral process that has been put in place by a government that does not want to hear from Manitobans or Canadians, does not want to provide the freedom for Manitobans to speak to the democratic

electoral process, but wants, in fact, to gag them, to shut them down, to intimidate them, not only through legislative means but through public hearings and other opportunities that Manitobans might have to present their point of view.

I think, Mr. Speaker, that many find this kind of legislation offensive. They find it top-down; they find it heavy-handed; they find it very one-sided; but, most importantly, they find it very undemocratic. It is a sad state in the province of Manitoba that we would see and experience the kind of activity, the kind of legislation that has been brought in, certainly including Bill 4 in this first session of this new government's mandate.

Certainly, Mr. Speaker, Manitobans will not forget. We certainly will not let them forget what this session has brought. This, again, is a piece of legislation that we will not be able to support. We are prepared to listen to those that have not had their voices heard and have not been consulted by this government before this ill-thought-out legislation was introduced into this legislature. So we will be listening intently to those that make representation at committee. We will certainly be asking them whether there was any discussion with them or any consultation, because we know there was not any consultation with anyone that we have talked to. *[interjection]*

Again, it is sort of the arrogance of the Premier (Mr. Doer) coming out again in his comments, saying they consulted with the public. Well, they consulted with the public and promised many things during the election campaign that they have not been able to deliver, and, most specifically was on the health care side of things, Mr. Speaker. That was the main plank in their platform, and they have not lived up to any of the commitments or promises that they made on health care.

Mr. Speaker, I know that the Premier hid from his labour agenda during the election campaign. He did not make any promises to change any labour legislation. He did not even in the Throne Speech, Mr. Speaker, promise to make changes to labour law. When he held his economic summit, he hid from the business community in Manitoba his union, labour-boss-

oriented legislation that he introduced when he thought everyone was sleeping, right when he thought the session would end.

But we all know that this is not an issue that we are going to let go of. This is not an issue that the business community in Manitoba is going to let go of. I do not believe it is an issue that the media is going to let go of, Mr. Speaker, because he tried to fool business into believing that he would be a business-friendly Premier and his government will be business-friendly. You know, a lot of comments that we have heard, you know, are sort of, well, we thought that, oh, the Premier is a nice guy. He would not try to fool us. He would not try to shaft us. He would not try to bring in legislation without talking to us, Mr. Speaker.

Well, we found and the business community has found that this Premier has shafted them and he has let them down, Mr. Speaker. For the first time ever, we are seeing the kinds of organization among the business community sort of pulling out all stops and ensuring that their voices are heard and that they are letting this Premier and his government know what damage they are doing to the province of Manitoba.

Obviously there are others, third parties that will be speaking very vocally and letting Manitobans know how undemocratic Bill 4, this piece of legislation, is. We look forward to hearing those comments.

We would say to the Premier (Mr. Doer) and his government in the interests of democracy that this bill be pulled, that in fact he take the time to consult with legislators of all political parties and indeed Manitobans that might have an interest in having their voices heard through the democratic process and just withdraw it, pull back for a little while, take a reasoned, common-sense approach to the consultation process, and we might find that we have an election finances law that might be for the benefit of all Manitobans.

So with those comments I look forward to the representation and the presentation that we will hear from Manitobans at long last through the committee process.

Mr. John Loewen (Fort Whyte): Mr. Speaker, I do want to put some words on the record regarding Bill 4. I think this is a very restrictive piece of legislation, one which goes against the fundamental beliefs that many of us in this province have and that many of us I think on both sides of the House share. Not only that, it goes further. It goes against the public statements that have been made by members opposite, particularly by the Premier (Mr. Doer) in his election promise to implement this. It also goes against some of the comments he has made with regard to his expected outcome of the bill.

I do not think the outcomes that he has mentioned that are going to result from this bill, the discrepancy is not intentional, but what this is is another case of legislation brought before this House by this government which is not coming anywhere near to accomplishing their stated intended purpose. It is legislation which, as we have seen in many other cases, is restrictive and damaging to the future of the people of Manitoba.

So I have some very, very strong feelings about this bill and some very strong objections to a bill that, for one thing, puts severe restrictions on the rights of individuals, that restricts individuals in terms of their rights to spend their money, to associate freely and, if necessary, to get involved in a very, very significant way in the political process.

The Premier of Manitoba has shouted a number of times across the House: Bill Loewen. For the record, Bill Loewen is my uncle, and a tremendous individual. I have had the tremendous pleasure of working very closely with him over the course of my business career, sharing in the rewards, with a lot of other people, of the result of his brilliance and hard work. I consider myself to be a very lucky individual for having the opportunity to do that. This was an individual who saw policies heading in a direction that he did not like and that he felt very, very deeply about. That is not uncommon, particularly in my family.

We had another example of it today. I will touch on that a little later. Bill Loewen, to his credit, decided that he wanted to fight free trade. He fought it. He fought it hard. He was fighting

the Free Trade Agreement. I want to make that perfectly clear. He felt there were a lot of clauses in the Free Trade Agreement that would not serve the long-term benefit of Canadians. Whether he was right or whether he was wrong, time will tell. That is not the point. The point is, as an individual, he had the courage to stand up and fight hard for his beliefs.

* (15:40)

He fought hard in the 1988 election. I remember taking a tour with him through our building at a time when the leader of the federal New Democratic Party was also fighting hard against the Free Trade Agreement. This Premier, at a time when he was leader of the opposition, came along on that tour. But there was an individual who had a cause to fight. It was not successful in 1988. He did not win that fight in 1988, but he did not give up. He kept working hard at it. The result was, in the next go around, in the next federal election, he took it upon himself and a group of other people who wanted to associate freely to form a political party, a national political party.

The Premier can question the individuals involved. He can question the policies, but he should not ever question the motives of individuals in this country who want to stand up on principle, who want to stand up for their beliefs, and who want to participate in the democratic process in whatever way.

Mr. Speaker: Order.

Point of Order

Hon. Gary Doer (Premier): I believe impugning motives is against our rules. I certainly was not impugning any motives of the Member that was speaking, and his uncle, whom I respect.

I was merely referencing the fact that the party in the '93 election that his uncle was part of, or what many people whom I have a tremendous amount of respect for, including his uncle, were proposing, as part of policy, the banning of union and corporate donations to political parties, but certainly no reflection on his motives.

Mr. Speaker: On the point of order raised by the Honourable First Minister, I would just like to ask the Member for Fort Whyte (Mr. Loewen) to pick and choose his words carefully.

* * *

Mr. Loewen: I appreciate the Premier's clarification, and I will try to pick my words carefully.

I think it is important to continue with this approach because, as I said, the point was that we had an individual who was willing to participate in the democratic process, and financially, in a very, very significant way, participated in the democratic process. The result was the formation of a new political party. That is one thing that we will not see in this province as a result of this legislation. People will not have an opportunity to band together to start at a grass-roots level what could turn out to be very, very significant associations to form new political parties.

Nowhere in his election promise, nowhere in this legislation, nowhere in his press release did this Premier stand up and say that one of the outcomes he expected as a result of this legislation was that it would be very, very difficult for like-minded individuals who wanted to come together in this province to form a new political party, and yet that is what will result from this legislation.

So, again, it goes back to my original point, which was that there are going to be some unintended outcomes of this legislation. That, in my belief, speaks to legislation which should be revisited and thought through in terms of how it is going to affect individuals across Canada and, in particular, individuals within this province who have grievances against the Government or against other established political parties that they want to advance either during an election period or outside of it.

There is no benefit to anybody in this province to place restrictions on the individual rights, the individual freedoms of people to associate with other like-minded individuals and promote their cause. Nothing should restrict that. Nothing should make that type of association

illegal. So, when members opposite use those activities of an individual of my family, and a well-intentioned citizen of this country and of this province, and a recipient of the Order of Canada, to disrupt me or heckle me, I feel it is necessary to respond in such a fashion.

Mr. Speaker, this legislation is very restrictive. It restricts the right of individuals. It restricts the right of interest groups. It places limits on people which go far beyond the bounds that this legislature should take. There are individuals who want to make contributions to their community through their participation in a democratic process. Those individuals bring different assets, bring different talents to their quest to improve the situation in this province, in this country. This government has no right to place restrictions on these individuals. This government tells us, and they are telling the people of Manitoba, that the proposed legislation is going to open up the process to individuals.

Well, I would say that that is not going to be achieved. In fact, they are going to achieve the exact opposite with this legislation. They are going to discourage individuals. They are taking away the rights of individuals. So, in effect, they will be closing down the process. I do not want to impugn motive to that, but I do question the motivation behind introducing legislation that is going to restrict the rights of individuals to participate in a legal manner, in a way that they freely choose in the democratic process.

As a result, we in Manitoba will have, without a doubt, the most severely regulated process for elections and for people who want to get involved in a democratic process. We will have the most restricted situation in all of Canada and, in fact, all of North America. That is not something that I think the people of this province asked the Premier (Mr. Doer) to do or the Government to do. That is not something that, again, this government stated at any point, was the intended outcome of this bill. But it is going to be the outcome of this bill.

So here we go in Manitoba with another situation where this government has decided that they know best and that bigger government is better government. I would say to the members opposite that they need to rethink that

philosophy and understand that people out there deserve the right, deserve the opportunity to speak with impunity and to act as they feel fit with regard to the spending of their money when it comes to the democratic process.

I also believe that, when we come to the end of this legislation, and if the Government is unwise enough to pass it, we will be faced with a situation. We have seen today in a press release that it will end up costing the taxpayers money, because certain parts of this legislation will be challenged in the courts, and the Government will have to spend taxpayers' money and defend this ill-conceived position. I think it is evident from the outcome of the recent ruling by the B.C. Court of Appeal that there are provisions in this act, which is modelled very closely to the act in B.C., and we have seen that. We see that in the regulation, and no doubt the result will be the same. The Province of Manitoba will have to go to court to defend the position taken by the New Democratic Party, to defend the position taken by this government.

The result will be that there are a number, I believe, of amendments in this act that will be struck down, and it is a risk. It is a serious risk that this government needs to take into consideration, particularly seeing as it is a risk that was pointed out to this government and the governments before by the Auditor. You know, even the Auditor of the Province of Manitoba recommended that this government should move on party spending limits with prudence, and I will quote.

I am sorry. I mentioned the Auditor. I would like to correct that to read the Chief Electoral Officer, who said in his recommendations "it may be prudent to await a judgment in that jurisdiction," referring to B.C. We have not seen that from this government. They have just decided to move ahead. I think it is unfortunate because the end result will certainly be a significant cost to the people of Manitoba only to see significant portions of this law overturned.

* (15:50)

So that is one issue, the extreme restrictive nature of this legislation that I think this government needs to retreat from and take

another approach, but I also take great issue with the introduction of this legislation in any form to this House. Because it goes absolutely contrary to the commitment made by the Premier (Mr. Doer), who was then campaigning, that he was committed to work with the other parties in the Legislature in a co-operative way to fully implement these reforms.

Now that was a direct quote from the NDP's campaign literature. Do we see that anywhere in this legislation? No, we do not. There is no commitment. There has been no effort from this government to work co-operatively with the other two parties representing people of Manitoba in this House; in fact, just the opposite. The bill was brought before this House.

The Premier (Mr. Doer) knows that we on this side of the House are willing to work co-operatively. We have, I think, shown a shining example of that in our co-operation with regard to the armed forces and the bases in Winnipeg and Shilo. There was an issue there that affected all of the people in Manitoba. At the request of the Premier, following up on a Question Period question from the Member for Minnedosa (Mr. Gilleshammer), we agreed that we would form a united group and try to come up with a position and a policy that all parties in this House could live with. We did. We came up with a policy that was different from the policy the Premier took at the outset. We came up with a different policy. The Premier agreed to live with it. The Leader of the Liberal Party, the Member for River Heights (Mr. Gerrard), agreed to it. He worked with us, and members from this side of the House. There was a very, very constructive process. We are not sure of the results yet, but hopeful, we are all hopeful that they will be very positive.

So the Premier knows the process. He knows how groups from all side of this House can get together. I have experienced it, and I am grateful for the experience. That is what he committed to in his campaign promise. He committed "to work with the other parties in the Legislature in a co-operative way to fully implement these reforms."

Well, if this is the Premier's idea of co-operation, I find it a real stretch. So again that

leads me to question why we are dealing with this bill at this time. Why do we not just take it under advisement? Why does the Premier not form an all-party committee and do what he said he was going to do, to work co-operatively with all members of this House in order to come up with a better system, with something that will work not only for the parties in this House but for individuals in this province who want to start new parties, and more importantly for the people of the province of Manitoba. We are not seeing that here, and I would challenge the Premier (Mr. Doer) to go back to his press release of September 10, 1999, to review that and understand what he committed to the people of this province, in a very vocal way, and to indeed follow up the commitments that he has made.

It is very, very important that there is electoral fairness and integrity in the election process. These elements are essential for the democratic process to thrive and to provide the people of this province and of this country what it is they are looking for. So I also question this legislation on the fairness and the integrity aspect. I do not believe that there is integrity in this legislation. I do not believe that there is fairness in this legislation. I think there are a lot of like-minded people in this House who share those opinions as well as there are individuals in the public that share those opinions. So I think we need to step back and re-look at this legislation and ensure that there is a consensus reached in terms of fairness and integrity.

I would note that it has long been recognized in Canada that there is a role for corporations, there is a role for unions to play in the democratic process. They have been involved. History has shown us that they have been involved, and we are not suffering from it. The deck is not tilted, the playing field is not tilted one way or another with regard to these issues. In fact, just the opposite. What we have in Canada is a system where there is fairness, there is integrity, there is freedom, and there is the opportunity for people to get involved in a meaningful way. That was recognized in 1992 in the Royal Commission on electoral fairness. They recognized that there was a role for unions, there was a role for corporations to play in the electoral process.

So, again, I am not sure why this government and why this Premier (Mr. Doer) feels it is so important at this time to rush into this type of legislation which will change dramatically the rules under which we operate. We all like to look forward. That is why we are here, to look after the interests, the future of the people of Manitoba. I think on this issue it is something that, as the Premier has stated, needs to be done in a co-operative fashion. So that is what I would look for in this. But, instead, where is this legislation going to take us? It is not going to take us down the road to fairness and integrity.

I mean it seems very ironic that, you know, earlier in my speech I was talking about the activities that this Premier was involved with in terms of his attempt to ensure that the free trade agreement did not pass. Much of the fight there was, well, if the free trade agreement passes, we are going to become too much like Americans. We are going to be the mouse on the back of the elephant, whatever it is, but when the elephant rolls, we are going to be in big trouble. That was a valid argument at the time and maybe a valid argument today. I am not in dispute of that. But I do think it is ironic with this legislation, some of the first legislation that this government has brought before this House after their election, what are we doing? We are moving much closer toward the U.S. electoral system.

So why, on the one hand, are we fighting an argument when we are on one side of the House that says we do not want to be influenced by the Americans, and then, lo and behold, when we are on the opposite side of the House as a result of an election, there we are moving closer and closer to the American system of funding political parties, and one that I believe is not suited for Canada, is not suited for Canadians? Given enough information, given enough education on where this legislation might end up taking us, I think the Premier would understand why Manitobans, why Canadians, do not want to see their electoral process move in this way.

Instead of openness, of fairness, what this legislation is going to do is it is going to drive much of the support underground. It is going to, I think, result in systems closer to the U.S. system. We will have results similar to the

operation of the pacts in the U.S. We know how destructive that can be. We have all seen the results of elections in the U.S. and the negative advertising that goes on there, and that is a direct result of a system in the U.S. which has driven corporate donations, it has driven union donations, it has driven political contributions underground and is done in a very subversive way.

I know this is not the intent of this legislation. I know that the Premier does not intend for this to happen, that his party does not want to see this happen. None of us want to see this happen, but if in fact the Premier is intent on having fair and balanced legislation for this House, he should take those views into consideration. It is unfortunate that he did not take them into consideration prior to introducing this legislation, because if we had had some type of all-party committee prior to the introduction of this legislation, we would have voiced those opinions there. Maybe they would have listened and maybe they would not have, but at least they would have had a better understanding of the legislation. It would have been a better opportunity to consult.

* (16:00)

That does not seem to be the desire of this government. We had a perfect example of that again this morning in committee when we were going through Bill 43, I believe.

An Honourable Member: Bill 35.

Mr. Loewen: Sorry, we got to 35 first, on Bill 35, and under that bill the Minister of Conservation is determined to shut down the Manitoba Environmental Council and—

An Honourable Member: Bill 43.

Mr. Loewen: Is it 43? I stand corrected for correcting, it was Bill 43, and Bill 35 was on the agenda, but we never got to it, we will get to it another time.

Certainly, in Bill 43, we see the Minister of Conservation shutting down the Manitoba Environment Commission and shutting it down without consultation. We had presentations from

five members of a ten-member panel asking the Government to step—not asking the Government to cancel the legislation but asking the Government to take a step backwards and to do what they say they were going to do and actually consult with the people. Again, this is an issue that is close at heart.

As the Premier is aware, my aunt, before her untimely passing, and before Christmas, was on the Manitoba Environmental Council and worked very, very hard, even during her battle with cancer, to bring those causes forward. For this government to simply cancel that without any consultation with the members—I mean I find that particularly appalling, because I know my aunt would have been here, had she could have, to fight hard against that legislation to ensure that there was an independent body that maintained its watchdog status, that maintained its ability to have complete access.

I will speak to more of that when that bill comes before the House, but, again, to me it is just another example of the lack of consultation and the damage that can result from simply bullying your way through with your own particular agenda and not taking the opportunity to consult with people.

Mr. Speaker, I want to talk about a couple of other issues regarding this legislation, because I think there is a political agenda at work with this legislation which has not been brought forward to the people of Manitoba in the presentation of this legislation, and I think it is important that they understand. Certainly there is no doubt that, on the political side, the New Democratic Party is anxious to maintain or to, I am sorry, disassociate themselves on the public front with the union movement.

There is no doubt that is happening across Canada. That is moving more and more behind the scenes. We are going to see this legislation move it farther, but they have come to believe, and it is well documented, that as far as the public is concerned, they are not overly happy with what they perceive as the entrenched ties between the union movement and NDP parties at the national level or across this country.

So I believe that part of the reasoning for this bill is a direct attempt by the Government to somehow distance itself from the union movement and to be able to stand up and say: Well, we do not accept donations from unions anymore. I mean, it is one part of the strategy. It is one part of the strategy which, I think, the members opposite have very cleverly incorporated as part of this legislation. They have no qualms about going out and treating as motherhood this legislation. Oh, we are wonderful people. We are banning union and corporate donations. What they are doing is changing the playing field, the playing field that has been level. Everybody that has long-standing value and merit, everybody has fully understood the role that corporations play, the role that unions play, and this legislation simply tips the balance.

I think there is nowhere more obvious as to where this legislation tips the balance, well, there are two areas that, to me, are extremely obvious in this legislation where the Government has cleverly crafted its legislation to tip the balance in their favour. If they had come out with fair legislation that banned union and corporation donations, that had some consensus arrived at by all members of this House, then I would not have such strong objections because people in political parties are clever. People in the parties across the House are clever; people in our party are clever; and they will find ways, legal ways, to raise the money needed. Whether it is done through individuals or corporations or unions, I think is relatively insignificant. The important point is that the public knows where the money comes from, and that is the issue that is central to this.

So, in addition to driving that information underground, this legislation is cleverly crafted to allow the unions to participate in a very, very meaningful way, and that is through issue advocacy. That is something that the Premier (Mr. Doer) and the members opposite are very, very familiar with. We have seen it. I have seen it as a public citizen before entering this House on many occasions when we have had the Nurses' Union or the teachers' union or some other advocacy group which is political in its desired outcome but is able through very clever crafting to present their message and present

themselves as an issue group, not a political advocacy group.

The line there is very, very fine. The members opposite are clearly aware of that, and they know that. So did they attempt in this legislation to put any limits on issue advocacy groups? No, they did not.

An Honourable Member: Do you want us to?

Mr. Loewen: Well, the Premier asks if I want them to. What I would like them to do is to take this legislation back to do what the Premier said he was going to do, which is to work in co-operation with this House, and let us have an open and fair discussion on those issues, and let us invite some people in to talk to us. Let us invite people who spent time on the Royal Commission in 1992. Let us invite others, political scientists, in to have a discussion so that we can weigh all of the decisions.

I mean, I think that is a process that is probably a little foreign to this government. It is certainly a process that worked well for the Manitoba Environmental Council, and they were certainly approaching their issues on an academic and scientific basis. There is no reason why we in this House cannot do exactly the same thing, as opposed to rushing into legislation which is partisan in nature, which tilts the playing field, and which allows some groups to continue to be involved in a democratic process but excludes others, takes away the fundamental rights of many people, of many organizations, of many like-minded citizens in this country, to participate evenly in the democratic process. I do not think that is right.

Not only that, we have in Bill 44 the Minister of Labour taking away the democratic rights of union members to have a say in whether or not their union will get involved with political contributions. What is her logic for that? Well, we have banned union contributions, so we do not need that in Manitoba anymore.

Well, the Minister, through negligence or through misunderstanding, failed to understand that not everybody is bent on tilting the playing field and their level. We have municipal election campaigns that are going to take place. We have

federal election campaigns that are going to take place. Certainly unions and corporations are still going to be involved in those on a legal basis, and unions in particular are going to make political statements as they have done in the past, but what do we have? We have a government that continually stands up and boasts about consultation and looking out for the little people of Manitoba. We have that government taking away their democratic rights. Do they have a reason for doing it? No. They cannot explain even in Question Period in our questions.

* (16:10)

They have no logical reason for taking away the democratic rights of individuals. They have no logical explanation for taking away the democratic rights of individuals to associate, to spend their money how they see fit, in Bill 4. So my question to the Government would be: What is the motivation behind this? What are you trying to do? I would like to know. If I fully understood it, if I really felt that this legislation was dealing with things in a fair and honest way, well, then maybe I could live with it. There is another glowing example of imbalance in this legislation. It shows, I think, how this government has cleverly crafted a bill which specifically suits their purposes and their needs, and that is with regard to contributions in kind. It has long been a tradition in our political system in Canada that contributions in kind are accounted for and are allowed. This government wants to limit contributions in kind, but do they want to limit all contributions in kind? No.

They want to write the legislation so that their party can take advantage, as they have done in the past, of people coming in from out of the province to work on campaigns and not have those contributions counted at the end of the day when the tally is made. How is that possible? It is simple. Those people come from Saskatchewan, they come from Ontario, they come from B.C., and they come on their supposed vacation time, so the Government can stand up and say, well, there is really no contribution in kind because that was simply vacation time. They play the game. They will further the scam, and at the same time, they will stand up and say, hey, we are above all that, so

another example of this government saying one thing and doing another thing.

So those, Mr. Speaker, are the main issues that I have with this bill, but I think they are definitely fundamental flaws in the Bill. They are issues that need to be addressed and, in fact, could have been addressed and could have been addressed very easily if the Premier had simply gone with his election promise, had done what he said he would do, and that is to consult and to work with all members of this House, to come up with a system to implement legislation that would be fair, that would balance the playing field. It is balanced now.

I mean, it is again pretty obvious when with that press release the NDP put out information that showed that, through fairness in their legislation, they were going to eliminate 62.7 percent of the contributions to the Conservative Party in the period 1990 to 1998, that they were going to eliminate 61.2 percent of the contributions to the Liberal Party during that same period, and they were going to reduce 17.4 percent of their own contributions. Now that is real fairness. That just shows how fair this government's intentions were. I mean, they were blatant about it. They were blatant about it.

But do you know what? This is not going to be the total outcome because those people that contributed through their corporations when it was legal to are still going to want to be involved in the political process, and they are going to find other methods that are legal to get involved because they want to. What is going to happen with those is this legislation is going to drive that underground, and we are going to have a system. This government is going to move us closer and closer to the U.S.-style system. I am not sure, if that is what they want to do, why do they not just stand up and say it?

So, Mr. Speaker, I have issued some challenges to the Premier (Mr. Doer), to the members in opposition, to take a look at this legislation. I would be hopeful that they will come to committee, that they will not use their majority in committee, as they have done in the past, to limit times on people that want to make presentations to committee, but in fact they will do exactly what the Premier has stood up and

said over and over again in this House they will do, and that is take a bill to committee and have an open mind as to what will get recommended to them and adapt the legislation.

I am disappointed because I have been to those committees. I have seen this government act in a very heavy-handed way, and I know that will not be the case. I think they need to understand that they are not providing a service to Manitobans and that they need to rethink this legislation and approach it in a fashion that can be constructive, that can be agreed to on a consultative basis. Thank you, Mr. Speaker.

House Business

Hon. Gord Mackintosh (Government House Leader): On a matter of House business, Mr. Speaker, I would like to announce that the Standing Committee on Public Utilities and Natural Resources will meet tonight, Tuesday, August 1, at 6:30 p.m., to continue consideration of Bills 35, 43 and 48.

Mr. Speaker: It has been announced that the Standing Committee on Public Utilities and Natural Resources will meet on Tuesday, August 1, 2000, at 6:30 p.m., to continue consideration of the following bills: Bill 35, Bill 43 and Bill 48.

* * *

Mr. Harold Gilleshammer (Minnedosa): Mr. Speaker, I am delighted to be able to join the discussion on Bill 4 and have had the opportunity to sit here and listen to the Member for River East (Mrs. Mitchelson) and my colleague from Fort Whyte make their contributions to this debate, and I think they have made some excellent points. This is legislation, and the Premier (Mr. Doer) is absolutely right in that they promised to bring forth legislation like this during the campaign.

However, I think there are more details in this legislation than the public was aware of during the campaign, and I know that the Premier is fond of saying that this was an election commitment. I do say, however, that members of the public, of course, vote on a variety of issues during a campaign. I do not

think the Premier should take total comfort in the fact that he believes Manitobans feel this is a good piece of legislation.

This legislation appears to me to be rather heavy-handed. Given that there are groups across the country and across the province who are putting forth their concerns and their objections to it, I would like to think that the Premier would listen to these groups, the Community Newspapers Association which has spoken out against this legislation, but certainly a group of people who know the pulse of the community, know what people are thinking out there, and they have come out in opposition to this.

Similarly, the Canadian Taxpayers association, and I know that members opposite, in comments made during Question Period, want to be critical of these groups, but they represent a group of citizens who are opposed to this. I think you will find that they will come out to committee, and I would hope that members opposite would listen to them. Similarly, the National Citizens' Coalition, who put out a couple of press releases, one earlier today, in opposition of this and lend to this debate their experience with similar legislation in another jurisdiction where the Court of Appeal threw the legislation out.

I know the Premier (Mr. Doer) is hanging his hat on the fact that he believes that he has an interpretation of a Supreme Court decision which would overrule this, but I think that he may find that the nuances of that legislation were somewhat different. I think that it would be wise on the part of government to have Manitoba courts take a look at that.

Others who have come out in opposition to this are the Manitoba Taxpayers Association and the Canadian association of private broadcasters.

So I think this is just the tip of the iceberg about the people who are going to come out to committee, who are going to have their voices heard and who are going to participate in some of the public discussions against this particular bill. I would urge the Premier and the Government to listen. My colleague who just finished speaking recounted that the Premier had

talked about working with opposition parties and groups within society to develop legislation. I know it is easy for him to say, well, that is what the committee stage is for. Well, our experience in the committee stage has not been all that positive in the last few weeks.

* (16:20)

I would just like to reference a couple of those incidents that I observed. First, the Minister of Highways and Transportation (Mr. Ashton) brought the railway act to committee. I believe we had four presenters. One of them had come in from out of province and had asked for some latitude of the committee to make his presentation, even asked to speak, because of the expense of his coming in, on another bill. Government members rejected that and limited him very much in his ability to make his presentation. I think in the end the latitude that was given was: We will give you two more minutes.

That is the style of the Government that I think is starting to permeate politics in Manitoba. I would urge the Premier (Mr. Doer), who I know is listening to these words, to maybe step back and talk to his caucus about being a little more gracious in committee to allow these people to make their presentations. I think it would serve him well, because, as I say to you, there is a style of this government that is developing that I think is rather negative.

I know in my throne speech I mentioned that you will be in a honeymoon period for the first year and at that time had made precious few decisions, but some of these things are starting to stick now. I tell you that the style that is developing is not one that conforms with the things that were said pre-election, during the election, and as you were elected. Just this attitude in committee is one of the things that I think Manitobans are seeing.

I would give you a second example. It maybe is a little more vivid and which they have had a little more vivid feedback on. I know that members opposite receive these too, but the June 15 newsletter from MAST, which talked about the collective bargaining legislation, they clearly said that they were opposed to it. They go

through a lot of the reasons. Then the writer of this particular press release talks about beginning preparation for the Law Amendments hearings and continuing to work with other like-minded organizations, that they wanted to use that venue and that opportunity to tell the Government how MAST felt about this legislation. They talk about preparing a comprehensive response to the proposed new legislation: A school board should at the same time give consideration to preparation of a submission and presentation at Law Amendments. In all likelihood, this process will unfold very quickly and conceivably extend into the summer vacation period.

The tone of this first report from MAST was that they believed you, that they believed that they could come to committee. They believed they could make presentations that you were going to listen to. They believed that they could make a difference. I think that is what they were accustomed to. That is the way that they had been treated in the past.

The second copy of a press release and a letter from MAST only about five weeks after the first one, the tone is completely different. I know the Premier must be troubled by this, because here were people representing the school trustees of the province who come to committee to make a report, to make a presentation that I think was 11 pages long. What happened? The time limit kicked in. The majority of the people on the Committee said no to the trustees association. They said: We do not care what the rest of your report is. Your time is up.

Of course they were allowed five minutes. There was five minutes to question the presenters. Not one member of the Committee had a chance to ask a question of the Manitoba Association of School Trustees because the Minister intervened. The Minister intervened. The headline the next day is: Trustees slam Caldwell for shoddy treatment.

I know this is not the image the Premier is trying to cultivate amongst Manitobans as he speaks to the Chamber of Commerce and he makes his tours of rural Manitoba and he introduces the Century Summit and he speaks

about the Throne Speech and he meets Manitobans and others. This is not the kind of image that he is portraying.

I would hope that maybe there is time to retrace some of your steps on this legislation and give people at committee a feeling that they are truly being heard, that you will take the leash off some of the exuberant members of your back bench who sit on committee who were sitting there timing presenters and who were jumping in and saying time is up, that is it.

I think the Premier would do well to talk to some of his caucus about monopolizing the time period that is set aside for questions.

I would also say that sitting past midnight and into the early hours of the morning is not unknown as legislation is going through the House and through committee. Often that is not invoked until later on in the process. Here on the very first opportunity to hear presentations on Bill 42 it was decided by members of the Government that they would sit till four-thirty in the morning.

I can tell you that I talked to the chair of the board from Rolling River School Division last weekend, who had driven in to make a presentation. She left at midnight, unable to present. The superintendent had also come in and he returned the next night to make a presentation. Again, this type of treatment of these people, not having time limits, giving the uncertainty of the process, people I think are offended by that. Again, this speaks to the style of the Government and the reputation they are developing.

Similarly, and I hinted at this in question period, the labour bill that was brought in, the Premier had many opportunities to signal that he was going to bring in labour legislation. I know that he is a friend of labour. My colleague suggested that he was trying to distance himself, but during that speech the Premier said "solidarity forever." That does not surprise me. It surprises few members on this side of the House that his heart and his soul and whatever else are still very much entrenched down Broadway avenue at the labour centre.

I can tell you that you did have the opportunity, he did have the opportunity to mention this in his maiden speech to the Chamber of Commerce. I still have the clippings that suggested that maybe the Premier was a little apprehensive when he went in to make that presentation. I can tell you they gave him a fair hearing. They listened carefully. He trotted out his moderate speech that it was business as usual, that the Government now believed in balanced budgets, that they were going to be business-friendly, and the Premier says that the economy is buoyant at this time. That is true because the momentum that was created over the last five or six years will carry on for a while, but I can tell you that the momentum will take some time to change. But it could very well change. Nobody can predict that, but unfriendly labour legislation is one of the things that can make that momentum shift.

I can tell you, not only did he not raise this issue with the Chamber of Commerce, he did not do it in the Throne Speech either. I have been through it a couple of times recently to just see what it does say in there. There was absolutely no hint at an opportunity where Manitobans are here in numbers, the press gallery is full, people are looking to that throne speech, which is the general tenor of the Government. Certainly you indicated some of the direction you were going to take, but there was absolutely no mention of labour legislation or labour legislation changes in the Throne Speech, and I would think the Premier must feel rather embarrassed about that when he crafted that speech and ran it past his key advisors. I would not say it lacked honesty, but certainly the fact that it was not mentioned there is noted.

* (16:30)

Similarly, when he went down the street to kick off the Century Summit and brought business leaders—and prominent ones who run successful businesses in Manitoba, people who have something, I think, very concrete to say about the economy and about the province—and at the same time, naturally, people like Paul Moist, whom I have a lot of respect for, and others were there, but again the focus of that was on continuing the momentum and building skills and education and training, I will grant you that.

The results of that were very clear, that there should be tax reductions. Well, the Premier can say he did that, but he knows in his heart and in his mind that they were very, very minuscule. In fact, that maybe would have been his best opportunity to make a statement on taxes, that the revenues are buoyant and look forward to seeing the fourth quarter report on the finances. The revenues are buoyant, and he had an opportunity to cut taxes, which was a recommendation of the Century Summit. There was no mention of labour legislation when he met with those business and labour leaders, although, given his aforementioned friendship with the labour movement, he knew at that time, and I believe they knew at that time, that he was going to introduce this legislation. So, again, this speaks to the style of this government, and, again, as decisions are being made, as legislation is brought forward, this government will be judged.

There are many other issues as well that people are going to judge this government on, and one of the qualities that I think the Premier is giving is a government of openness and of balance. In fact, many of his ministers have been trained to use the word "balance" in their response to the public, in response to questions. Well, there is a lack of balance in some of this legislation. There is a lack of balance in the direction they are going, and I think more and more Manitobans are going to see that.

I reference the template on rural hospitals, acute care hospitals, and I know that this is going to be a difficult issue for the Premier. I am told by the Minister of Health (Mr. Chomiak) now that he has revised that template, but nobody outside of cabinet has seen it yet. This is going to be a difficult decision for them, and again this government, I think, is developing a record there. The lack of consultation on these things is going to come back to bite you.

I had asked the Premier that one day about his discussions with the Mayor of Boissevain, where the Mayor was quoted in the *Brandon Sun*. It was handed off to the Minister of Health (Mr. Chomiak), as a wise Premier would do, and the Minister of Health says: I will give him a call. Well, I know the last time I asked, 28 days had passed and that call had not been made. That

call had not been made. There is still an impression out there that the Premier rejects that template, but the fact is, there is a new one out there, and I think, while the Health Minister says it is going to be widely circulated for discussion, that has not happened yet.

Part of the image that Manitobans are developing surrounded the way the Government dealt with the last budget this government brought in. The fact that the Premier said, oh, yes, there is an audit going on by Deloitte and Touche, the fact of the matter is he had to backtrack substantially on that, that it was not an audit. It was not an audit. The impression that he left that there was wild spending in the waning days of government proved not to be true.

Yes, there were overexpenditures. There were budget pressures. The Member knows the transition team looked at the Special Warrant that we passed, and it was approved by the Premier and the transition team to meet some of those pressures. So again a lot of that doom and gloom that was being put forth to the people of Manitoba in December, in January, February and March did not come to pass. I think the Minister of Finance (Mr. Selinger) will find out every year there will be in-year pressures on the budget, that he will have colleagues who need to make expenditures, some of them real, some of them imagined, but the pressures will come to his desk and to Treasury Board and to the Premier's desk.

The Budget certainly is a plan. It is difficult to live exactly within that plan without making savings in another area of the Budget if you are going to expand expenditures somewhere else. That is part of the image that the Premier and the Government are having out there before the people as the people of Manitoba get to know him better and get to know the Government better.

I would like to mention the Bill 5 hearings. I am not intimately involved with that legislation, but I know that I do have some knowledge of it. I do have many constituents who asked questions about it and who looked forward to participating in those hearings that were announced. Dates were set, places were booked, presumably where people were going to have a

chance to enter into this dialogue. I tell the Premier, that is a good forum, that is a good way to introduce legislation and to discuss it with the people, but then when you very quickly cancel the hearings but still go ahead with the legislation, again that speaks to the style of government that people are having an opportunity to observe. It becomes part of your record as we go forward.

I recall also the initial stumbles over FOI requests. This was to be expected by members opposite, that members of the press and others would ask questions, and when they were not getting the answers that they would go through the Freedom of Information route. At that time, I know the Premier has acknowledged that there were other things on the agenda at that time, but the fact that the Clerk of Executive Council and the Premier's chief media liaison were telling departments, no, you do not have to answer that, is not good form and again is part of the record. I would hope that is something that will be improved, because he should not shield himself behind senior public servants or senior political servants. I know this was legislation that was passed I believe in 1985 by the Government that the Member was closely associated with.

The legislation was never proclaimed by the Pawley government. I recall when I first came into the House in May of 1988 that was a piece of legislation that we were very quick to proclaim. It should not be a surprise how that legislation works, because I think the Premier and members opposite used that legislation to garner information about government. They should not have been surprised that there would be some requests of them to use that mechanism to get information on the part of the press and third-party groups and opposition members.

So, given all of these things, what is appearing is a contradiction between where the Government said they were, how they were going to operate this sense of openness and inclusiveness that they talked about in talking to the public, particularly at committee stage. The Minister of Education (Mr. Caldwell) sent out a press release last week to say he had listened and he was making some major changes to the education legislation. Well, there were some very, very minor changes. But the Government

has given the impression to the public that these committee hearings will have some effect. Well, we have not seen that yet. What we have seen is, I think, shabby treatment of presenters, and a quickness on the part of the Chair, on the members opposite, to cut people off in mid-sentence because the time has run out.

Here we have another bill, Bill 4, The Election Finances Amendment Act, which will be passing through the House in the near future. I have indicated that there are groups who are opposed to this. Already I have heard members opposite during Question Period making belittling comments of groups that present themselves as representative of taxpayers, and the Manitoba Taxpayers Association, the Canadian Taxpayers association, and the National Citizens' Coalition. These people have legitimate concerns. They have something to offer at committee. I would hope the Premier might speak to members of his caucus and indicate that these people should be heard with some sense of seriousness and some dignity, and that they be given a fair chance to put forward their ideas on this legislation.

* (16:40)

I think that this legislation has been brought forward very quickly. My colleague who spoke just before me indicated that it might not be a bad idea to step back from this and truly have some dialogue with members on this side of the House about this legislation. Give Manitobans more of a chance to understand what it is you are trying to do in placing limits on spending during elections. I know that those of us who probably have only been involved in our own constituency with the funding of elections understand that there is money that comes in from individuals. I do not see that limiting that and limiting contributions of corporations and unions are going to level the playing field in the manner that the Premier has spoken about.

So I would think that Manitobans might like an opportunity to have further discussions on this and get a better understanding of it. I grant you it was mentioned during the election. But I say to you that there were other issues that were far more prominent. We do not dispute the results of the election, but I would not hang my

hat on the fact that people had a chance to discuss this during the election campaign, and that because you were elected, they are completely supportive of this. I think, it is the headlines on the press release, and the headlines in the paper; people look at it and think they might understand it. But, as they say, the devil is in the detail and I do not think Manitobans have had an opportunity to really see the detail of this.

I think that what this legislation does when you put a cap on third-party spending is severely limit the debate that takes place on local or provincial or national issues. I think of, as my colleague mentioned, the Free Trade Agreement. We know that there were a lot of people that participated in that. I also remember the Meech Lake discussions, and the Charlottetown Accord, and the money that was spent on advocates or people who were opposed to those initiatives. I think we see that as part of our democracy that people have an opportunity to talk about it, to listen to people, without any limitations on getting that message out.

I know that the Premier (Mr. Doer) and members opposite are going to hear from a number of organizations who feel they will be severely impacted by this. I do not think you will do anything to advance the debate or the discussion on these issues by putting those caps and those limits on advertising. The ability to raise issues, raise questions, have billboards and newspaper ads and television and radio spots, I do not see this as being a fully democratic way of dealing with these things.

You are also going to move to prevent corporations and unions from making donations to political parties. I would say that there is some skepticism out there that this can be legislated in a complete and thorough way. I know that there was an article in the paper not too long ago, a number of articles. It says donation reform favours the NDP. Well, I know I do not expect the Premier to stand up and agree with that, but in the end, again, he will be judged on how this legislation works and whether Manitobans see this as a fair and reasonable way, that there has to be a test of fairness that is given to this.

I say to him that there are many people who are rather skeptical not only about his motivation

but also the ability of this legislation to regulate these donations in the way that he intends it to be. There are those who have written and who will continue to write, I believe, about not only the gag law, as it is called, but also the fact that this is seen as something very self-serving and beneficial to the government of the day.

So I would just end, I think, by saying that you still have an opportunity to step back from this legislation, to have some full hearings across the province, enter into some discussion and dialogue with the public and help them to understand this. Unfortunately, we are sitting in the middle of the summer where a lot of people tune out what is happening in the Legislature more than they usually do. I do not know whether this is a good time to make such a substantive change, but that could be said about a number of your pieces of legislation. But you do have the opportunity to step back from this and give Manitobans a full chance to understand it and consult with them before this is passed into law.

So with those few comments, Mr. Speaker, I would end my contribution to this debate.

Committee Change

Mr. Peter Dyck (Pembina): Mr. Speaker, I move, seconded by the Honourable Member for Minnedosa (Mr. Gilleshammer), that the composition of the Standing Committee on Public Utilities and Natural Resources be amended as follows: Ste. Rose (Mr. Cummings) for Steinbach (Mr. Jim Penner).

Motion agreed to.

* * *

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise to put on the record some remarks on Bill 4, The Elections Finances Amendment Act. First of all, I would like to indicate that I do not oppose and indeed will be ready to support the principle of moving to allowing only individual contributions for financing the activities of political parties. That being said, I have some reservations frankly about suppressing legitimate input from entrepreneurs,

from labour unions and from varied organizations.

I believe that, in this effort that the Government is engaged at, if change is to be successful, it clearly must be fair and it clearly must not have loopholes which will circumvent the intent of the law. It is not just the intent which is critical; it is the intent of the changes on the way that elections work. Sometimes, when we consider the impact of changes, they are not necessarily precisely what is the intent or what is expected from those proposing the legislation to begin with.

It has been suggested by a number of commentators that this legislation may move Manitoba to a situation which is similar to that in the United States, where there are political action committees or the equivalent, third parties, who now can use their position of being able to advertise on issues, as the Premier (Mr. Doer) said, without mentioning the political parties but to have a major impact because of the weight of their ability to expend in a non-partisan or non-election communication-expense kind of a way on the outcome of an election.

It is this issue of third-party advertising which I think is one of the critical aspects of this bill. The limit in the Act is for \$5,000 for an election communication expense, but the limit of third-party advertising for something which is not an election communication expense is not limited, is unlimited, can be not just \$5,000, but \$10,000 or \$100,000 or \$1 million for all the elect, the Act says.

I want to go to the definition of an election communication in the Act. Election communication, under the Act, "means a communication by any means during an election period of a message that promotes or opposes (a) a registered political party or the election of a candidate," I think that phrase is fairly clear.

* (16:50)

It is the second phrase, "promotes or opposes . . . (b) the programs or policies or the actions or proposed actions of a candidate or a registered political party." The clarity or the uncertainty in the interpretation could lead to

quite different interpretations of quite different potentially legitimate interpretations.

Until it is in fact tested in law or much more clearly defined by Elections Manitoba, perhaps, the status and the meaning will not be clear.

The Premier (Mr. Doer), I suggest, is somewhat glib and, I expect, will be proven to be somewhat naïve in suggesting that it is so easy to differentiate between what is partisan, naming a political party, and what is issue advertising which is not "an election expense."

Quite frankly, an election is about issues. Each party stands for specific issues. An ad that sports a specific position of a party without naming the party, where it is clear that that party can be identified by its stand, could very easily be interpreted as promoting or opposing the programs or policies of a party. You do not necessarily have to name the party in order to promote or oppose the programs or policies of that party.

I believe that we will have, during the presentations during the committee hearings, opportunity to hear from others on this particular clause. I think it is ripe for a variety of interpretations. It is ripe for abuse, and the Premier would be very wise to look at it carefully to see if that clause cannot be amended so that it is more specific.

I believe if we are going to operate in a fair way that the rules need to be very clear. There needs to be a clear understanding of what third parties can or cannot say in terms of an election communications expense under their \$5,000 limit. Otherwise, we will have a situation where, in the next election, people will go in with a variety of different interpretations. We will have a ground base of action by different third parties, which may be quite varied in terms of how they approach this.

One of the problems, for example, is that a political party has developed a very clear position that a third party starts advertising and midway through the advertising it is quite clear that that is where the political party stands, and indeed it is promoting or opposing the policies of a specific party. Third party may not have

known that or even intended that to start with but have got into a situation where they may have spent more than \$5,000 before they realized in fact they were very specifically promoting or opposing the policies of a specific party. I suggest that the section needs some clarity. It needs some attention by the Premier before it becomes law.

For this legislation to be effective to work there needs to be attention by good legal minds, in terms of potential loopholes. One of the potential loopholes I would like to talk about is the potential for the use of loans, loans to a political party, for instance, loans to the NDP from a union. That does not appear to meet the test of being an election contribution. No, it is not a donation. It is not an in-kind contribution. It is a loan.

Can there not be any loans to political parties? Certainly banks make loans. Can unions make loans or can they not make loans? If a union made a loan to a political party, can the union write it off after the election as uncollectable? In essence, making a donation and circumventing the law. I suggest that it is an area that needs to be looked at quite carefully, whether it is a union, whether it is another organization that the Act or the intent of the Act could in fact be by-passed.

There are potentials for loopholes in the areas of in-kind contributions, particularly in terms of the area of in-kind contributions by people contributing their time. Under the Act, if, for example, a small-business person contributes their expertise equivalent to what they would be doing as part of their business, that under the present act is a contribution by the business or individual, because that is part of the work that they do. It is legitimate to ask whether an individual who is an organizer by profession, say a union organizer, now working during an election, in fact is contributing his work skills as an organizer toward the election, and in fact whether that is a donation in kind from the individual or the union. It is an area which needs to be looked at carefully because of the possibility of a loophole which would circumvent or get around the intent of the Act to have a balanced perspective to not allow in-kind

contributions from corporations or from labour unions.

There is an issue, I would suggest, on page 6 of the Act which deals with contributions through intermediates. Once again, I would suggest that this area should be looked at carefully to make sure that there is not the potential for loopholes. In this section of the Act, no individual shall contribute to any candidate, constituency association or registered political party (a) any money, goods or services not actually belonging to the individual, fair enough and clear enough; (b) any money, goods or services that have been given or furnished to the individual by another person or an organization for the purpose of making the contribution.

What is not there, and I suggest the Premier (Mr. Doer) should look at a third clause, (c), which deals with not allowing reimbursement for an expense, which is not really all that well covered here necessarily, and there may be, as it were, a legal loophole. Could a union, corporation, reimburse an individual once they have made an expense, not providing the money up front to pay it but in fact would provide reimbursement? Is this a legal loophole? I suggest the Premier should have a look at it.

There is the potential, perhaps, for that loophole to be not a reimbursement specifically, but suppose a corporation or a union provided monetary awards for promoting democracy and that those monetary awards—if that enabled individuals to make their own contributions, then fine. I mean it is a loophole potentially. I am not sure that we should not give people awards for contributing to political activity, but I do think that we need to make sure that there are not loopholes through which the system, as it is set up, intended to be set up, is not subverted or undermined because there are loopholes which have not been adequately assessed going into the production of the legislation.

The Member for River East, the Interim Leader of the Opposition (Mrs. Mitchelson), has talked about individuals coming from outside of Manitoba, status of people who are students, business people, others who may be in Manitoba for a while or back and forth. What is clear is that this is an area which should be looked at

carefully and that we should know what the rules are here because, as I look at this act, I think that the interpretations could be several. Let us at least make sure that we do have fair rules, that indeed elections run with a clear understanding of the rules for financing, for participating and so on, and that there are not, as a result, loopholes or areas which can be abused by individuals or political parties. The basis of having an election is having a fair election in which citizens can choose and can make their best judgment based on the individuals and the policies and the parties.

* (17:00)

I suggest there is a role for an all-party committee to look at these aspects in some depth, perhaps after hearing the presentations from the Committee, so we have the outside input to make sure that these areas are clear and that we do not, in the next election, run into a whole variety of unexpected activities, problems, things going on, because things were not made entirely clear to begin with.

The NDP party, through its actions, as I have indicated earlier today, ending the life of the Manitoba Environmental Council, has shown some willingness and interest in suppressing the independent voices. I think those independent voices are very, very important to our democratic process. I note with great interest the comments of Sid Green, when he had set up the Manitoba Environmental Council, that it was to be an eternal voice that was critical for having the freedom of expression and liberty on the part of Manitobans.

Clearly, the NDP in ending it believed that eternal really means a relatively short span of years and that, having the ability and the freedom for such independent voice, must be curtailed. I speak today to recommend to the Premier (Mr. Doer) that he look very carefully at this legislation to make sure that his objectives in fairness, in avoiding loopholes, are actually met. The road to hell may be paved with good intentions. Let us make sure we get it right. If we need to take long enough to do that, let us do that. Thank you.

Mr. Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Mr. Speaker: The question before the House is second reading of Bill 4, The Elections Finances Amendment Act. Is it the pleasure of the House to adopt the motion?

Some Honourable Members: Agreed.

Mr. Speaker: Agreed and so ordered. Yeas and Nays? On division?

Some Honourable Members: On division.

Mr. Speaker: On division. That is what I thought.

Bill 17—The Elections Amendment Act

Mr. Speaker: On the proposed motion of the Honourable First Minister (Mr. Doer), Bill 17, The Elections Amendment Act (Loi modifiant la Loi électorale), standing in the name of the Honourable Interim Leader of the Official Opposition (Mrs. Mitchelson).

Mrs. Bonnie Mitchelson (Interim Leader of the Official Opposition): I am pleased to have the opportunity to put a few comments on the record on The Elections Amendment Act, Bill 17, that is before us today. I do want to indicate that generally speaking many of the changes that are included in The Elections Amendment Act are changes that were recommended by the Chief Electoral Officer and recommendations that have been introduced by the Government today. I think we would be prepared to listen at committee to any comments or issues that may be raised and then be prepared to support much of Bill 17.

I think there may be a few amendments that we might want to introduce to clarify things. I do know that the new concept, which I do not think is something that the Chief Electoral Officer recommended, but it would be a policy decision by this government, would be around the volunteer component, the people that would be named as volunteers for our political parties and candidates during an election campaign or a writ

period. I believe that is the policy direction. I would probably ask, maybe at the committee stage, before we go clause by clause, for some rationale or understanding of why it was important to have this kind of a policy decision enshrined in legislation and what the implications are.

We want and are very concerned that there is some fairness and balance in that process whereby both employee and employer are respected in the process and that at least there is a period of time. I would hate to see legislation passed that would allow an employee to indicate to his employer that he will be gone the next day and that the employer does not have an opportunity to plan in an appropriate fashion.

If you look at a couple of election volunteers chosen by a political party, I think there is lots of option and opportunity for those individuals to know who they might be in a significant period of time before our writ was dropped, and at least there would be some dialogue and discussion so that an employer might have a bit of a heads-up around who those individuals might be, how it might impact their business, and make some plans and preparations to ensure that there was an orderly process that took place and there would not be any business or employer that was impacted in a really adverse way. We need to have some discussion around that and see whether there are some fair or appropriate time lines that benefit both the employee and the employer.

One other area that I do not believe has been addressed in this legislation—because we are looking at changes around multiple dwellings and institutions and ensuring that candidates and political parties have the ability to canvass and individuals that have the right to vote in an election have that opportunity to dialogue. That is part of the democratic process, and it is very important that we have, again, fairness and balance in that process. But the one area that has not been addressed in this bill and I think merits some consideration is the whole issue of municipalities and Northern Affairs communities and reserves. I know there was an issue during the 1999 election campaign where one of our candidates, the candidate for The Pas, was refused access to campaign in a First Nations

community. I think that that again is an infringement on the democratic process. Not only should the candidate have the ability to campaign and meet individuals, I think it is very important for individuals, individual voters to have the opportunity to dialogue with all candidates of all political stripes in order to make an informed decision on whom they choose to support.

* (17:10)

I think it works both ways. In a democracy, those that have the right to vote need to be assured that they have the opportunity to access, through the political or campaign process or writ period, members of all political parties that are running in their community, and I think all candidates deserve the right to have access. Just like the changes that are being made for multiple dwellings, for condominiums and for institutions, there is not any community within our province that should be denied access to candidates through the political process. So I would hope that the Government would agree and that that kind of an amendment, if forthcoming, might be endorsed and supported by members of the Government.

Otherwise, with those few comments, I would just like to indicate that we are prepared to see this bill go to committee, and we will hear public presentations and possibly move some amendments that might just make, put a little more fairness and balance into the legislation.

Mr. Glen Cummings (Ste. Rose): Mr. Speaker, I rise to put a few comments on record regarding Bill 17. Primarily I am interested in hearing some of the concepts and some of the concerns that may be raised around the issue of employee leave for electoral purposes from their employment, whether they are an election official, which I can appreciate, and I take it there would have to be some kind of registration process where they would register themselves as volunteers.

Very often there have been issues that arise during election campaigns from time to time. This may well be somewhat related to the previous bill, as opposed to this one, where

employees who may take a leave of absence but then are, in fact, seconded by perhaps their own union and then spend their time campaigning in the election. If that, and I see a nod of acquiescence from the Government benches, if that, in fact, it raises some issues about consistency, about intent. I can appreciate the effort that is being made here to create a playing field that is somewhat level for everybody to be able to participate in the electoral process, the argument being, of course, that those of us who might be self-employed can take leave whenever we jolly well feel like it. On the other hand, the benefits do not go on. If you are not working at your own self-employed position, as they might be by law under this legislation, and there are a number of situations that might come up as exceptions that could make this a little bit troublesome in terms of enforcement, I prefer a simpler approach to the world, or a simpler approach to elections. I fear that, with this legislation and with the previous piece of legislation, we are embarking on something increasingly complex, increasingly regulated, increasingly murky in some respects and open to interpretation for what may or may not actually occur under the auspices of election legislation.

So I am going to encourage the Government to listen carefully when presenters come forward and to listen carefully to comments from this side of the House, because we all as politicians stand to win or lose, depending on how this legislation is put forward in its final draft, depending on how it is set up for administrative purposes.

It is best that there not be too much judgment left in the hands of someone in order to avoid any potential perception of bias. On the other hand, every time there you set up increasingly complex regulations in order to guide and provide less and less leniency for anyone to exercise judgment in making decisions around any interpretations that might have to be brought to bear under either one of these two acts, then it becomes increasingly complex.

I am concerned about the balance, and there is that word again, "balance." I am concerned about whether, in attempting to strike what, in the terms of the proponents of these bills, would

be better balance, if we are in danger of creating a complex and more difficult to administer situation. Some of us have been around long enough to hearken back to the days, both before and after, when the official agent was not listed on the signage with the candidate. That regulation has gone back and forth. It was simplified, thought it was not necessary. Now it has been reinstated for reasons that are seen to be appropriate.

But, frankly, I am going to phrase these next comments based on being a candidate who always saw himself as being able to attract volunteers of high quality, who never had to pay for or be paid for their services in an election. People came willingly, and I would like to think they came because of the candidate and because of the philosophy, but because primarily they were committed to the electoral process and democracy in this country, in this province in particular that we are dealing with these legislative changes.

What I fear we could end up as we make this increasingly complex and as we tighten up the areas of responsibility for the various positions within the campaigns, and perhaps they need to be, given today's complex world and the capability of record keeping and everything else. Perhaps it is appropriate that we be moving in this direction. But I am concerned that as we continue to move forward in this manner that we are in danger of ending up with professional campaigners, as opposed to the volunteerism, as opposed to the people—[interjection] Well, that is right. We can say, well, as politicians we are the professional campaigners.

But I would like to think that the people who man the office, answer the phones, who act as the CFO, who act as the campaign manager, those are the people who are the lifeblood of an awful lot of campaigns out there. I do not care what party it is. It could be the rhino party for all I care. I am talking in general terms here.

If we make it so that those people are not comfortable—I guess is the right word—with stepping into those positions, because they feel that somehow if they make a mistake, inadvertent or otherwise, or if they bring some baggage with them that they had not thought was

an impediment to taking on the responsibility, and they wake up in the middle of the campaign or at the end of the campaign and find themselves mired in some kind of controversy—inadvertent, as I say—I am not talking about anybody who would deliberately breach the normal standards of election or campaigning, but people who in good faith take on jobs, particularly CFOs, who take on jobs in good faith and then find themselves potentially embroiled in interpretation or inadvertent application of funds in areas that—and be specific—areas of what are considered campaign expenditures, flat out advertising, those types of interpretations.

By and large most people have very little trouble dealing with that, but that brings me back to my question about an employee. I asked a simple question that perhaps I will put on the record now, and the answer may be forthcoming when we are in committee. I am looking at a section under complaints where there is alleged to be a contravention of the section, and the matter shall be dealt with as an unfair labour practice.

* (17:20)

I am wondering if there is any consequential amendments that need to go with this in order to make that happen. Perhaps not, I am not familiar enough with labour law to be able to judge whether or not that just automatically can occur as a result of this clause or not, but I think it is something that, at least on first glance, I believe needs to be considered and make sure that we have not set up a situation where an employer or an employee could find themselves at loggerheads because of changes that we are making in this act. I think the Premier (Mr. Doer) would agree no matter what the best of intentions are in this area, we certainly do not want to make a situation potentially volatile by creating an area where an employee and employer can in fact have a falling out over what is intended to be a simple opportunity to participate in the democratic process.

Mr. Harry Schellenberg, Acting Speaker, in the Chair

I would argue that up until now there have not been a lot of problems that have come to my attention in this area. Generally speaking, employees have had to do this on their own time or they have sought leave, and generally if they have an amicable working arrangement, they can manage that. Let us face it, if you were a key swing person on a process line, if you asked for leave from that line, it would be pretty difficult for the employer to say well, yes, I do not need you in the next two weeks because that person, other than for absolute health or personal problems, is a key part of that line. It does take some advance planning.

I can foresee where there might be some production line facilities that would be concerned about how easy it would be to handle replacement opportunities. Just the same for those who are self-employed or those who are in ownership or management position. They are often viewed as having more flexibility, but their jobs may well be of the nature that they can pick up some of that flexibility at more flexible hours in the workplace as well. So it is a bit of a trade-off.

I do not want my comments to be interpreted as being opposed to someone having the opportunity to participate. I am concerned, however, when we sit here under the dome, and in our great wisdom we believe that everybody has the right to participate, let us make it so that they can have time off from work, without pay obviously, but time off during the election and be able to participate. Unless they are participating on a full-time basis in the campaign, you have to wonder whether or not that might lead to some difficult discussions: one person saying it is my right, and the other person is saying yes, but you are affecting more than just yourself when you take that time off for leave; you are affecting your co-workers, you are affecting the productivity, et cetera. I do not need to go into detail on that. I think there is no question that the Premier and his associates understand the direction of that concern.

I note that this bill looks at shortening the number of days available for advance polling. I would be interested to know what the rationale is on that. Coming from an area that is very rural—my area is not as rural as the Minister of Native

Affairs (Mr. Robinson), obviously, but there are communities and there are people working in these communities who call their residence—let us take an extreme example. They may call their residence Crane River, but they could be working in Dauphin, taking a five-day-a-week job in Dauphin and driving back to Crane River on the weekend. Their home address is still Crane River. They need access to advance polls. In fact, I am of the view, and I know people could say, well, they have the election half over before you get to election day your advanced poles are so generous.

It seems to me that those who really want to cast their ballots should be given every opportunity to do so in our society today. Security is, without question, possible. Opportunity can be too easily limited where distances are large. I know if they are open until nine o'clock at night, a person could drive from Dauphin back to Crane River, using that example. But maybe he would not or she would not if money is tight. Gas is expensive these days.

I think the Government would be well advised to carefully consider why they would recommend the shortening. Perhaps the electoral officer has made a recommendation on this basis. I would be interested to hear that. If I missed something, I apologize. It seems to me that that is somewhat regressive and why do it. There are a lot of people in my constituency who do commute. There are a lot of people who travel outside of their home community and stay four nights a week in another community and then come back on the weekend. They are legitimately residents, for voting purposes, in that community. Same as they would be in some further remote communities where the opportunity to get back would be even less. Maybe they would not get back every three weeks or something.

I think that is an area where we should be generous for those who actually want to cast their ballots. This is not, in my mind at least anymore, just an opportunity for those who want to work on election day, i.e., the people who might be working for various candidates, and election day is a busy day. This is not about their opportunity to vote. This is about the

opportunity for the average voter who is caught in those circumstances.

I can also say that there are people involved in agricultural activity—members who represent rural ridings will probably appreciate this every bit as much as I can. Believe it or not, the weather, if it is good weather, it can very well be detrimental in certain times of the year to the turnout at the polls, because people who have weather related, mainly agronomic jobs, if they are not absolutely dedicated or they say their candidate of their choice, oh, do not worry about him, he either does not have a hope or he is going to win it anyway, do not go out and exercise their franchise.

So I would plead with the First Minister to consider this carefully. I am not asking for additional time, but I am asking for a recognition that the time needs to be, and I think the locations, frankly I was a little bit critical and still would be a little bit critical of the location and the availability of locations in some of our rural ridings for advanced polling. That is a decision that can be made by the returning officer in the area in conjunction with the chief returning officer, but certainly I believe that they have some discretion in that area. But in the long run I do not want us to send a signal that this is something that should be contracted or expanded. Let us just leave well enough alone or make it slightly more accessible if that is possible.

Mr. Speaker in the Chair

Beyond that I do not think I will put many more comments on the record, but I would encourage the First Minister to think of some of these points. Perhaps there will be some questions that will arise on clause by clause. Maybe he would be even willing to accept a friendly amendment or two. So I will leave my comments there, Mr. Speaker.

Hon. Jon Gerrard (River Heights): I rise to talk to Bill 17, The Elections Amendment Act. My comments are relatively short. I would indicate first of all that I am in support of the move to have returning officers appointed by the Chief Electoral Officer rather than by cabinet. This has been a recommendation of the review

by Elections Manitoba and certainly has my support and our support from the Liberal Party perspective.

* (17:30)

On the other hand, I do not support moving to a shorter election period, to the 33-day time period. I believe that we have many rural ridings in particular in this province where the extra time is needed to be able to cover the constituency well and indeed even in city ridings to make sure that there is adequate time for candidates and voters and volunteers to have a strong, democratic election. I believe that it is a mistake to shorten that time period.

I am also in agreement with the concerns raised by the Member for Ste. Rose (Mr. Cummings) for having adequate numbers of advanced polls. I think that we should be very careful in limiting the number of advanced polls. We have, as we are all aware, a population which is increasingly mobile. People travel more, farther, for longer periods, and I believe it would be a mistake to cut down on the number of advanced polls precisely at a time when the electorate needs the advanced polls more. This is a proposal to go in the other direction.

I think the Government, in looking at this legislation, that it is very important that we in this Legislature listen very carefully to employees and employers about the provisions. I think that the adequate notice to employers is an important aspect and needs to be included as part of this legislation, as the Interim Leader of the Opposition (Mrs. Mitchelson) has pointed out, and I think that the section which clarifies the candidate's right to canvass and distribute election material in apartment buildings, condominium complexes and other multiple residences should also make very clear that this extends to all residences, wherever they may be in a riding, whether they are in, as it were here, apartment complexes or a residence in particular parts of a riding that candidates and their volunteers during election periods should not be restricted access to making contact with the electorate in whatever part of the riding it may be and that this section should clearly be amended so that there cannot be restrictions on

candidates as indeed occurred in one of the constituencies in the last election.

With those relatively few comments on this bill, I am certainly ready to move this on to committee stage and to get input from citizens around Manitoba to see what we can do to have the best possible election amendment act, Bill 17. I do believe that it needs some modifications before it is finally approved.

Mr. Mervin Tweed (Turtle Mountain): I too just want to put a couple of comments briefly on the record. I want to just take a couple of the issues and I guess give a different or a similar perspective to my colleague from Ste. Rose (Mr. Cummings). One of them is in the shortening of the time from 36 to 33 days. I think just recognizing the size of ridings that people have, particularly in the rural, and the distance I know in the last campaign the time that we had was fully utilized. I think like a lot of members that have those size of ridings, you always wish you might have had that extra day or that extra two days to reach out further to the people.

I am concerned that when we have a government that is talking about including and bringing more people into the process, why we would want to shorten the advance polls from seven to five days. It may not seem like a big issue, but it is in my particular area. I know one of the things they did in the last election, based on recommendations that they had received, was change some of the polling stations. I had people come up to me and say, Merv, I used to travel two miles to vote, now I have to travel 20 miles, and I am not going to do it.

I think we have to listen and be conscious and aware of what people are telling us on those particular issues, and I think we have to try and make it as available and as accessible as possible. I guess one of the other issues that I do have some concern with is the fact that employees being able to take leave without pay to participate. I am not opposed to them being able to participate, but I am concerned with the small business communities in today's economy everybody is essential to the business. I do not know of any small business that I have done business with in the past 10 years that has not operated on a bare minimum to try to be as

efficient as possible, and to lose staff for that period of time, I think is a concern.

I know that in the legislation it says the employees may apply in writing to the Labour Board for an exemption under this provision. I think what is going to happen is you are going to find there is going to just be more frustration in the business community and more aggravation in the fact that they are going to have to send a letter to apply to be exempt from this type of legislation, and the frustration level is going to be there. Probably as MLAs travelling and visiting these businesses and communities, we are the ones who are going to hear it the most.

We always say we put in a provision to exempt them, but the pain and the time that is consumed by them to have to fill out more bureaucratic red tape to become exempt for a period of the life of their business that was never there and never an issue, now, all of a sudden, for some businesses it will be an issue. I think that is a concern that I hear in some of my communities. I think we take away the encouragement for people to participate of their own free will and own volition to join a party or to join a campaign, to become a part of it and work co-operatively with their employer to allow for the times that are going to be necessary for them to be away. Giving them the out to apply for an exemption, I do not believe is the right answer. The out was not to include it in the first place and not put them through the unnecessary paperwork and burden that they will find when they have to go through this process.

With those few comments, Mr. Speaker, I thank you.

Mr. Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Mr. Speaker: The question before the House is second reading of Bill 17, The Elections Amendment Act. Is it the pleasure of the House to adopt the motion?

Some Honourable Members: Agreed.

Mr. Speaker: Agreed and so ordered.

House Business

Hon. Gord Mackintosh (Government House Leader): Just on a matter of House business, Mr. Speaker. I would like to announce that the Standing Committee on Privileges and Elections will meet on Thursday, August 3, at 3 p.m., by leave, to sit concurrently with the House, and for the Committee to rise at its own discretion to consider bills 4 and 17.

Mr. Speaker: It has been announced that the Standing Committee on Privileges and Elections will meet on Thursday, August 3, 2000, at 3 p.m. to sit concurrently with the House, and for the Committee to rise at its own discretion. The Committee will consider the following bills: Bill 4 and Bill 17. Is there leave?

Some Honourable Members: Leave.

Mr. Speaker: Leave has been granted.

Mr. Mackintosh: Mr. Speaker, would you please call debate on second readings. As we discussed earlier, this is Bill 47.

Bill 47—The Civil Service Amendment Act

Mr. Speaker: On the proposed motion of the Honourable Minister of Finance (Mr. Selinger), Bill 47, The Civil Service Amendment Act (Loi modifiant la Loi sur la fonction publique), standing in the name of the Honourable Member for St. Norbert.

Mr. Marcel Laurendeau (St. Norbert): Mr. Speaker, looking at this legislation it does not surprise me that this government is bringing in legislation that would politicize the civil service. I am looking forward to getting it to committee to have an opportunity to ask the Minister of Finance exactly why we are moving to do a lot more of the hiring and politicizing the civil service. I always thought that the system itself was working rather well, but maybe I could be interpreting this law a little differently. That is why I would like to see it get to committee. I have some questions of the Minister of Finance, to see if the Bill is doing what I expect it is, and that is getting Treasury Board to hire part-time staff without having to go through the civil service. That seems to be the interpretation.

That is the only concern I have, and I am ready to pass this on to committee to ask the Minister those questions.

* (17:40)

Mr. Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Mr. Speaker: The question before the House is second reading of Bill 47, The Civil Service Amendment Act.

Is it the pleasure of the House to adopt the motion?

Some Honourable Members: Agreed.

Mr. Speaker: Agreed and so ordered.

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, rather than continuing with the debate on second readings, would you please call third readings of Bills 11 and 24?

THIRD READINGS

Bill 11—The Winnipeg Stock Exchange Restructuring and Consequential Amendments Act

Hon. Gord Mackintosh (Government House Leader): I move, seconded by the Minister of Intergovernmental Affairs (Ms. Friesen), that Bill 11, The Winnipeg Stock Exchange Restructuring and Consequential Amendments Act (Loi sur la restructuration de la Bourse de Winnipeg et modifications corrélatives), be now read a third time and passed.

Motion presented.

Mr. Marcel Laurendeau (Opposition House Leader): The Winnipeg Stock Exchange Act that we are dealing with today is basically a housekeeping that we were dealing with when we were in government, and we are happy to see it pass.

Mr. Speaker: Third reading, Bill 11, The Winnipeg Stock Exchange Restructuring and Consequential Amendments Act.

Is it the pleasure of the House to adopt the motion?

Some Honourable Members: Agreed.

Mr. Speaker: Agreed and so ordered.

Bill 24—The Personal Property Security Amendment and Various Acts Amendment Act

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Intergovernmental Affairs (Ms. Friesen), that Bill 24, The Personal Property Security Amendment and Various Acts Amendment Act (Loi modifiant la Loi sur les sûretés relatives aux biens personnels et d'autres dispositions législatives) be now read a third time and passed.

Motion presented.

Mr. Marcel Laurendeau (Opposition House Leader): This is an example of how legislation can be passed in this House when there is a full briefing by a minister. The Minister of Consumer and Corporate Affairs (Mr. Lemieux) made sure that we were totally briefed on this bill, Mr. Speaker, and we found that, in dealing with this bill, it was from the original legislation back in 1993 and then the secondary amendment in 1997, and this just simplifies it and puts in place a bit of housekeeping to basically put in place legislation that we passed previously.

But we would like to thank the Minister of Consumer and Corporate Affairs for helping us move this bill through the House.

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

Some Honourable Members: Agreed.

Mr. Speaker: Agreed and so ordered.

Mr. Mackintosh: Is it the will of the House to call it six o'clock?

Mr. Speaker: Is it the will of the House to call it six o'clock? *[Agreed]*

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, August 1, 2000

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