



First Session - Thirty-Seventh Legislature

of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

**Official Report
(Hansard)**

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Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Seventh Legislature

Member	Constituency	Political Affiliation
AGLUGUB, Cris	The Maples	N.D.P.
ALLAN, Nancy	St. Vital	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
ASPER, Linda	Riel	N.D.P.
BARRETT, Becky, Hon.	Inkster	N.D.P.
CALDWELL, Drew, Hon.	Brandon East	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CUMMINGS, Glen	Ste. Rose	P.C.
DACQUAY, Louise	Seine River	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary, Hon.	Concordia	N.D.P.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
FILMON, Gary	Tuxedo	P.C.
FRIESEN, Jean, Hon.	Wolseley	N.D.P.
GERRARD, Jon, Hon.	River Heights	Lib.
GILLESHAMMER, Harold	Minnedosa	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LATHLIN, Oscar, Hon.	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
LOEWEN, John	Fort Whyte	P.C.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
MAGUIRE, Larry	Arthur-Virden	P.C.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MIIYCHUK, MaryAnn, Hon.	Minto	N.D.P.
MITCHELSON, Bonnie	River East	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
PENNER, Jack	Emerson	P.C.
PENNER, Jim	Steinbach	P.C.
PITURA, Frank	Morris	P.C.
PRAZNIK, Darren	Lac du Bonnet	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack	Southdale	P.C.
ROBINSON, Eric, Hon.	Rupertsland	N.D.P.
ROCAN, Denis	Carman	P.C.
RONDEAU, Jim	Assiniboia	N.D.P.
SALE, Tim, Hon.	Fort Rouge	N.D.P.
SANTOS, Conrad	Wellington	N.D.P.
SHELLENBERG, Harry	Rossmere	N.D.P.
SCHULER, Ron	Springfield	P.C.
SELINGER, Greg, Hon.	St. Boniface	N.D.P.
SMITH, Joy	Fort Garry	P.C.
SMITH, Scott	Brandon West	N.D.P.
STEFANSON, Eric	Kirkfield Park	P.C.
STRUTHERS, Stan	Dauphin-Roblin	N.D.P.
TWEED, Mervin	Turtle Mountain	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, August 3, 2000

The House met at 1:30 p.m.

ROUTINE PROCEEDINGS

PRESENTING REPORTS BY
STANDING AND SPECIAL COMMITTEES

Committee of Supply

Mr. Conrad Santos (Chairperson): May this member have leave, Mr. Speaker, to present the report of the Committee of Supply?

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

Mr. Santos: Mr. Speaker, the Committee of Supply has adopted certain resolutions, directs me to report the same and asks leave to sit again.

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

Motion agreed to.

Standing Committee on Public Utilities and
Natural Resources
Seventh Report

Mr. Cris Aglugub (Vice-Chairperson of the Standing Committee on Public Utilities and Natural Resources): Mr. Speaker, I beg to present the Seventh Report of the Committee on Public Utilities and Natural Resources.

Madam Clerk (Patricia Chaychuk): Your Standing Committee on Public Utilities and Natural Resources presents the following as its Seventh Report.

An Honourable Member: Dispense.

Mr. Speaker: Dispense.

Your Standing Committee on Public Utilities and Natural Resources presents the following as its Seventh Report.

Your committee met on Monday, July 31, 2000, at 10 a.m.; Tuesday, August 1, 2000, at 10 a.m.; and Tuesday, August 1, 2000, at 6:30 p.m., in Room 255 of the Legislative Building to consider bills referred.

At the Monday, July 31, 2000, meeting, your committee elected Mr. Struthers as the Vice-Chairperson.

At that meeting, Ms. Cerilli moved that the public presentations on Bills 43 and 35 be concluded by this committee after hearing one last presenter. The motion was agreed to.

At the Tuesday, August 1, 2000, meeting, at 10 a.m., your committee elected Mr. Maloway as the Vice-Chairperson.

At that meeting, Mr. Maloway resigned as the Vice-Chairperson and your committee elected Mr. Aglugub as the Vice-Chairperson.

At the Monday, July 31, 2000, meeting, your committee heard representation on bills as follows:

Bill 35—The Planning Amendment Act; Loi modifiant la Loi sur l'aménagement du territoire

Elizabeth Fleming – Provincial Council of Women of Manitoba

Ted Muir – Manitoba Pork Council

Bill 43—The Sustainable Development Amendment and Consequential Amendments Act; Loi modifiant la Loi sur le développement durable et modifications corrélatives

Christine Common-Singh – Private Citizen

Dr. W.J. Turnock – Manitoba Environmental Council

Peter Miller – Private Citizen

Ken Emberly – The Canadian Environmental Echo Network

Written Submissions:

Bill 35—The Planning Amendment Act; Loi modifiant la Loi sur l'aménagement du territoire

Brad Kirbyson – Association of Manitoba Municipalities

Bill 43–The Sustainable Development Amendment and Consequential Amendments Act; Loi modifiant la Loi sur le développement durable et modifications corrélatives

*Dr. Nick Carter – Private Citizen
Dr. Barrie Webster – Private Citizen
Richard Howard – Private Citizen*

Your committee has considered:

Bill 35–The Planning Amendment Act; Loi modifiant la Loi sur l'aménagement du territoire

Bill 48–The Rural Development Bonds Amendment Act; Loi modifiant la Loi sur les obligations de développement rural

and has agreed to report the same, without amendment.

Your committee has also considered:

Bill 43–The Sustainable Development Amendment and Consequential Amendments Act; Loi modifiant la Loi sur le développement durable et modifications corrélatives

and has agreed to report the same, without amendment, on division.

Mr. Aglugub: Mr. Speaker, I move, seconded by the Honourable Member for St. Vital (Ms. Allan), that the report of the Committee be received.

Motion agreed to.

TABLING OF REPORTS

Hon. Diane McGifford (Minister charged with the administration of The Liquor Control Act): Mr. Chair, I am pleased to table the Manitoba Liquor Control Commission's 77th Annual Report for the fiscal year April 1, 1999, to March 31, 2000.

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, I rise today to table Volume 4 of Public Accounts for the year ended March 31, '99, as

required by sections 52.27(1) of The Legislative Assembly Act. This report was previously distributed.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, I would like to draw the attention of all honourable members to the gallery where we have with us today Bill, Adrienne, Chantal and Trevor Bage, guests of the Honourable Member for Flin Flon (Mr. Jennissen). On behalf of all honourable members, I welcome you here today.

* (13:35)

ORAL QUESTION PERIOD

University of Manitoba Bachelor of Nursing Program–Waiting List

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, between 50 to 75 students are currently on a waiting list to enter the University of Manitoba's Bachelor of Nursing Program. This government has been advised by the university what it will take to address this waiting list, yet no action has yet been taken.

I would like to ask the Premier if he could advise this House when his government will take action on the waiting list of students at the University of Manitoba, particularly since the program will start in just over a month?

Hon. Gary Doer (Premier): There is no question, since the former members when they were in government when they fired over a thousand nurses, since that time, we have–

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Manitobans have a shortage of nurses which we are attempting to address in a number of ways. One, we have supported the resources that are in place at the University of Manitoba for the nursing program. I believe the agreement was signed on September 21 by the former Minister of Finance and respected by this administration for purposes of the training of nurses both at the University of Manitoba, and I

believe also at Norway House in terms of the University of Manitoba training program. Secondly, we are supporting the pre-election announcement by the former members on the LPN program and the training of nurses in these programs. Thirdly, Mr. Speaker, as I understand it, there are over 90 students enrolled in the RN programs at our community colleges.

As I understand it, last year there were no waiting lists at the University of Manitoba. This year there is a waiting list. We believe the resources are there to handle it.

Mrs. Driedger: I would like some clarification from the Premier on that one. What does he have to say to Diane Deehan, who is in the gallery today, whose daughter is a young student, Bonnie Dyck. She is waiting to get into the program at the University of Manitoba. She is on the waiting list there, and she is very concerned now that this government has not acted, despite the fact that they have had information for a couple of weeks. She is worried now she might have to leave Manitoba to take her nursing program or else change faculties because this government is not moving quickly enough.

These students cannot sit around forever. What is he going to do to address this situation?

Mr. Doer: As I recall, the September 21, 1999, agreement announced by the Member for Kirkfield Park (Mr. Stefanson), when he was Minister of Health, I believe was for three or four years. I will have to check my facts whether it was three or four years. It was a long-term agreement to resource both the present needs of the faculty and the future needs of the faculty. In addition, the nurses recruitment fund, some of which was moved into the university for training, we supported that initiative, so there have, in my view, been the resources put in place by the former government which we have respected in our present budget.

If the resources placed at the university in nursing programs by the former government are not adequate, we will certainly follow it up with the faculty. But the first issue is to ensure that the millions and millions of dollars that were announced for the University of Manitoba last September 21 for the nursing program are being

effectively utilized to ensure that students, such as the one in the gallery, can go to the nursing faculty and can go to the university.

Mrs. Driedger: Can the Premier tell Manitobans why his government did not approach the university until after July 1 to discuss new funding that is going to be needed? He cannot talk about the old program. This has to be a commitment of new funding from this government. Is this Premier prepared to bring 50 to 75 more students into the nursing program with a commitment of new funding? That is the topic on the table here.

Mr. Doer: Mr. Speaker, the funding agreement was a multi-year agreement announced by members opposite when they were in government, so if they have some criticism about the lack of resources I think they better—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: If we had cut the funding that was announced by the previous government, the multi-year funding that was announced by the previous government on election day, September 21, 1999, then I think the Member would have a legitimate question about the resourcing to the university. The multi-year funding that was announced by the former Minister of Health has been supported in this budget by our Minister of Finance (Mr. Selinger). The first question we will have to have answered from the University of Manitoba is, is there not enough funding with that agreement which we thought was very adequate in funding, if not adequate in funding on a multi-year level, are there not the resources there to make sure that the student, who we need as a nurse in Manitoba, cannot be adequately dealt with by the faculty with the resources that were announced by the previous government?

* (13:40)

Labour Relations Act Amendments—Withdrawal

Mr. Ron Schuler (Springfield): In today's newspaper we read about Mr. Sidney Green's opposition to the current NDP's labour

legislation. As a former Ed Schreyer cabinet minister, Mr. Green always stood for the right of free collective bargaining. I would like to table: Green on labour for the House. He is quoted as saying: "The NDP has done more to destroy and impair free collective bargaining than any other political stripe government in the history of Canada." Mr. Speaker, clearly the Premier (Mr. Doer) has made a mistake. Is it not now time to withdraw Bill 44, his attack on free collective bargaining?

Hon. Steve Ashton (Acting Minister of Labour): Mr. Speaker, I think we will look forward, as we do on many bills, to Mr. Green's contributions at committee. In fact, we look forward to the contributions of the many presenters who will be coming before the Committee.

I want to indicate that what this government has done with Bill 44 is attempt to restore some of the balance in terms of collective bargaining. Let us not forget the previous government brought in three changes to The Labour Relations Act. This legislation will indeed restore the balance and fairness into our labour relations system, and I might say to members opposite, we are listening to the people of Manitoba, we will listen in the Committee, and yes, we will listen to Mr. Green as well. We know, I am sure, that he will be there. Like any other citizen, he has the right to express his opinion. We are going to listen.

Mr. Schuler: Mr. Speaker, my question to the Premier: Does he know that former NDP labour spokesman, Sid Green, his colleague, claims Bill 44 will, and I quote, hurt employees the most. Will the Premier do the right thing and withdraw Bill 44, which is harmful to employees?

Mr. Ashton: I think the Member, being a new member, may not know that Mr. Green left the NDP more than 20 years ago and, in fact, if I recall and I remember with those three bills brought in by members opposite, Mr. Green was just as critical as the Member for Lac du Bonnet (Mr. Praznik) when he was Minister of Labour in terms of labour relations climate under the previous government. We are attempting to restore balance. We are looking forward to the

Committee, and we look forward to listening to the public, Mr. Speaker.

Mr. Schuler: Mr. Speaker, and to the Premier, whomever that might be: Does the Premier not agree with this former colleague, Mr. Sid Green, that Bill 44 is: ". . . an assault on the rights of employees."? Will the Premier now withdraw his anti-worker bill?

Hon. Gary Doer (Premier): I was tilting for a second there, Mr. Speaker.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Hon. Gary Doer (Premier): Mr. Speaker, Mr. Green is a person with strongly held convictions. Members opposite will know his views, and our colleagues knew his views on funding of private schools, for example, an issue which he did not support. He, as I remember it, withdrew from the Cabinet of the Ed Schreyer government at the time over that issue of principle and the funding of private schools.

I was at an event a couple of years ago where Mr. Schreyer was in attendance and being honoured by a number of organizations, including the Rainbow organization, an organization to support children in terms of their wishes, and I remember on that occasion Mr. Green went into a commentary about you do not need balanced budget legislation because it is contrary to the parliamentary system. He holds strongly held views, and that is why we are here, to listen to all Manitobans.

Labour Relations Act Amendments—Right to Strike

Mr. Harold Gilleshammer (Minnedosa): The right to strike or use lockout is a legitimate part of the bargaining process. This is a right that labour and management should be permitted to use in an unfettered manner. There are many decades of history where the right has been used to achieve the objectives of either labour or management.

I would ask the Premier (Mr. Doer): Why are you putting limitations on this age-old

process that has been used successfully in our province?

Hon. Steve Ashton (Acting Minister of Labour): I am surprised at the question because the Member opposite would know there are many areas in terms of labour relations, for example, where we have alternatives to strike and lockout, in terms of essential services, teachers, for example, another issue that has been subject to great debate. Now I realize members opposite may believe the teachers should have access to strike and lockout. We certainly believe the current system has worked for many years.

I want to suggest to the Member opposite that, for example, when it came to first contract legislation introduced in the 1980s in Manitoba, which did provide an alternative to that, that is still in place, was kept in place by members opposite. We are quite prepared, in respecting the right to strike and lockout, to also look at other alternatives. I might add, coming from a community where we have had three three-month strikes and lockouts in more than a year, there is not person in my community that does not believe we should not be looking for alternatives, ways in which we can have a harmonious labour climate in our province.

* (13:45)

Amendments—Fairness

Mr. Harold Gilleshammer (Minnedosa): Mr. Speaker, not only are they putting a 60-day limit on this method of resolving disputes, but they are putting the ultimate decision in the hands of labour. I would ask the Premier: Why do you want to tilt the balance in favour of labour by giving them and them only the ability to pull the trigger on arbitration?

Hon. Steve Ashton (Acting Minister of Labour): I think it is important to again reflect on what has been the experience of the last several decades in terms of labour relations and that is working on the basis of collective bargaining but also looking at innovative ways of dealing with situations such as we see in terms of lengthy strikes and lockouts. They are not that frequent, but when they do occur, there

is a significant loss to everyone involved in terms of the overall economy, but there is a significant impact on communities.

I might add, and I would suggest to the Member opposite, that instead of engaging in some of the immediate knee-jerk reaction we have seen on this bill in terms of such provisions, they might want to talk to communities that have been affected, to both people on the employer side and the employee side, by extensive strikes and lockouts, because where we can find ways of providing alternatives such as we did with first contract, we are in favour of looking for ways to have a more harmonious labour climate.

Amendments—Withdrawal

Mr. Harold Gilleshammer (Minnedosa): I would ask the Premier if he agrees with the words of Ed Schreyer spoken at a Manitoba Federation of Labour meeting in October 1972. Mr. Schreyer said: It was our conviction—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I am sure we all want to hear the question. The Honourable Member for Minnedosa, with his question.

Mr. Gilleshammer: Thank you, Mr. Speaker. They have already rejected Sid Green. I am sure they will not reject Ed Schreyer.

It is our conviction, Mr. Schreyer said, that the parties themselves should have as much freedom of action as possible to develop their own collective bargaining and dispute settlement procedures. We believe that this approach will produce more acceptable results than would rigid legislative procedures that would inhibit the parties from exercising their own ingenuity in finding, developing and refining ways of resolving these difficulties.

I would ask the Premier if he does not see a contradiction between these words of Mr. Schreyer and what he is doing with this bill, and I would ask him to pull this bill off the legislative agenda.

Hon. Gary Doer (Premier): Mr. Speaker, the statements made by former Premier Schreyer, the Right Honourable Ed Schreyer, are certainly the total objectives contained within The Labour Relations Act of Manitoba to have the parties themselves agree to settling contracts. We have aids for those parties, conciliation. We are enhancing mediation. I think we all want parties to settle with the least amount of disruption to the public.

Mr. Speaker, 1972 I think was the year that former Premier Schreyer amended The Civil Service Act and provided for arbitration for the public service in Manitoba, a measure that has been I think only implemented once over two sets of ideological differences in governments over 30 years. Obviously, the parties are trying to negotiate a deal, as opposed to using arbitration or third party. Members opposite used arbitration last year with doctors. In fact, we urged them to do so.

If people believe that everything in collective bargaining is perfect, I would suggest that one example to look at is the grain transportation system in Canada where you have about 20 different locals of both unions and employees in the Port of British Columbia that can close down the port. Well, we have actually suggested that maybe rather than having the right to strike and one little local being able to affect the agricultural economy, maybe we should look at new creative ways by final offer selection so farmers can get a livelihood and workers can get a fair settlement, and we do not have these disruptions year after year after year. Let us think outside the box, Mr. Speaker.

Labour Relations Act Amendments—Binding Arbitration

Mr. Darren Praznik (Lac du Bonnet): Mr. Speaker, this exchange in Question Period is getting to actually what is the divide on this legislation. The fundamental principle of free collective bargaining that has been fought for by labour leaders and New Democratic Party leaders over the years in our province is again being challenged by this administration because they are prepared to abandon the principle of free collective bargaining.

I want to ask the First Minister (Mr. Doer) if he is prepared to agree with another former leader of the New Democratic Party, another former Minister of Labour, the Honourable Russ Pawley, former member for Transcona, who said in addressing a meeting of the Canadian Union of Public Employees that The Labour Relations Act is very largely founded on the principle that the parties themselves by their own efforts, actions and sense of responsibilities, should resolve their differences themselves. He sympathized with unions which found themselves with a lack of strength but pointed out that the kind of legislation this Premier is bringing in, if it were effective, would result in substituting collective bargaining with state controls and would lead to all kinds of difficulties, including the diminution of the power of the labour movement.

* (13:50)

I would ask this First Minister: Is he saying to Russ Pawley that he was wrong to stand for the principle of free collective bargaining?

Hon. Steve Ashton (Acting Minister of Labour): Mr. Speaker, I find it ironic that members opposite now are going back to the early 1970s and are not willing to look at the fact we are in the 21st century in this province. I think it is important to note that we have constantly been looking the last several decades. In fact, if you go back throughout the past century we have looked at ways to improve the situation in terms of collective bargaining. But, you know, we still have some distance to go. Canada has one of the highest instances of days lost to strike or lockout in the world next to Italy, traditionally. What we have done in the several decades, including with first contract legislation, is maintain the system of collective bargaining in this province but try and get a more harmonious labour climate in which we do not see people in strikes or lockouts for years on end. That is not acceptable to Manitobans in the 21st century.

Mr. Praznik: Mr. Speaker, like freedom of speech—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Point of Order

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I think we were just about to be subjected to a speech—

Some Honourable Members: Oh, oh.

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

Mr. Mackintosh: Mr. Speaker, as the Member opposite well knows, this was a supplementary question. It is very clear, it is our practice that a supplementary question should need no preamble, *Beauchesne's* Citations 409, 410. Would you please ask him just to put a question, not give a speech.

Mr. Speaker: The Honourable Member for Lac du Bonnet, on the same point of order.

Mr. Praznik: Mr. Speaker, on the same point of order. I think if you would peruse Hansard, you would find out that I had spoken less than five words. This Government House Leader chose, before hearing the question, to get up to prevent me from putting my question. I find it very interesting that the Member for Thompson (Mr. Ashton), who is Acting Minister of Labour, who is prepared to abandon the principle, the fundamental principle of free collective bargaining, we see his colleague the House leader abandoning the principle of freedom of speech in this House.

Mr. Speaker: Order. Before making a ruling on the point of order raised by the Honourable Government House Leader, I would just like to remind the House about the purpose of points of order. A point of order is to be used to draw to the Speaker's attention any departure from the rules or practices of the House or to raise concerns about unparliamentary language. A point of order should not be used to ask a question, dispute the accuracy of facts, to clarify remarks which have been misquoted, to move a motion or to raise a point of order. I would ask the co-operation of all honourable members.

On the point of order raised by the Honourable Government House Leader, he does

have a point of order. I would like to remind all honourable members, *Beauchesne's* Citation 409(2) advises that a supplementary question should not require a preamble.

* * *

Mr. Speaker: I would ask the Honourable Member to please put his question.

Voice Vote

Mr. Marcel Laurendeau (Opposition House Leader): Regrettably, Mr. Speaker, I must challenge that.

Mr. Speaker: It has been challenged.

All those in support of sustaining the ruling of the Chair, please say yea.

Some Honourable Members: Yea.

Mr. Speaker: All those opposed, say nay.

Some Honourable Members: Nay.

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

* (13:55)

Formal Vote

Mr. Laurendeau: Yeas and Nays, Mr. Speaker.

Mr. Speaker: A recorded vote has been requested. Call in the members.

Division

A RECORDED VOTE was taken, the result being as follows:

Yeas

Aglugub, Allan, Ashton, Asper, Caldwell, Cerilli, Dewar, Doer, Jennissen, Korzeniowski, Lathlin, Lemieux, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Nevakshonoff, Reid, Rondeau, Sale, Santos, Schellenberg, Selinger, Smith (Brandon West), Struthers, Wowchuk.

Nays

Cummings, Dacquay, Derkach, Driedger, Dyck, Faurshou, Filmon, Gilleshammer, Laurendeau, Loewen, Maguire, Mitchelson, Penner (Emerson), Penner (Steinbach), Pitura, Praznik, Reimer, Schuler, Smith (Fort Garry), Tweed.

Madam Clerk (Patricia Chaychuk): Yeas 27, Nays 20.

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

Point of Order

Mr. Marcel Laurendeau (St. Norbert): On a point of order, Mr. Speaker. The Member for River Heights is in his chair and he did not vote. I do believe that if you are in your chair, you must vote.

Mr. Speaker: On a point of order raised by the Honourable Official Opposition House Leader, he is correct. All members in their seats must vote unless they are paired with another member.

Hon. Jon Gerrard (River Heights): I request the option to abstain. I heard too little, and I do not have access to Hansard to make a substantive judgment.

Mr. Speaker: Order. There are no provisions in our rules to abstain from a vote unless there is unanimous consent of the House for a member to abstain from a vote. Is there unanimous consent of the House for the Honourable Member to abstain? *[Agreed]* There is unanimous consent.

* * *

Mr. Speaker: With his first supplementary question, the Honourable Member for Lac du Bonnet.

Mr. Praznik: Mr. Speaker, I want to ask the Acting Minister of Labour if he agrees or disagrees with the Woods Report to Parliament that said very clearly that compulsory arbitration may serve as a crutch for weak leadership in either union or management. Where a union

leader can force a dispute to arbitration, he can avoid some of the compromises within a union that invariably go into a settlement.

Does this government agree or disagree with that statement?

Mr. Ashton: Mr. Speaker, I think the important point in regard to the Member's concern is to reflect on the fact that under this legislation collective bargaining is in place. What we have tried to put in, in terms of the provision that is in currently is to deal with the rare cases in which essentially there is a breakdown in the process. It mirrors what happens with first contract legislation which was brought in in the 1980s, was kept by members opposite, was kept by that member.

I find it rather strange that the Member for Lac du Bonnet, who was Minister of Labour, is saying something today in Question Period, but when he was the Minister of Labour he did maintain alternatives.

Mr. Speaker: Order. The Honourable Member for Lac du Bonnet, on a point of order.

Point of Order

Mr. Praznik: I know the Member for Thompson would like to be accurate in his statements. He said that the particular provision was kept by this government. It was significantly amended. Many of the provisions that his colleague has included in this bill were amended and changed in terms of the operative provisions.

I only ask him, in the interest of a fair and accurate debate on an important issue, if he could at least acknowledge that the former Filmon government had very significant amendments to the first contract legislation. It bears no resemblance to the provisions today being proposed by his colleagues.

Mr. Speaker: On the point of order raised by the Honourable Member for Lac du Bonnet, he does not have a point of order. It is a dispute over the facts.

* * *

Mr. Praznik: Mr. Speaker, for my last supplementary, I would like to ask the Premier (Mr. Doer) of this province: Would he not accept the fact that labour leaders, leaders of his party over the years who have fought for the time-honoured principle of collective bargaining, have a very valid point when they fear unwarranted state intervention in what should be a free and unfettered process? Would the First Minister take responsibility and at least place his government on that side of the argument rather than hiding from it?

Mr. Ashton: Mr. Speaker, I am sure if the Member opposite was to actually take some time to talk to people, which we have been doing both in terms of the labour community and in terms of the business community, I think he will find, first of all, he does not speak for certainly the people he purports to speak for today. But he will also find that we made a great deal of progress in this province over the last number of decades.

We have come to the point where we still have some difficulty. When we have strikes or lockouts that go on for an extended period of time, it has a tremendous impact not only on the people involved but in the communities involved. What we put in place in this legislation and what we have tried to deal with is an alternative to the current situation. It is aimed at a more logical situation.

The members opposite may feel it is better to have extended strikes and lockouts. We feel that if there are better ways we should be looking for those better ways. I would suggest most Manitobans do as well.

*(14:40)

Elections Finances Act Amendments—Withdrawal

Mrs. Bonnie Mitchelson (Interim Leader of the Official Opposition): Mr. Speaker, my question is for the Premier. The Premier has referenced the Libman case from the Supreme Court to justify Bill 4, his gag law. We have already seen one NDP government in B.C. use that case and introduce the same kind of gag legislation that was struck down by the courts in

British Columbia. Yet we see this government here in Manitoba, this New Democratic Government, bringing in the same kind of a law that was found unconstitutional.

My question for the Premier is: Why does he continue to insist on bringing in Bill 4, and will he now reconsider and withdraw the Bill, a bill that will gag many citizens from participating in the democratic process?

Hon. Gary Doer (Premier): Mr. Speaker, an article written in the newspaper on August 16, 1999, a person named, well, the Honourable Member for Tuxedo (Mr. Filmon), the then-Premier of the province, said he will be pushing for changes dealing with the election laws. He will be looking for changes to deal with contentious issues such as third-party advertising. Elections Manitoba is recommending spending limits for third parties as well as compelling them to disclose how much money they spend and where it comes from. The Member for Tuxedo said he would consider implementing such legislation, I believe in the 1995 campaign and he goes on and on.

Mr. Speaker, we said then, at the same time, we would also be in favour of a cap. We also said in the election campaign we would be in favour of a cap. The Supreme Court of Canada says it is necessary in law to have freedom of speech and freedom of expression and that value is in competition with a level playing field for all citizens in a democracy. That is why the Chief Electoral Officer has called for those changes. That is why we believe in these changes. Third parties can advertise in an unfettered way for over a thousand days at least in between election campaigns. They can advertise in election campaigns on issues. They just are limited in terms of advertising against individual candidates and political parties. That is a reasonable limit in a democratic society.

Mrs. Mitchelson: But again we see this Premier defending the unilateral decisions of his political party and his political agenda in Bill 4. He continues to use comments by the Chief Electoral Officer out of context. I want to quote from the Chief Electoral Officer's 1998 report. What he says very clearly, I quote: Given the current court actions in British Columbia which

bear directly on the constitutionality of such third-party spending, it may be prudent to await a judgment in that jurisdiction.

That was before the B.C. judgment came down. Will the Premier now admit that he is using the Chief Electoral Officer's comments out of context and withdraw the Bill immediately?

Mr. Doer: Perhaps I am misusing the Member for Tuxedo's (Mr. Filmon) words out of context when he said after the B.C. case. Of course, we always found the members opposite would say one thing before an election and change their minds after an election campaign. We promised at the legislative committee to review the 1987, '88, '89, '90, '91, '93, '95, '96, '98, not '99, it is not ready yet, report of the Chief Electoral Officer.

The Chief Electoral Officer did say that the Libman case was a Supreme Court decision that is, as members opposite would surely know, the highest court in the land. The views we have received, the Libman case, because it has been determined by the Supreme Court decision, is the superior court for interpretations, and that is what we are using, obviously, in the drafting of these proposals.

Mrs. Mitchelson: But the Premier is completely out of touch with what the Libman case is all about. It was about a referendum, and he is comparing apples and oranges when he uses that as a defence for his gag law here in Manitoba.

The Premier stands in his place and talks about saying one thing before the election and doing another after. I want to quote from Today's New Democratic Party when it talks about steps toward better politics and restoring trust in government and election campaign commitments. I quote from the document. He says: We will pass legislation on election finances after coming into government ensuring that all parties going into the next election will be playing by the same rules, said Doer, and he went on—

Mr. Speaker: Order. I just remind all honourable members when making reference to other honourable members that they are referred to by constituencies or by their titles. I would ask the co-operation of the Honourable Interim Leader of the Official Opposition.

Mrs. Mitchelson: Thank you, Mr. Speaker. I am sorry, and I withdraw that, and I will try to be more careful in the future.

The then-Leader of the Opposition said in his news release he committed to work with the other parties in the Legislature in a co-operative way to fully implement these reforms. Talk about saying one thing before the election and doing something else after. Will, in fact, the Premier today admit that he did not tell the truth to Manitobans before the election campaign? Will he withdraw the Bill and put in place an all-party committee to look at the reforms like he promised to do during the election campaign?

Mr. Doer: Mr. Speaker, members of this Legislature are speaking on this bill and are speaking on—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Thank you, Mr. Speaker. I noted on Bill 17, some concerns and positive alternatives on the Bill dealing with the issue of advance polls. We are looking at those comments made by members opposite. Dealing with Bill 4—

Mr. Speaker: Order, the Honourable Interim Leader of the Official Opposition, on a point of order.

Point of Order

Mrs. Mitchelson: A point of order, Mr. Speaker. The questions that were asked were on the Premier's gag law that he has introduced in Bill 4, not any other bill that he wants to be talking about in his answer.

I would ask him to live up to his election commitment and his promise to Manitobans to deal with this in a fair manner.

Mr. Speaker: Order. On the point of order raised by the Honourable Interim Leader of the Official Opposition, she does not have a point of order. Manitoba practice has been to allow leaders latitude, and I am following the past Manitoba practice. Unless I am directed by both

House Leaders, I will follow that same Manitoba practice.

* * *

Mr. Doer: Mr. Speaker, Mr. Kingsley, in dealing with the interpretation of the Supreme Court in testimony, said: For spending limits to be fully effective, they must apply to all possible election expenses, including those of independent individuals and groups. Expenses should include not only those incurred by political parties and candidates but also by those incurred by independent individuals and groups unrelated to parties and candidates.

There is no restriction of expression outside of an election period. Inside an election period, there are restrictions for every candidate running in an election campaign. The Supreme Court has said: In order for there to be a balanced view on the power of money in politics, the power of money in politics, Mr. Speaker, there have to be reasonable limits on political parties, reasonable limits on individual candidates and reasonable limits on partisan ads of third parties.

That is what these laws do.

Mrs. Mitchelson: Mr. Speaker, the Premier did not answer the very basic fundamental question that I asked. Before the election, he stated, he committed to work with the other parties in the Legislature in a co-operative way to fully implement these reforms.

Mr. Speaker, was he being dishonest with people before the election, or is he being dishonest with the gag law that he has introduced today?

*(14:50)

Health Care Profession Salaries—Provincial Comparisons

Hon. Jon Gerrard (River Heights): Mr. Speaker, Canadian Institute for Health Information data show that, while Manitoba public sector health expenditures are \$256 million more than the average of British

Columbia, Alberta, Saskatchewan, Ontario and Quebec, at the same time the expenditures on health professionals in Manitoba are actually \$120 million less than the average of the other five provinces.

I ask the Premier whether he will be asking the other premiers at the conference next week to give him advice on how to use taxpayers' money better to improve conditions for health care professionals while decreasing overall health care expenditures in Manitoba.

Hon. Gary Doer (Premier): Mr. Speaker, the statistics utilized by the Member opposite, most of the statistics are applicable to the 1999 year, before we were in office. I already mentioned yesterday in the Chamber that we have lowered the expenditures on a percentage basis in health care. By any measure of independent bodies that are now evaluating health care, we have improved the effectiveness of the health care spending in areas of health care delivery.

We are looking at new and innovative ways to deliver health. For example, we want to reduce the dependency on tax dollars to go to medivacs for people in northern and remote communities. We have put in a new pilot program in Garden Hill to show that one dialysis operation with trained staff in that community makes a lot more sense for the 5000 people in that community and the 15 000 people adjacent to that community in the Island Lake area than having people shipped down to Winnipeg, living in this community, and needing higher and more expensive care in this community.

There are many other examples. We were the innovators of Pharmacare, something that the federal government promised in '97 to support, and we have not seen that. We were innovators in home care in the '70s. We will be innovators every year we are in government to deal with health care expenditures.

Mr. Gerrard: My supplementary to the Premier: With the budget Estimates this year being 15 percent above the budget Estimates last year, I ask the Premier why he will not seek the advice of the other premiers, since the other provinces appear to better recognize health professionals so that they operate a system

which is more cost-effective for the people of our province?

Mr. Doer: The Member opposite knows that the budget this year is 6 percent over actual from the previous year for health care, so it is very important that he recognize that the previous year the budget was well over 10 percent for health care with still a large amount of concern of people in health care dealing with health care expenditures and, at the same time, with the results.

One example of that is something the Member opposite has opposed. We have suggested that we reinstate, and what we consider to be a horrible decision by members opposite when they were in government, to cancel the RN program. We certainly support the BN program. We support the RN program and we support the LPN program, which was reinstated in just the horizon of the election campaign.

That is an example where we will be able over time to correct the discrepancy in health costs in terms of the expenditure side and be able to have more health care people working on the front lines in Manitoba. That is why we made the announcements. I recommend the Member opposite support that new initiative that we have announced recently.

Canadian Blood Agency Labour Dispute

Hon. Jon Gerrard (River Heights): My second supplementary to the Premier: In his operation of the Province and the health care system, I ask today that he at least commit to ensuring that our blood supply during the long weekend is not compromised by a labour dispute.

Hon. Gary Doer (Premier): The Member opposite will know that the new blood supply system is a federal-provincial organization, where the Province in itself does not carry all the jurisdiction for the settlements of these issues. We have worked very hard this last three or four days to provide services to the public. We have urged the parties to proceed to use a professional mediator. I believe that Wally Fox-Decent is a person who has been named by the parties and

through some of our efforts with the two parties to arrive at a settlement.

We do consider this dispute to be serious. We do consider the consequences to be important to Manitobans. We know the services of blood the people provide to Manitobans to be very important. We have contingencies in place, but the best contingency is to get a settlement and get those people back supplying blood to Manitobans through the blood service here in this province.

Mr. Speaker: Time for Oral Questions has expired.

Speaker's Statement

Mr. Speaker: I have a statement for the House.

The statement reads: During the raising of a matter of privilege by the Honourable Member for Russell (Mr. Derkach) on July 26, 2000, the Honourable Official Opposition House Leader (Mr. Laurendeau) and the Honourable Government House Leader (Mr. Mackintosh) attempted to raise points of order while members were speaking to the matter raised. I, as Speaker, discouraged the raising of the points of order at that particular time and indicated that I would hear points of order after the comments on the matter of privilege were concluded.

I would like to note for the House that Marleau and Montpetit, on page 539 of *House of Commons Procedure and Practice*, states that the Speaker has, on occasion, refused to hear a point of order during the consideration of a question of privilege. In consulting the practice of other Canadian jurisdictions on this matter, Alberta, Prince Edward Island, Ontario and Saskatchewan advise that points of order are discouraged during the raising of matters of privilege, although if a point of order is related directly to the procedure of the hearing of a matter of privilege, the point of order may be entertained. The Northwest Territories, Yukon and British Columbia advise that points of order are not commonly raised but may be entertained. The Senate, Québec and New Brunswick advise that points of order can be raised.

Turning to Manitoba practice, an examination of the procedures of the past 30 years indicates that although it has happened infrequently, points of order have been allowed during the consideration of a matter of privilege. The raising of a point of order during the consideration of a matter of privilege happened during the following sessions: 1972, 1980/81, 1982/83/84, 1984/85, 1995/96, 1997 and 1997/98. Based on past Manitoba practice, I will therefore allow the raising of points of order during the consideration of matters of privilege in the future. However, the points of order should relate either to unparliamentary language used or to any breaches of order or the rules that may occur during the raising of a matter of privilege and should not be used to dispute the accuracy of facts or to rebut points made during the raising of the matter of privilege.

A matter of privilege is a very serious matter and deserves the priority consideration of the House. Therefore, interruptions of the raising of a matter of privilege should be kept to a minimum.

MEMBERS' STATEMENTS

Good Neighbour Senior Centre

Mr. Harry Schellenberg (Rossmere): Mr. Speaker, I rise today to speak on the Good Neighbour Senior Centre which has become a focal point of the community for seniors in East and North Kildonan. Over 800 members belong to this centre located at 755 Henderson Highway. The centre was created by seniors for seniors who felt they wanted to increase their quality of life. It is a very active centre, and it is the only multipurpose senior centre in northeast Winnipeg. The active and energetic executive along with the many volunteers are responsible for the success of the centre. The basic vision of this centre is to be accessible for all people and to make people feel at home and welcome and to improve the quality of life for seniors.

* (15:00)

The centre offers a variety of programs and services and is continually adding new programs and activities. The monthly newsletter will draw people's attention to activities such as travel to

Hawaii or other exotic places, cross-country skiing, water painting, computer training, ceramic art, creative writing, yoga, woodcarving, fitness, cribbage, bridge, cooking, drama, Toastmasters and many others. These are just a few of the activities that take place at the centre.

The centre also serves as a golfing centre where activities focus on socialization and fellowship, which includes discussion groups, playing dominoes, card games and shuffleboard which always go along with coffee and conversation. The strong executive and the many volunteers, along with the varied programs which include recreation, travel, education, health services, have made this centre a success story in northeast Winnipeg. It is certainly a place for seniors to go and grow. Thank you, Mr. Speaker.

Folklorama

Mrs. Louise Dacquay (Seine River): Mr. Speaker, this coming weekend Folklorama kicks off in Winnipeg. One of the most popular events in Manitoba each summer, I know it will draw large crowds. Having visited Folklorama on many occasions, I would highly recommend it to local residents and out-of-town visitors alike. Indeed, a third of all Folklorama visitors come from outside the city. Folklorama is an important event because it celebrates the very elements that make Manitoba so unique. Over the course of the next two weeks, Folklorama guests are exposed to a wide variety of different cultures, having a chance to sample some exotic food and drink, listen to some uplifting music, see some breathtaking dancing and peruse interesting cultural displays and artifacts.

This year's 14-day edition of Folklorama features 39 pavilions scattered throughout the city. Some 20 000 volunteers will go to painstaking detail to ensure that visitors are well treated, well fed and well entertained at this the 31st edition of Folklorama. Where else but at Folklorama could you visit Alpine countries, the Philippines, Croatia and Ukraine all within a five-minute car ride.

New this year to Folklorama is a massive celebration being planned for The Forks this coming Saturday evening. The kickoff features

something for everyone. The time is from 4 to 7, and children will enjoy interactive performances and multicultural hands-on workshops at the Stage for Learning.

A multicultural party will follow this from 7 to 10:45, featuring live local and international bands. The evening will finish with a fireworks display at 10:45 p.m.

In closing, Mr. Speaker, I would like to congratulate Judy Murphy, Executive Director of the Folk Arts Council and all those individuals who come from near and far to make Folklorama an ongoing success. Their efforts have enriched countless lives. Thank you.

National Ukrainian Festival—Dauphin

Mr. Stan Struthers (Dauphin-Roblin): Mr. Speaker, this coming August long weekend will not be a long weekend for the 10 000 people who will be attending Canada's National Ukrainian Festival this weekend in Dauphin. If they are like me, they will find that three days are not long enough to take in everything they would like to at this, the largest celebration of Ukrainian culture in North America.

In the 35 years that the festival has been in operation, it has grown and grown and grown. This year there will be performances by no fewer than eight choral and dance troops from across Canada, a special children's festival on the hilltop, a boutique selling goods from the Ukraine, a parade, a beer garden, street dances, woodcarving, embroidery, and culinary exhibitions and competitions. Even the traditional baking competition alone can boast a remarkable 13 categories this year.

The festival draws many of Canada's one million people of Ukrainian origin to our province and to the city of Dauphin. I would like to thank the many volunteers behind the festival for their proud participation in this national event and congratulate the Board and the organizers on their enormous, logistical feat in bringing all of this together.

As the MLA for Dauphin-Roblin, I would also like to invite all members of the House, and indeed all Manitobans, to come to Dauphin this

weekend and celebrate with us. Thank you, Mr. Speaker.

T-33 Jet Refurbishment and Rededication

Mr. David Faurshou (Portage la Prairie): It is my pleasure to rise in the House to speak of an event I recently attended in Portage la Prairie. On July 31, a rededication ceremony and plaque presentation was held to commemorate the restoration of a T-33 jet aircraft in Island Park, which has been a long-time familiar landmark in Portage la Prairie. The aircraft was a gift from the Royal Canadian Air Force to the people of Portage la Prairie and has been situated on a pedestal in Island Park since June of 1966. The jet was used for flight training purposes formerly at CFB Portage la Prairie.

The T-33 was one of the first monuments of its kind to be erected in Canada and serves as a continuous affirmation of the good will between the citizens of Portage la Prairie and the Canadian Armed Forces. We in Portage la Prairie are thankful for the members of the Canadian Armed Forces air element who have provided care and upkeep of the monument. I would like, particularly, to commend Major James Tutte who spearheaded the refurbishment of the plane and rededication ceremony. As a result of his hard work, the T-33 was restored with the assistance of the Canadian Forces Millennium Grant of the Department of National Defence. I am pleased that this monument will continue to be in top-notch form for future generations.

The ceremony also served to commemorate the 59th anniversary of the first pilots to graduate in Portage la Prairie. Indeed, for almost 60 years, members of the Armed Forces at Southport have made a tremendous contribution to the local community and then have gone on proudly to serve this nation.

I would like to congratulate the citizens of Portage la Prairie and the members of the Canadian Armed Forces at Southport on the refurbishment and rededication of this most important historic monument.

* (15:10)

Winnipeg Fringe Festival

Ms. Bonnie Korzeniowski (St. James): Congratulating the Winnipeg Fringe Festival on its astounding record-breaking event this year is daunting. As the Executive Producer of the festival, Bertram Schneider, quipped: I think we have broken every record we have from beer sales, to venues, to attendance. If you can count it, we have broken it.

It is daunting not only because of the number of records broken and by such large margins, but because of the number of people deserving congratulations. They are the playwrights, actors, directors, stagehands, costume designers and technicians who throw themselves so wholeheartedly into their productions, and to their financial detriment at that. They are the 620 volunteers who staffed the events. They are the many private and corporate sponsors and funders, including the Department of Culture, Heritage and Tourism. There is the Exchange District BIZ who gave their employees the afternoon off on Wednesday to allow them to play hooky at the Fringe. And finally there are the 69 751 Fringers who set this year's attendance record, outdoing the previous record by 19 percent.

Congratulations to all of these people and thank you for inspiring, delighting and provoking us and enriching our summer.

ORDERS OF THE DAY

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, would you please call report stage of Bill 42?

REPORT STAGE

Bill 42—The Public Schools Amendment and Consequential Amendments Act

Mr. Speaker: Bill 42, The Public Schools Amendment and Consequential Amendments Act (Loi modifiant la Loi sur les écoles publiques et modifications corrélatives).

House Business

Mr. Marcel Laurendeau (Opposition House Leader): Mr. Speaker, before we move into Bill

42, I wonder if we might seek leave that there be no quorum counts seeing as we are sitting in both committee and the House at this time.

Mr. Speaker: Is there leave to not allow quorum counts for the afternoon? [*Agreed*]

* * *

Mrs. Joy Smith (Fort Garry): I move, seconded by the Member for Steinbach (Mr. Jim Penner),

THAT Bill 42 be amended in the proposed preamble, as set out in section 2 of the Bill,

(a) in the ninth clause, by striking out everything after "interest" and substituting "that educational resources be managed efficiently and effectively for the good of students and communities"; and

(b) in the tenth clause, by adding "and accountability" after "responsibility".

Motion presented.

Mrs. Smith: Mr. Speaker, I would like to put some comments on record regarding this amendment. This amendment has to do with a preamble in Bill 42. The preamble outlines a lot of the essence of what both sides of this House would like to see in the public school system.

It talks about the educational interests of the students. It talks about the public school system contributing to the development of students' talents and abilities. It talks about public schools should contribute to the development of a fair, compassionate, healthy and prosperous society. It talks about the public school system taking into account the diverse needs and interests of the people of Manitoba. It talks about the democratic local school divisions and districts, how they play an important role in providing public education that is responsive to local needs and conditions. It talks about that parents have a right and a responsibility to be knowledgeable about and participate in the education of their children. It talks about public schools require skilled and committed staff in order to be effective.

This part of the preamble this side of the House can certainly endorse because it talks

about putting students first. It talks about the need to look at the school system in terms of the whole community, especially the point where it talks about the public school system in this bill must take into account the diverse needs and interests of the people of Manitoba. That is why I am speaking to this amendment that outlined in the proposed preamble in section 2 of the Bill, in the ninth clause and in the tenth clause.

Mr. Speaker, in the tenth clause, originally the Bill said: "AND WHEREAS it is in the public interest to further harmonious relations between teachers and their employers through a process of collective bargaining consistent with the principle that resources must be managed efficiently and effectively."

Mr. Speaker, there is a problem with this particular amendment, with this particular part of the Bill. This is why the amendment that was put forward was extremely crucial to the development of the intent in the preamble. In the ninth clause, by striking out everything after "interest" and substituting "that educational resources be managed efficiently and effectively for the good of the students and communities," it reflects the fact that we are talking about not the teachers here, but we are talking about the full community. We are talking about teachers, principals, trustees, parents. We are talking about all the resources that must be managed effectively and efficiently for the good of the students and the communities.

This brings us back to why the public school system is established. The public school system is established to educate students so they can live and work in the real world, so they acquire the skills that are so necessary to go into the job market in the year 2000 and on. I take exception. This side of the House takes exception to the first part where it says "it is in the public interest to further harmonious relations between teachers and their employers through a process of collective bargaining."

Mr. Speaker, it is not the collective bargaining that causes harmonious relationships between teachers and students. There are schools and school divisions across this province that are working together in partnership, in partnership through the advisory councils for school

leadership, in partnership through the school trustee associations, in partnership with parents, with classroom teachers, in partnership with the students.

We need to be very mindful to guard the public school system against any intrusion that might be other than the well-being of the students and the well-being of the education of the students. No self-respecting teacher would say that harmonious relationships are based on their paycheques. Teachers are far too committed to their students. We have master teachers across this province that are doing a five-star, excellent job and building harmonious relationships, and do you know why? It is because they were called to be teachers because they love to teach. They love to be in the classroom. They have harmonious relationships with the students. May I just interject right now, I must put on record that the Member for Brandon West (Mr. Smith) is making derogatory remarks about what I am saying at this point.

I need to put that on record, Mr. Speaker, to maybe draw their attention to the importance of this bill. The importance of this bill is to promote, the importance of anything we do is for one reason, and that is to provide the best possible education.

An Honourable Member: A point of order, Mr. Speaker.

Mr. Speaker: Order. The Honourable Member for Seine River, on a point of order.

Point of Order

Mrs. Louise Dacquay (Seine River): Yes. I am wondering if you might call the Honourable Minister of Family Services (Mr. Sale) and the Honourable Member for Brandon West (Mr. Smith) to order. I am experiencing great difficulty hearing the comments made by the Honourable Member for Fort Garry.

Mr. Speaker: On the point of order raised by the Honourable Member for Seine River, I, too, am having a very difficult time hearing. I would ask the co-operation of all honourable members to please allow the Member for Fort Garry to be heard.

* * *

*(15:20)

Mrs. Smith: Thank you, Mr. Speaker. It is not my intent to annoy members opposite by trying to speak to this bill. It is my intent to provide a better education. The members on this side of the House want to provide an education for the students and a workplace for the teachers where harmonious relationships do prevail, and any self-respecting teacher will tell you that it is not the paycheque that makes for harmonious relationships.

Teachers do have the ability to bargain. They do have the ability to talk to the trustees at this present time until this bill is passed. They do at present time have the chance to speak with their trustees and to negotiate and to develop a relationship where the teachers explain what is needed for resources in their classrooms, for resources that are needed in terms of computers, in terms of textbooks, in terms of science equipment. These are the concerns that teachers have.

Mr. Speaker, on this side of the House, we have a concern that the intent of this clause 9, it is like a threat, where it is in the public interest to further harmonious relations between teachers and their employers through a process of collective bargaining. The lack of vision, the lack of insight into what education is all about is paramount in this particular clause that is in this bill. This is why we are paying careful attention to Bill 42. We are trying to persuade members on the other side of the House that it is better to amend this clause. As you know, in committee this clause was voted down. Unhappily, it is worrisome that the clause was voted down simply because we happen to be members on the opposite side of the House to the Government.

There is no logic, no rhyme or reason in keeping this clause in. We need to understand that the harmonious relationships are not based on collective bargaining. We need to understand that the harmonious relationships lie with the parents and the teachers, the school principal on the onsite school, the students and the teachers that have the phenomenal ability of developing students to their greatest potential.

I daresay that this is a slam against teachers. I taught for 22 years. My husband still teaches. I take exception to the fact that a law in the Province of Manitoba would say that because of my collective bargaining harmonious relationships will prevail. That is ill conceived. It is much more likely to cause dissension in the schools than to promote harmony.

When it talks about the resources must be managed efficiently and effectively, in the 10th clause, we on this side of the House wanted to add an accountability after responsibility so that the Province and the school division has accountability and has responsibility for the management of the resources.

Mr. Speaker, this ill-conceived clause is a very confused clause. It is a clause that does not reflect the understanding of what happens inside the walls of a school. I can tell you when the students go into school this September in the year 2000 and after this bill has been introduced in this House, I daresay, Mr. Speaker, if members opposite choose to continue to vote this bill in, it will cause much more disharmony, as I have stated before, than you can ever imagine.

When you go into a school, into a classroom at the beginning of the year, the teacher sets the tone with the students for harmony. How that is done is not through collective bargaining. It is done through getting to know the student's names, getting to find out what the students are all about. It is getting to know the strengths and weaknesses of the students academically and socially. It is getting to know the parents. It is having an open-house time where the teacher can get to know the parents. That is how you build harmonious relationships, and I can guarantee this House that no teacher will sit down with any parent and say: You know what? This is my collective bargaining contract, and guess what, Mr. and Mrs. Parent? We are going to get along very well because I am happy with my paycheque.

I am sorry, Mr. Speaker. This is not going to happen.

What is going to happen, though, is when the teachers realize that the parents are working

in partnership with them and that the students are growing to trust, respect and love the teacher that teaches them, then you start to see harmonious relationships.

Mr. Speaker, the connotation of this particular clause, ninth clause, is very worrisome when it puts the emphasis of harmony within a school on how the teachers' contract is going. This is a problem. This is a huge problem. In committee we spoke on several fronts about this clause. We persuaded; we cajoled. We tried to convince. In this House today what I am trying to do is convince members of the opposite side of the House that this amendment that we have put forward where it says that the educational resources be managed efficiently and effectively for the good of students and communities and that this clause is changed, I think it will be in the best interests of the students to make this happen.

Bill 42 is a worrisome bill. Speaking from an educator's point of view, I can see two years down the road when there will be questions about, or one year down the road, when people get to know in the public what this bill is all about. I fear, Mr. Speaker, that clauses like this will cause great worry for teachers because the questions will be asked.

Teachers now have such a huge job. What teachers need is spoken to in clause 10, where we have put "AND WHEREAS the Province of Manitoba and school divisions and districts share responsibility for the financing of public schools;" that was in the original law. What we, on this side of the House, would like added is "and accountability" after "responsibility."—So share responsibility and accountability for the financing of the public schools.

Mr. Speaker, I do not want the schools and I do not want the teachers put in jeopardy because in this law it says the Province of Manitoba put sole responsibility for the financing of the public schools when this bill has taken out the ability of school divisions to pay and the other amendments that we will be speaking on later on today, but they have set teachers up. That ought not to be happening. We need to have the amendment where the Province of Manitoba and school divisions and districts share accountability and

responsibility jointly. So it ensures in the future, when the Minister of Education cannot put all the funding into the school division he has promised, then the Minister of Education cannot go back to the school districts and say it is your fault; we gave you this clause that said you have the responsibility for the financing of the public schools.

*(15:30)

Mr. Speaker, it has to be joint accountability and responsibility. The Minister of Education (Mr. Caldwell), this government has to be responsible for the financing of the schools.

Mr. Speaker, we have to have bills put in place where teachers are supported. We need to have bills put in place where students are supported. Schools were built for students. That is why schools are here.

I know the Minister has the best of intentions; however, the Minister has not had the opportunity to have a full-time teaching position, to my knowledge, in the public school system. When you have had a full-time responsibility in the school system or a full-time teaching position, as I have had for the period of 22 years, you kind of get the gist of what is going on. That is why here at this point in time it behooves this government, in the interest to further harmonious relationships with teachers and their employers, to ensure that the Province of Manitoba and school divisions and districts share responsibility and accountability. We are talking about the resources that the teachers have within the school.

So they talk about, first of all, the teachers' paycheques for harmonious relationships which, as I spoke to earlier, the paycheque does not make the harmonious relationship. It is the wonderful talents that the teachers have in terms of opening the communication.

When we talk about resources, what this government and this minister should be paying attention to is the fact that teachers need the kinds of resources, they need the teacher assistants, they need the resources, they need the shoring up of bodies in a classroom. When students have problems, Mr. Speaker, I have

heard from teachers across this province that have said what we do need is we need more help, more assistance. We need more in-servicing.

There are many new curriculums that need to be learned because, rightly so, the former government brought in new curriculums to assist in the education of the students across this province. The teaching population widely received those new curriculums with a sense of satisfaction, because every teacher knew that they needed curriculums.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mrs. Smith: Mr. Speaker, thank you. It is unfortunate that we have to be interrupted by catcalls from the other side of the House, particularly with the Minister of Education (Mr. Caldwell) leading the pack.

This is a very serious situation. I am standing here because this side of the House believes very strongly that these two clauses need to be amended. They were voted down in committee. This is our last chance to persuade members of the opposite side of the House to amend these clauses and to make them right so it reflects on the best possible education for the student and the shared responsibility between the Province of Manitoba and the school division for the financing of the public schools.

When we talk about resources, this minister has very kindly said publicly that he has an open door. The Minister of Education has said that he is listening. So when those amendments were presented from this side of the House, it is worrisome to me that none of the amendments presented from this side of the House or the very crucial amendments presented from this side of the House, I should say, because there were a couple of amendments that the Minister of Education did wordsmith a bit, but the ones that were of paramount importance are the ones that we are presenting today, Mr. Speaker.

These two in the preamble set the tone. The preamble, outside of that, is something that this side of the House is very pleased to have in the

bill. We are not pleased with the bill, but the preamble is supposed to set the tone. The tone is supposed to be that the public school system is built for the good of the students, so the students can be educated to the very best potential that they can reach in this public school system in Manitoba.

When a preamble puts in things about collective bargaining and teachers' paycheques, we are out of line in that sense. When that kind of thing comes on the horizon, we are changing the whole face of education here in Manitoba. Mr. Speaker, there are teachers across this province that would say without a doubt that they do not want this kind of thing put forward where collective bargaining is suggested as being the paramount thing to make harmonious relationships occur in any given public school.

With the shared responsibility, I plead with this government to amend this clause 9 and clause 10. In clause 10, the Province of Manitoba and the school divisions have to have shared responsibility and shared accountability, because the accountability prevents the Minister's office of going to school divisions and saying, well, the taxes are raised, it is your fault. We have to get away from this fault thing that they talk about.

Members from the opposite side of the House bring up things from 20 years ago. They are living in a rearview mirror, Mr. Speaker. We have to look ahead to the future.

If indeed this government's intent is to promote harmonious relationships between teachers, parents, trustees across this province, then the centre has to be on the child, not on the teachers and their employers through a process of collective bargaining.

In terms of resources, who is going to be accountable for the resources being managed effectively and efficiently? The way these two clauses read, it plants it squarely on the shoulders of the onsite school division. The school divisions cannot possibly handle their resources efficiently and effectively through Bill 42. Not only has the ability-to-pay clause been taken away, but this clause in the preamble sets the tone, and this preamble should not set a tone

that puts the responsibility of the finances and the resources squarely on the shoulders of the on-site school division.

We are taking considerable time today to go carefully over these amendments. This is not something we would have chosen to do. We chose to do it not to take up time. We chose to do this to persuade, convince, cajole the Minister of Education into taking a second look at these amendments instead of collectively checking with his colleagues and saying no every time we put an amendment forward.

We are hoping on this side of the House that the Minister will see reason, the members on the opposite side of the House will see reason, and put these reasonable amendments into this bill to protect the teachers and to develop the best possible educational system in this province of Manitoba.

This Bill 42 has the potential to start a war in our public school system. The ill-fated Bill 42 will come back to reflect badly on teachers, and that is not fair. Teachers need to be supported. Teachers need to be listened to.

*(15:40)

When I listened to the presentations at committee, I found the most important message getting out from the presenters from the Manitoba teachers' union was the fact that in some school divisions, teachers were not treated very well by their employers. Indeed this has to be addressed, but not through Bill 42. You cannot legislate good relationships. You cannot legislate harmonious relationships. That has to be done at the grassroots. That has to be done through the valuable relationships that the professional teachers, the parents and the students develop throughout the school year.

A very important part of the harmonious relationship is the principal of the school, the administrator of the school. More and more administrators are finding the task of leading a school very difficult, because they do not have the tools and the support that they need to be able to interact and work with their teachers and the school community. To enable this to happen, a bill cannot have something in it, a law in

Manitoba cannot have a very destructive amendment in it that talks about the paycheque being more important than the well-being of the schools and the harmonious relationships of the students and of the teachers.

What we need to do, there has to be reform in the education system, but the reform has to be implemented by people who are knowledgeable about the school system. It has to be implemented. Mr. Speaker, I have pleaded with the Minister to put this bill aside and take time to go to the schools and talk to not only the teachers but talk to the students, talk to the parents, talk to the trustees. I have to put on record I was appalled that the Manitoba Association of School Trustees was shut down for no apparent reason when they made their presentation. These amendments were taken from everything that this side of the House has heard from teachers, from parents, from other kinds of educators, from principals, from trustees.

These amendments were very thoughtfully put forward because initially when Bill 42 was brought forward and the political promise that Bill 72 would be repealed, I knew, this side of the House knew at that point in time that that bill would be repealed. Well, to replace it with something that is possibly one of the worst bills for the teachers and for the students across this province on a long-term basis is shocking. What I am asking the Minister of Education (Mr. Caldwell) to do as we go through these amendments is to look inside his own conscience and to look at the long term. Not in the rear view mirror, not what Howard Pawley did, not what all the rest of them did, but to be brave and to look into his own conscience and to look forward and say to himself, how is this going to promote the better education of the students? How is this going to promote better harmonious relationships between parents, teachers, trustees and principals?

If this minister would take the time to go out into Manitoba and go to the public schools and speak to the people on the ground, not just special interest groups but speak to the people, speak to the teachers, and then bring a bill forward that is fair and balanced. On the other side of the House, we always hear we want bills,

legislation, that is fair and balanced. I am saying before this House that this bill is not fair and balanced. It will do harm to the teachers, it will do harm to the students, and it will do harm to the taxpayers.

This has to be on record. Instead of this bill or these amendments going through, I would implore the Minister of Education to take a second look and to have the courage to backtrack, put this bill aside—there is no rush—and go out into the districts and come back with the real information and look at a long-term plan. When you are working with children and when you are working with students, there is no way that your collective bargaining process promotes the harmony between the students and the parents.

Most parents care very much for their teachers. Most students care very much for their teachers. And most principals, if they are wise, and I daresay not every principal is wise, there are some that do not have the skills, but the majority of the principals across this province care very deeply about their schools, their school districts, their teachers. With this wisdom, they are able to build their harmonious relationships. It would meet the needs that are trying to be met in this preamble. I daresay another process, if the Minister is worried about the harmonious relationships, would be to get a problem-solving technique in place that would look at the problems that schools have. The Minister has a variety of avenues to produce harmonious relationships within school divisions.

Mr. Speaker, when we are talking about shared responsibility and accountability, we have to have accountability here with Manitoba Education and Training, with the Province of Manitoba and with the local school division because without that shared accountability, then we have a blame situation set up. I can see in a year or two, the Minister of this House coming forward when school divisions are in trouble and saying that is your fault. You could not manage your finances effectively, when the school divisions were put in an impossible situation to balance their budgets. An impossible situation.

We need more teachers in our schools. We need more programs in our schools. This ill-

conceived, ill-thought-out Bill 42 will not achieve that. I do know that there are problems we have to deal with, problems and challenges that this government has to deal with in the public school system. It would be in the best interests of Manitobans to get more information about what those problems really are.

Mr. Speaker, we have to look at the full panoramic view of what the problems are on-site at the schools. On the other side, there are many schools that are working very, very well right now, very harmoniously. This preamble is going to set up two camps. It is going to set up division amongst trustees and teachers. This is going to be disastrous to the well-being of the teachers and the students.

In committee, the Minister said the well-being of the teachers makes for the well-being of the students. The connotation of his defence of keeping this bill in is good working conditions for the teachers promote good learning conditions for the students. I would concur that it is very important for teachers to have very good working conditions. You do not get very good working conditions with a hammer.

To hammer in a bill that in the preamble suggests, in clause 9, that collective bargaining is in the public interest to further harmonious relationships between teachers and their employers through a process of collective bargaining is outrageous. It goes against everything that every self-respecting teacher says about the education of children. I outlined before what makes for harmonious relationships between teachers, students and parents, and believe me, it has nothing to do with their collective bargaining contract.

It does have to do with the harmonious relationships and the resources put into the classrooms so teachers can teach and students can learn. What teachers need is more programs for students with ADD, more programs where students are behind in their reading and their writing and their basic computational skills, more support for the teachers so the teachers do not have to be all things to all people.

*(15:50)

Mr. Speaker, the greatest minds in this province are found in the school system. I

implore the Minister of Education to go out and find those very great minds and talk about how this minister can further the cause of an excellent public education system in this province by asking the experts. The experts are the public school teachers. The experts are the principals of the schools. That is where this minister should start.

Mr. Speaker, this lack of vision that is so prevalent in this bill starts in the preamble, sets a tone, a tone that what is important is how high the wages are for the teachers. You know what? Teachers would take exception to that. I acknowledge that teachers do need raises in pay. I applaud raises in pay for teachers, but to put in a preamble that the collective bargaining process is in the public interest in a threatening way, when you read it, "in the public interest to further harmonious relations between teachers and employers through a process of collective bargaining," that is very threatening.

So, Mr. Speaker, in conclusion, I do not feel that the education system needs to be threatened in this province of Manitoba. I think that teachers need to be supported in a meaningful way. I think that the partnership has to be promoted and the resources have to be put in the partnership between the Government and the local school divisions. It has to trickle down into the most important place, and that is in the classrooms, in the schools in this province of Manitoba. Thank you.

Mrs. Dacquay: Mr. Speaker, I am not sure what was resolved here and just want clarification. Was the Minister wanting to speak to the amendment?

Thank you, Mr. Speaker. It is my pleasure today to speak to the amendments moved by my colleague the Member for Fort Garry (Mrs. Smith). The preamble indeed is laudable, but the two amendments that are being proposed by the Member for Fort Garry, in my opinion, only strengthen the intent of the Bill.

We heard from many, many school divisions, and most of them did agree with a number of the points in the 10-point preamble, because it does describe the purpose of public education and the respective roles of the school

boards, the provincial government and the parents. However, one of the biggest concerns expressed by numerous school divisions was that the Act did not appear to be consistent at all with its intent and as related to the preamble. The preamble, the ninth "WHEREAS," the proposed amendment adds the word "educational," prefixing the word "resources" which, as I indicated earlier, does strengthen and qualify which resources and the whole intent of the preamble was for the betterment of the students education and for the communities.

I want to quote here from two or three of the actual briefs that were presented by some of the school divisions. The presentation by the Assiniboine South School Division did indeed question the preamble and the impact of that preamble relative to the actual intent of the Bill, and I quote. This is from the Assiniboine South School Division No. 3: The ninth WHEREAS in the preamble states that it is in the public interest to further harmonious relations between teachers and their employers through a process of collective bargaining consistent with the principle that resources must be managed efficiently and effectively. Presumably this means that every effort should be made to promote a mutually satisfactory negotiated contract between teachers and their respective divisions.

However, they go on to say that the current act is designed to encourage a mutually satisfactory negotiated settlement, which would more clearly support the objective of fostering harmonious relations between teachers and employers. Their request was that our committee recommend changes to this arbitration clause.

The Seven Oaks School Division also, although they gave the Bill some support, said quite emphatically that they were deeply troubled by many aspects of Bill 42 and that they could not support the Bill in its current form. They also went on to say that we fear that Bill 42 will, in fact, lead to less discussion, less local problem-solving, through an increased dependence on arbitration.

Clause 10, and the proposed amendment, actually strengthens the clause as identified in the Bill. The words "and accountability" are

added after the word "responsibility." Well, I have heard over and over and over again in this Chamber how Today's NDP Government espouses transparency and accountability, yet inserts the words "share responsibility" and never mentions the word "accountability" in the preamble of the 10th WHEREAS in clause 2 of the Bill. Surely, by the insertion of the word "responsibility," it indeed does clarify and ensure that accountability is taken into consideration.

Most divisions that made representation reiterated over and over again in their presentations that they were accountable to their electors and that they had to be, because as elected members of the community they were subject to review by the local electors, and that they also were required to respond to the local needs and they required that flexibility. However, this bill does not give them that accountability, and it does not give them the flexibility to ensure that they take into consideration the fact that they ultimately are the ones that are responsible and accountable to their electorate.

* (16:00)

I want to quote again from the presentation made by Seven Oaks School Division, and they say: We fear that Bill 42 will, in fact, lead to less discussion and less local problem-solving through an increased dependence on arbitration. Mr. Speaker, that is very troublesome, not only to students, parents, I am sure it is also troublesome to teachers who work extremely hard and would prefer, I am sure, to be able to solve their negotiation process through a regular collective bargaining that is consistent with what clause 9 says, "the principle that resources must be managed efficiently and effectively." Continually the various members of the communities that made presentation indicated that arbitration will not achieve that goal. As part of the bill in its current form, there is a sunset provision that indicates class size and composition become arbitrable following the commission report. This prejudices the commission's report.

Lakeshore School Division also indicated that this legislation will change the bargaining environment between school boards and our

teachers and will negatively impact on our school system and most importantly on our students. They also indicated that many of the school divisions have mission statements that are comparable to the laudable goals as set out in parts of the preamble, but the actual legislation itself proceeds to ignore the truth and the importance of the preamble and proposes changes that will undermine school divisions ability to fulfil the Government's statement of principles and their own mandate and mission.

Those words were made by the Lakeshore School Division No. 23. So, Mr. Speaker, I do not believe it is just members on this side of the House that are being picky with the wording, because I think everyone fully understands the intent of this bill and that the preamble here does not indeed reflect the intent of the bill.

I am concerned that the Minister would not acknowledge, particularly in the 10th clause, that by adding the words "and accountability" after "responsibility," surely he is not trying to imply that the Province of Manitoba is not accountable for the financing of the public schools. The divisions that made representation repeatedly said that they are accountable and that is part of their mandate. They must be accountable because they will face the local residents in elections every four years. The accountability is a very integral component of their role and function. All of the divisions that I heard indicated that their primary purpose was to ensure that the best educational interests of students were met.

Some of the divisions indicated that significant changes to the legislation should occur by positive action, not by default. Once again, all elected officials who are responsible to their community should make the decisions that significantly impact taxpayers. Appointed arbitrators are never accountable to taxpayers and they should not be given the authority to make those kinds of decisions. That once again is a direct quote from the presentation made by the Assiniboine South School Division No. 3.

As I indicated earlier, I could not understand why the Minister would outright reject the insertion of the word "accountability" after the word "responsibility" in the 10th WHEREAS of

the preamble because, in my opinion and the opinion of my colleagues, this only strengthens the intent of the Bill and does nothing to destroy it. It, in fact, enhances it.

With those few short words on this first amendment, I will defer to my colleague.

Mr. Mervin Tweed (Turtle Mountain): I would like to just put a few comments on the record in regard to the amendments brought forward by the Member for Fort Garry (Mrs. Smith). I want to compliment the Member for the insight, the time and effort that has been put into not only studying the Bill, but preparing the amendments. Perhaps with understanding and some dialogue, all members of the House may understand it better and be prepared to support the Bill.

It is a little ironic, Mr. Speaker, and I look at the Bill in its entirety. I notice on the explanatory notes that it just highlights what the Bill is all about. I find it interesting when we are talking about education and our children and trying to create more opportunity and better opportunities for them that the explanatory note would state: "This Bill amends The Public Schools Act to provide a new scheme of binding arbitration—without strike or lockout—for settling of collective bargaining disputes between teachers and school boards." It also goes on to state: "It also makes the Labour Relations Act apply to teachers and school boards, except when the Act conflicts with The Public Schools Act." As a throw-in: "In addition, the Bill requires the Minister to appoint a commission to make recommendations to government about provincial policy on class size and composition."

Ms. Bonnie Korzeniowski, Acting Speaker, in the Chair

Nothing in the Bill talks about educating our children. I think that is unfortunate. We saw the managers of our schools, the people that actually represent the taxpayers of the province of Manitoba, the Manitoba Association of School Trustees, who we, as a government and as a people living in a community, put a lot of faith and a lot of trust in to not only create the best opportunities for education, but to manage that part of the education process so that we, as

taxpayers, understand why taxes in our communities are where they are, to explain what they are for and how they are being utilized, and how they are best used to serve the people that we are trying to do the best for, and that is educate our children.

Again, not one thing in this bill, in the changes that they are making to the Bill, actually talks about educating our children. It talks about providing different forms and different schemes of collective bargaining. It is not about educating our children. It is not about recognizing the special needs of some of our students. It is not about anything other than collective bargaining agreement, which, as we have heard in the past and in several bills that this government is bringing forward as legislation, I believe was a deal made with a special interest group during an election period time. As the members opposite have continually stood on their feet and said: We made a promise, we made a promise, we made a promise. When it is convenient for them to fulfil those promises and to fulfil those commitments, they do. When it is not convenient or when it is against the public opinion, they still do it, only they just do not discuss it with anybody else. They close their minds to the public opinion that is out there. It is very unfortunate.

* (16:10)

As I spoke yesterday in relationship to the labour bill, it creates a real, uneasy feeling with the public. I think no one feels more taken advantage of than a person who is not given an explanation or given an understanding of the issues so that they can form an opinion and make a decision based on the facts.

What we are seeing day after day after day is a government that wants to hide behind legislation. They want to hide behind the rules of this House or create rules that stop discussion. We have the largest body of people in the province that actually look after the management and the affairs of schools and school divisions in our province. They go to a public meeting to have their input heard and are basically shut down during the debate and during the question.

It just amazes me that we talk about a government that is open to suggestion and

willing to listen to the people. Yet we constantly have each minister and each member of government standing and putting gags into the procedures that stop people and stop public opinion.

It is wearing thin in the public venue. People are starting to ask a lot of questions. People that have in the past probably not had any particular interest in any one issue in government are finding that they have several reasons now to try and find out more information, find out what is going on, why they are doing this and seeking explanation.

What we are getting is a government that, instead of giving explanations and trying to convince people that what they are doing is right and is understandable, is shutting the door on debate. They are refusing to meet with groups and organizations. They are refusing to talk to the people that are impacted. They are basically just saying do not worry, trust us, and they are not happy with that. Today's population is not the type of people that are going to lay down and not be heard on certain issues, particularly issues that impact them dramatically.

I would suggest that this bill, along with several other of the bills that the Government is currently bringing forward, are things that people are taking an interest in and trying to get the information. I think everybody is prepared to give governments, new governments in particular, a fair chance to prove themselves and to take the lead.

When you start shutting out debate and the ability of the public to question government, I think you are setting a dangerous precedent, and so early into a mandate. I guess politically it serves me well because it is something that the public are telling me that we have an elected body and we have a government that no longer wants to listen to people.

It is early. I mean, we are not into the first year of the mandate, and already people and the public are getting the sense that this government will not listen, does not listen, and forges ahead with their own plans to impede the progress of the province in a way that I think, as time will

prove me, will retard the growth of the province and the growth of our system.

This education bill, I actually probably struggle calling it a public schools and an education type of bill, because it really does not deal with education at all. It deals with labour acts and it deals with collective bargaining. I mean, it almost mentions children and education in passing just to appease the Bill.

I think as we read through the Bill and as I look at the amendments that are being brought forward and being proposed, these are amendments, I mean, we are not trying to change the Government's entire direction. We are taking suggestions that the public made to us, the public, if not through government public consultation, the public that came to see us and presented to us because we did take the time to listen to them. We did not shut them down and we did not refuse them their rights as people in this province to express their point of view. Yes, as the Member says, we did not put time lines on what they could say.

Particularly it frustrates me to no end that the largest group, the largest body that the Minister of Education is going to have to deal with except for teachers is the school trustees. Who do they represent but every taxpaying person in the province of Manitoba? They are disappointed; they are frustrated. As people do from time to time with all governments, they get angry, and they take issue with governments. But the failure of a government to sit and listen and treat these people with the respect that they deserve and they have earned is unforgivable.

I have always said in my entire life, in my business life and in my political life and in my family life, if you give people a chance to speak, you may not always agree with them, but at least they will feel and they will be a part of the process that, whether they disagree with you at the end, they cannot stand up and complain and argue that they were unheard. I think it is sad that this government has chosen to go down that path so early in the mandate. I think it is unfortunate that people will not be heard. I think of my own experiences in business and in government when I felt I was not being at least listened to, that I resented it. So then I found a

way to make my voice heard that sometimes was not always in agreement with my business or with my colleagues. The fact was that I was determined, as an elected official, to have my voice heard, to represent the views of the people from my part of the province and, I think, from all parts of the province.

I think the failure of this government in four years will be hung on the single fact that they failed to listen to the public or what the public was saying. I almost regret giving the Government this advice because, from purely a selfish point of view, it would be in my interest to pat them on the back and move them forward and say: Go out there, keep going, Fido, you are doing a good job, and do not worry. Nobody is listening and nobody cares.

But I think it is important, when we bring legislation to this building and to the people of Manitoba, we present it to them and we listen to what they have to say. I think it is so, so unfortunate that this government has chosen not to do that.

The amendments that the Member for Fort Garry (Mrs. Smith) has brought forward—and again I know she has a few amendments to bring forward to present—have not meant anything other than to improve the Bill, to make this a better piece of legislation for the people of the province of Manitoba. It is amendments that, after discussion with all the groups involved in the education of our children, we feel, will advance that cause. It is not advancing an individual cause of MAST; it is not advancing an individual cause of the MTS organization. It is advancing in the best interests of the children. That, again I refer back to this piece of legislation, seems to be what is being forgotten in the whole presentation of this bill. It totally ignores education of children. I think that is sad.

* (16:20)

The Member from Fort Garry has proposed the amendments, and I would encourage that the Minister look at these amendments and perhaps take some time to give them some consideration. Perhaps take a little extra time and call MAST back and apologize for the behaviour and the way they were treated and the discourteous

fashion that they were treated with at the committee room, and say perhaps we can make a deal or a compromise that will make this legislation palatable to everybody. Instead of dealing strictly with the labour issues of education, it would actually deal with the children that we are creating all this legislation for and all this education.

The MAST organization has developed and created several pieces of information to present their opinions and their points of view. Like us, MAST is an elected body. I think it would be unwise for us to ignore this group of people and what they are trying to say to the government of the day in creating better legislation for the province, better legislation which, in turn, would enhance learning opportunities for children to access and to have a better opportunity for education at all ages.

The changes or the amendments that the Member has brought forward are responsible. They talk about extending—they are not completely eliminating—the legislation. What they are doing is enhancing it. They are adding benefits to it. They are adding accountability and responsibility to it. I think it is something that the Government would be wise to take the time to look at, to get an understanding of, and perhaps consider the changes that are being presented here today as beneficial to all parties.

I do want to close my comments, Madam Acting Speaker. I would encourage the Government to listen, to take the time to read the presentations that are out there and that are available. I think it would be in the best interests of the Minister to take a step back, and take a look at what is being offered and consider it. It is all meant to improve the Bill. It is not meant for any other reason than to enhance legislation.

With those few comments, I would be pleased to turn the floor over to one of my colleagues to continue the debate.

House Business

Hon. Gord Mackintosh (Government House Leader): Just a matter of House business. Madam Acting Speaker, if the debate on Bill 42 concludes this afternoon, there is an

understanding that there would then be Bill 44 called, debate on second reading.

As well, I wish to announce that the Standing Committee on Industrial Relations will meet at 10 a.m. on Wednesday to consider Bill 47, The Civil Service Amendment Act, and bills referred.

The Acting Speaker (Ms. Korzeniowski): The Industrial Relations Committee will meet on Wednesday at 10 a.m. to consider the following bill, Bill 47, The Civil Service Amendment Act.

* * *

Mr. Leonard Derkach (Russell): Madam Acting Speaker, I should say I am pleased, or I would like to say I am pleased, to rise in speaking to this bill, but I have to limit that to saying that I am pleased to speak to the Amendment to this bill that was proposed by my colleague the Member for Fort Garry (Mrs. Smith).

Madam Acting Speaker, it is an obligation I feel to speak to this amendment and to this bill. As a former teacher and a former minister of Education, this is an issue that does concern me. It is an issue that I have some significant interest in, and one which I feel needs to have a significant amount of debate in this House so that we can hopefully convince the Minister that he must change his direction and perhaps agree to the amendments that are being proposed in this legislature by the members on this side of the House.

Back in my former life as an educator, I was involved in teacher negotiations, as many members, I am sure, on the opposite of this House were when they were teaching or were involved in some capacity in the welfare of teachers or the negotiations for better working conditions, better salaries for teachers. Later, years later, I was involved in negotiating for the trustees for our school division. That gave me a bit of a different perspective on the whole issue of collective bargaining.

I have to say that, when one looked at the process that was in place in those days, it was one where teachers had agreed, way back in the

late '50s, I believe it was, that they would forgo the right to strike in exchange for being able to settle their collective bargaining disagreements through conciliation and through arbitration. The conciliation-arbitration approach was one where it took a significant amount of time because once an impasse was reached between the parties negotiating, you would have to apply for conciliation. A professional conciliator would be brought in to take a look at the issues that were outstanding and to see whether or not there was any mutual agreement or any meeting of minds with regard to the outstanding issues. If that did not occur, then the two parties would apply for arbitration. I know members opposite are very familiar with that process.

What happened, though, Madam Acting Speaker, was that the scale began to tip as time went on, and pretty soon we had the powers of the Manitoba Teachers' Society negotiating on behalf of the school division, of the local association, against the local trustees. So what it meant was that the balance became tilted in favour of the teachers fairly heavily. For a number of years trustees began to complain about the fact that they did not have the kind of resources that the Manitoba Teachers' Society had at its head office to negotiate these salaries. *[interjection]*

Well, the Member opposite asks me about individuals who were involved with the Manitoba Association of School Trustees in terms of staff. They were very capable people, I would admit. On the other side, the individuals were extremely capable. I would have to give them full marks.

* (16:30)

As a matter of fact, the Member for Riel (Ms. Asper), I know that she knows very well the negotiating tactics of the Manitoba Teachers' Society because—*[interjection]*—and, she says, MAST—she was intimately involved in those kinds of negotiations and those kinds of discussions over a number of years.

I do not think there is a question in terms of how the balance had tilted. I was a teacher, and therefore, I received the benefits from those negotiations and from those approaches, and they were quite acceptable to me at that time.

When you look at it from a distance, Madam Acting Speaker, one begins to realize that there must be a level playing field if, in fact, you are going to have meaningful negotiations that are going to result in fair settlements for both sides. Now that is what we have to strive for. It is not to gain advantage for either one group or the other. I would be just as opposed if we were giving an advantage to the trustees over the teachers.

I feel teachers deserve to be paid well. They deserve to be paid fairly. They deserve to have decent and good working conditions, because our teachers work very hard. They work in a climate which is often difficult, to say the least. They work in a climate where there is a lot of turmoil. They work in a climate where social issues are intertwined within educational issues, and where it is hard to separate them. So the teacher becomes not only the educator but indeed, becomes many times the person who looks after the social needs and the social problems of that youngster, and oftentimes becomes the go-between for the school and the home.

So teachers face many challenges. I am one who will say to anybody that I believe that our teachers need to be paid fairly, need to be looked after properly in terms of their working conditions, and need to be treated fairly in this whole process. Having said that, I think the same goes for the trustees. The trustees are called trustees because they have been entrusted with the care of education by the taxpayers of our province. Therefore, they have a responsibility. It is not a personal agenda that trustees are on when they go into the collective bargaining arena. They go in there on behalf of the people who pay the bills, understanding full well that they have to provide the best education possible in that area.

Unfortunately, Madam Acting Speaker, we have a situation where we have disparities in means and disparities in wealth across our province. Some of our areas, some of our school divisions in our province are very wealthy by virtue of the taxation that they are able to collect through their levies. Some of our areas in our province, some of our school divisions in our province are what we would call relatively poor

areas, because their assessments are low and they are not able to generate the kind of revenues that some of their counterparts are in other parts of the province. So we have a fairly difficult situation to deal with. The only way that we have been able to deal with it over the course of time has been through an education finance formula that comes from the Department of Education and Training and recognizes the inability of all areas to perform exactly the same. So we have grants that offset those inequities that we find across our province.

Bill 42 and this particular amendment are extremely interesting. The Bill itself is interesting because I believe the Government has erred in that they made a promise to the Teachers' Society during the course of the election campaign. Now they have to fulfil that election commitment. So that is not an erroneous statement, because I have talked to now-retired Teachers' Society personnel who have indicated to me that it was their turn to get a benefit from government. So they are holding this government responsible to change completely the process of collective bargaining between teachers and school trustees. This is wrong.

When a government is elected, it is not elected to pay back favours to people who supported them during an election campaign. A government is elected to be responsible to the people of the province, to be accountable to the people of the province, and to treat their citizens of our province respectfully without bias, in fairness. That is not what is happening in this case. It is illustrated in this bill, Madam Acting Speaker. I regret to say this because I think we have heard numerous presentations during the second reading of this bill which tell us exactly that. Now we could say: There were just as many speakers who spoke in favour of the Bill as those who spoke against the Bill. Well, yes, we could have lined up every teacher in this province and said you have something to gain by the passage of this bill personally and as a professional, and therefore we want you to speak to it. They would and I do not blame them. They have a vested interest.

But we must understand that every presentation that I heard from educators was basically the same. As a matter of fact, they

wanted more than what this government was even providing. But, if you look at the presentations that were made from the people who oppose this bill, and one of those groups was the trustees, they laid out the facts very clearly. They said: Do not put us in a position where we are going to have to impede the educational opportunities of our children. Madam Acting Speaker, that is what this bill will do. If the teachers ask for too much from a school division, the school division does not have unlimited resources.

Now some arbitrators have said in the past that financial means of a school division should not be considered because all the school division has to do is increase taxes. But who pays those taxes? It is you and me and many like us across this province who have to pay the taxes. They are hardworking Manitobans who say: We are overtaxed as we sit today. They have people who will work very hard for the dollars that they earn, and they cannot afford any more taxes. If you look in the west part of the province where there has been devastation in terms of the economic opportunities for people, that is the most evident place where we can say those people have limited out. They cannot afford any more.

What will they do? What will the school divisions do if, in fact, the awards, through the process of Bill 42, are so high that the taxation level cannot sustain it. What will happen? Well, it is pretty obvious to me what will happen. School divisions will begin to cut back on programming. They will cut back on resources. They will cut back on materials. They will cut back on the opportunities that will be given to the students of that school division. What happens as a spinoff to that? Well, some families will choose to remove their children from that education system and enrol them in a system where the children can get the opportunities that they require. Others will be forced, because of their circumstances, to accept less for their children. I do not think that is fair. I believe that creates an inequity in the opportunities that our children are going to have.

If you look at Bill 42, Madam Acting Speaker, what you will see in Bill 42 is a concentration on the welfare and the economics

of the teaching profession rather than on the welfare of the child, the welfare of the student in the school. That is what is wrong with Bill 42. That pendulum is swinging so far that indeed it shifts the balance to where now the teacher is going to be able to demand all sorts of things.

*(16:40)

Now I remember being in the classroom and there were years when I had 10 students. There were years when I had 14 students. There were years when I had 32 students, and those were tough years. Any teacher who has 30 students or more is facing a tough situation in today's world. My goodness, I have been out of the system for so long that I probably do not even understand the kinds of pressures that the educators face today.

Nevertheless, that is the nature of the profession. I call it a profession because I believe educators are truly professionals. It is a profession that we should be proud of. Our educators are the ones who are responsible for the development of our youth in this province. The way in which our youth develop is certainly a reflection of our total education system.

But it does not mean that teachers should be able to negotiate some of the things that are clearly in the hands of management, such as the size of a classroom, because I believe that is something that has to be exclusively in the management rights of the school division, the trustees and the administration of that school division. Otherwise chaos will prevail, because if teachers negotiate classroom sizes—let us use an example. I think in Manitoba, the Minister of Education (Mr. Caldwell) can correct me if I am wrong, but I think the pupil-teacher ratio is somewhere around the 20 student mark, as a whole. If we go down to 18 to 1 or 16 to 1, what will happen? Are school divisions going to be able to afford it? Some will. Some will afford it, and some will pay for it, and some will increase taxes. But there are many that cannot.

Back in the early '70s and the late '60s, that in fact was the case, where there were disparities because of the fact that some school divisions could simply not afford, even in those days,

those meagre salaries that were being paid and those working conditions.

So, Madam Acting Speaker, where do we go from here? The Member for Fort Garry (Mrs. Smith) has proposed an amendment, the first of a series of amendments. When I look at the amendments that the Member has put forward, I think that they are intended to improve a bad bill. We cannot hoist this bill. We do not have the power on this side of the House. We cannot withdraw this bill. We do not have the power on this side of the House. The only thing that we can do to reflect what we heard in the Committee was to bring forward amendments that would reflect some of the things that Manitobans want in terms of improving this bad bill and making it at least palatable to some of the people that will have to live with this bill in implementing it.

The Minister is listening, and I ask him to take a look at this. I know what commitment was made during the election campaign. But I also know from experience that any minister of any portfolio is going to leave his mark on that portfolio. Years later, people will look back. Today, if you look at past education ministers, the ones that come to mind, to me, are ones who dealt fairly on both sides of the issues, ones who were leaders in implementing programs, ones who did not look simply at payback but looked more at what needed to be done in the field of education.

One of those ministers that comes to mind was also our Lieutenant-Governor. That was Doctor Johnson. I was just beginning a career when Doctor Johnson was the Minister of Education. Of course, the Province was much richer then in terms of net dollars in revenues, and so they had an abundance of revenue to be able to increase programming, increase facilities. There was creative thinking. Teacher negotiations still went on between school boards and teachers. People could argue about the fact that maybe it was not balanced then, but in an overall sense the Minister of Education of that day did not intervene to upset the scale. He did not intervene with legislation that would give inordinate powers to one group over another.

That is something that I think our current minister needs to think about. He needs to think about this bill to see whether or not he is comfortable with putting this legislation forward and signing off on this legislation and living with it for the next 3 or 4 years, or however long he is in that portfolio, and even after that.

So I ask him to give this bill another read, to give the amendments that are being proposed by my honourable colleague, the Member for Fort Garry, by giving her amendments some thought, some consideration. Indeed, if they cannot be accepted in the form that they are presented today, perhaps they can be presented again in an amended format so that they are acceptable to the people who are out there working on behalf of us. I talk about the trustees and also the teachers.

When you look at the section that my colleague has proposed this particular amendment to, it talks about the students, first of all. It is the opening part of the Bill, and it is within the preamble of the legislation. It talks about the school system. It talks about students. I would like to read this section just because I think there is some relevance in what I have to say about it. It says: "AND WHEREAS the public school should contribute to the development of students' talents and abilities; AND WHEREAS public schools should contribute to the development of a fair, compassionate, healthy and prosperous society;"—

The Acting Speaker (Ms. Korzeniowski): The Honourable Member's time has expired.

Mr. Derkach: Already?

The Acting Speaker (Ms. Korzeniowski): Already.

Mr. Derkach: My time has expired to this amendment?

I ask for leave for two minutes to conclude my remarks, or a minute to conclude my remarks just so that I can conclude my remarks. I was under the impression I had 40 minutes.

The Acting Speaker (Ms. Korzeniowski): Is there leave of the House? [*Agreed*]

Mr. Derkach: Thank you, Madam Acting Speaker, and I want to thank the members of the House for giving me a minute to conclude my remarks.

I just want to say in conclusion, and I cannot read this section, but I want to ask the Minister a very serious question. If in fact my colleague has presented amendments that improve this bill in terms of its acceptance to the general public, and I do not mean just the teachers but also the people who are representing the taxpayers and business people and all of the ones who presented, then I think it would be fair to ask the Minister to consider these amendments very seriously. I would like to ask the Minister to give these amendments another read and to ensure that in fact he has considered them carefully before he moves ahead with the rest of the legislation.

So with those few words I conclude my remarks on this amendment of this bill.

Mr. Peter Dyck (Pembina): First of all, I do want to speak to the amendment, but I did want to make a committee change. May I do that now? I ask for leave to do that.

Some Honourable Members: Leave.

The Acting Speaker (Ms. Korzeniowski): Leave has been granted.

The Honourable Member for Pembina, with a committee change.

Committee Changes

Mr. Dyck: I move, seconded by the Honourable Member for Russell (Mr. Derkach), that the composition of the Standing Committee on Industrial Relations be amended as follows: The Honourable Member for Turtle Mountain (Mr. Tweed) for the Honourable Member for Fort Whyte (Mr. Loewen); and the Honourable Member for Portage la Prairie (Mr. Faurichou) for the Honourable Member for St. Norbert (Mr. Laurendeau).

Motion agreed to.

* * *

*(16:50)

Mr. Dyck: I, too, am pleased to support the amendment that the Honourable Member for Fort Garry (Mrs. Smith) has put on the record here today. Just to give you a little bit of background as to where I come from, first of all, on Bill 42, but I guess would be the repealing of Bill 72.

I had the opportunity with Bill 72 to go throughout the province. I guess this is one of the major concerns that I have with Bill 42. This is an imposition. This is something that is being imposed upon boards, upon the province, and may I say imposed upon the children, the parents, the grandparents of the province of Manitoba and taking their ability away to be responsive to the needs of the schools, the divisions, but mainly to be responsible to the needs of the children.

That, to me, again, is of primary importance. I have children in the school system. Unbelievably, as a young grandparent. I did not know grandparents got to be that young, but I do have a grandson in school. So I have tremendous concern about the fact that Bill 42 is taking away the ability for parents, but, of course, in this case, the school board to be involved in the management of the students and the people within the community.

We went throughout the province and were getting feed-back from parents, from grandparents, from MAST, from Manitoba Teachers' Society, and certainly everyone had some very good points to put on the record, we listened to all of them. We went throughout the province and we gave an opportunity for people to respond to the needs that we felt were of our total school system.

Remember, Madam Deputy Speaker, that this was a review that had not taken place for 40 years. I challenge anyone in this chamber and this House here to rethink. After having something in place for 40 years, is this not a good opportunity to review it to see where it is at? That is what we did. Again, we had hearings throughout the province of Manitoba. We listened to all players and participants within that community, and we asked for their response.

That is something that I see has not taken place within the imposition of Bill 42. We need to go from community to community and ask the people out there, Manitobans, as to how they feel about changing some of the things.

The amendment, as has been brought forward by my honourable colleague, simply states that educational resources be managed efficiently and effectively for the good of students and communities. I come back to what I said right at the outset. The reason that we are talking about this Bill 42 is the children, the children within our communities, my children, your children. I think that all of us would agree that what we want is the best for our children within the community and within our schools.

So, I feel that we need to continue to push, and the Minister of Education (Mr. Caldwell), I think, has lost that point in the imposition again, in bringing forth Bill 42. I do not think he has had consultation. In fact, I know he has not had consultation and gone throughout the province of Manitoba and asked what has taken place. The way I see it, it has been coming back into the House day after day, and that is a promise that has been made to the Manitoba Teachers' Society.

Now, you can go back and say, well, have you ever been involved in that part? Yes. As a matter of fact, I had the opportunity to teach for seven years. I was involved with the Manitoba Teachers' Society, on the other hand. But then also, I have had the opportunity to be a trustee for 15 years and an opportunity to be involved in negotiations on both sides.

Certainly, as my honourable colleague from Russell has indicated, we are not here to try and take something away from the teachers, the people who are the professionals out there teaching our children. In fact I have always said, and I think many people have heard me say this, that a good person, you can never pay enough. On the other hand, I would submit to you that a teacher or anyone, someone who is not a good teacher, I think anything is too much. I am very honest with that. I think that is where the whole area of management comes into play when we look at the management ability of our trustees. That is what my honourable colleague from Fort

Garry is trying to say here, that we need to be able to continue to give that management responsibility to the trustees who the parents have elected, again, a democratic process. I submit to you that what we are seeing take place within this House and within the legislation that we are seeing here from day to day is that democratic right being taken away. That bothers me tremendously. I believe that we are living in a democratic society, in a democratic country, and we do not want to take that away from the people within our communities, the people within this province and this country.

I am tremendously proud to live in the province of Manitoba, to represent the area that I come from, the Pembina constituency. Again, I have got three school divisions in there: Prairie Spirit School Division, Western School Division, and Garden Valley School Division. I hear the Minister of Education say hear, hear on Prairie Spirit. I know that he has a brother teaching out there, and a fine teacher he is.

I believe that this is a one-sided approach. Bill 42 is a one-sided approach of how he feels about trying to resolve a problem. So they are constantly coming back and saying we need a balanced approach.

Mr. Speaker in the Chair

I submit to you that is absolutely right, but I would like to see the balance. As we have been saying time and time again in speaking to Bill 42, this is not a balanced approach, absolutely not a balanced approach. That is what we are concerned about.

Mr. Speaker, I want to first of all raise my displeasure with Bill 42, because I know that they have not gone to the people within the Province of Manitoba and in fact asked them what specifically they would like to see changed within the whole education system. The fact that they take away the ability for school boards to be able to make the very essential decisions for the students within their communities is something that I cannot understand. Why would they take this away? Why would they not want to have parental involvement within the school system?

I fail to see the real reason for doing this other than that I guess it comes back, and we are hearing this time and time again: It is a promise that we made prior to the election. I do not quite understand that a promise made prior to the election, if it is not good for the children within our community, I think then you need to start to massage the Bill itself, that you need to relook and try to make it something that is relative, in fact, to the needs of the students out there.

Again, I will come back to it. The reason we are doing this is for the students. I see the Bill is for the teachers, but the ultimate goal has to be one of being responsive to the needs of our children. It is the same thing within the province of Manitoba. If we are now going to go and impose legislation in this province that is going to be driving business out of here, what is the point of having people within this province? We need to be able to generate wealth, to be able to pay the people that we need within our school system. I just see a contradiction in what is taking place here. We are talking about the good of the province of Manitoba. I do not see it within Bill 42.

* (17:00)

Again, coming back to the amendment that my honourable colleague has made here, which says that educational resources would be managed efficiently and effectively for the good of students and communities, leads me to another area of questioning and concern. That is that the Minister of Education has stated that the school boards have one year in which to amalgamate, and upon the second year it is going to be imposed upon them. I am not sure exactly what the reason for this is. My guess is that somehow he is going to be trying to save money to do that. I have no problems with trying to save money.

I think that anyone who knows me and knows the area that I represent, we are fiscally responsible with the things that we do. In my own business I try to be fiscally responsible with that. I also try to treat the employees that I have in a fair and honourable way, and I think school boards are doing exactly the same thing, but why are we trying to do this? Why are we trying to impose this upon divisions? I can just use the

example of Garden Valley where they are presently working together in a co-operative way with 10 other divisions, and consequently, trying to save money by purchasing—and as a group you can do that. So this is something that I certainly encourage, and I believe the Minister would agree with me that that is a good idea.

On the other hand, again, imposing something upon the divisions and saying that we are going to eliminate half of them, whatever the number may be, I do not understand the rationale for that. Again, maybe he has some arguments that he thinks are the right ones, and is something that the people are wanting, and I may just give out this information. Certainly, I think, every government has looked at it, and has looked at the amalgamation of school divisions, but it was very interesting that, when in fact we looked at it, the response that we got from the general public was no. We do not want it. It is the same thing here.

I fail to see the reason for the Bill that has been introduced and put in place without having gone out to the communities for consultation. Again, in a democracy, we need to talk to the people within the province. After all, they are the ones who elect us. If it is a very one-sided approach, listening to only one side in this factor here, I fail to see the real reason for that. So, with that, certainly, and I realize we are not speaking to Bill 42 here, but again I want to put it on record that I cannot support Bill 42. On the other hand, what we are doing with our amendments and putting them in place is trying to, in some way, make this so that it could be more palatable. It could be something that, as a community or a school division, they would be able to work with. I know that my honourable colleague is going to be introducing a few more amendments, which we think would be proper and also which would help to make Bill 42 something that school divisions might be able to live with. This is what we would like to see happen.

Again, it is for the reason of trying to create an education system within the province of Manitoba that one that is, No. 1, going to meet the needs of the children, but also, the next one is going to assist boards and to be able to

manage the system better, and then the next one is to be able to treat teachers in a fair and equitable fashion. That is what I would like to see happen, and I believe that my honourable colleague has put forth amendments which will specifically be speaking to that, and which are going to assist in that.

So, with those few words, thank you very much, and I will now allow my other colleague to take over.

Mr. Ron Schuler (Springfield): I must say this amendment before us is a breath of fresh air. What a great opportunity to finally be able to debate common sense, and I am so happy that the Minister of Education is sitting and listening attentively to what is going on. I know he sits there with his full attention on the comments that are being made, the kind of down-home, good, solid advice that he is getting, and I am sure every one of these things will be factored into the legislation before us.

The amendment moved by the Honourable Member from Fort Garry (Mrs. Smith), wise, wise individual that she is, deals with a section that, I know it has been pointed out, but I always believe it is important to state very clearly that one stays on the topic what it is exactly we are debating, and, of course, it is "THAT Bill 42 be amended in the proposed preamble as set out in section 2 of the Bill, (a) in the ninth clause by striking out everything after 'interest' and substituting"—and I will read: "AND WHEREAS it is in the public interest that educational resources be managed efficiently and effectively for the good of students and communities and so on, and then (b) in the 10th clause by adding "and accountability" after "responsibility." So I will read how it should be read: AND WHEREAS the Province of Manitoba and the school divisions and districts share responsibility and accountability for the financing of the public schools.

Mr. Speaker, I had, one must say, the pleasure of sitting on this committee and hearing presentations where we started off one evening and finished off the next morning. I think it was 4:19 a.m. the next morning. Then we were back at it that evening, and we went back at it till I think it was one-something the next morning.

Literally we sat for four days straight through and listened to briefs. I think we heard some phenomenal, phenomenal presentations. Clearly individuals had put a lot of work into it. They had put a lot before the Committee.

Certainly you do have some people who might veer a little bit on the management side, and you had a few that veered a little bit on the labour side or certainly on the teachers' side. But you know what? As you sat through the Committee you found that there was a common theme that developed throughout it. I was pleased to see that.

In the end, everybody got up, and you could see that the children, the best interests of the education of our children was really what everybody was talking about. The perspective that they came from might have been a little bit different, but it was interesting.

I think the Minister and all members who were present at that committee will concur that they said, whatever it is that changes, we want to have harmony. Of course the best way they felt to get there is where the difference was. I actually came away from those committee meetings with a very upbeat feeling towards our education system, because I actually felt that it was a very healthy process. I thought it was a very good process. I was very pleased with the presentations.

Certainly there were individuals very passionate one way and, hey, I am hardly one to speak against passion. I mean, that is my middle name. It was great to see individuals getting up. I think one of the terms was hooray for the Minister, or whatever. I think that is good. I think it was healthy. I think it shows the kind of enthusiasm, the kind of excitement people have about our education system.

Mr. Speaker, I am sure you want to know, as do most members in this House, that I spent four years toiling and working and doing my best for the interests of the students of River East School Division, second-largest school division in the province. You know, I do not want to be too partisan here, Mr. Speaker, but dare I say one of the best school divisions, if not the best, in the province. We were known once in a while to

toot our own horn. We used to say that it was actually one of the best school divisions in the province and in Canada. Once in a while we added on universally speaking.

* (17:10)

You know, we felt very proud about that school division, because we really worked and we really tried for what was in the best interest of the students. I think that is what every school division is doing. I believe that is what every teachers' association is doing. I believe that is what every teacher is doing. You know what, lest we forget that the maintenance people in our schools are doing what is in the best interests of our students, I mean, everybody, it is the bus driver, it is the courier, it is everybody there. They are doing what they love to do, what they want to do. That is seeing to it that the next generation and the next generation, literally our nation's future, gets the best education possible. Everybody that came before that committee, everybody, bar none, absolutely every one of them, that was the point that they were making. I think we appreciated it. You heard that from both sides of the Committee. It was a wonderful opportunity. It was certainly the first committee that I got to sit on. I appreciated that the Education critic asked me to join her on that committee.

One other thing, just on the side, I noticed that the mosquitoes usually only bite until about two in the morning and then the fruit flies come out until about 4:19. I do not know what it is about this Minister of Education, why he does not seem to have the clout of some of the other members in his cabinet. Maybe he could have got the screens on the first night. Maybe we could have had some of that screening to hold out—there were moths coming in the size of birds, but it was fine. We got through it, and it was a great process.

We certainly got some very good briefs. I think they focus on exactly what we are talking about here. I always like to refer back to the amendment, that educational resources be managed efficiently, because that is very important. I do not think it matters anymore where you go in society, where you go in the world. Everybody now has to watch the

resources they have. We manage our resources as efficiently as possible, and that is in the best interests of our students, and effectively. There has got to be an effect. When we spend dollars, there has to be a positive effect. There has to be a reason why we are spending it. There has to be a good outcome. So effectively is very good, for the good of students and for the communities. Again, it is looking out for the best interests not of us as individuals, but there, too, not just us as a province, but there, too, but actually for the nation. I believe one of the main factors of judging a nation is on the education of the children. So I certainly do appreciate that particular amendment.

In one of the presentations, it addresses this so beautifully that I feel I have to refer to it once in a while. It is a brief by the Manitoba Association of School Trustees. I felt it was very telling. I thought it was very well laid out. Again, they speak to Bill 42 and the reason why we on this side of the House feel there have to be changes made. They say:

"The Manitoba Association of School Trustees is strongly opposed to Bill 42. If enacted, the legislative changes proposed by The Public Schools Amendment and Consequential Amendments Act will have a major and overwhelming negative impact on Manitoba's public school system. Although MAST has repeatedly communicated its concerns to representatives of the Government, the Bill that was brought before the Legislature on June 22 is a fundamentally flawed piece of legislation." And that is why we are dealing with amendments. "For the sake of Manitoba's educational system, we hope that the Law Amendments Review Committee will recognize the validity and importance of MAST's concerns." Certainly we all did. "We thank you for the opportunity to express today, on behalf of Manitoba school boards, our profound opposition to this bill." I guess you could say, thus, in favour of the amendment.

"As you may know, MAST membership includes all of Manitoba's public school boards. Given the importance of this issue, we requested specific endorsement of our position from individual boards. Although the timeline has been very short, 39 school boards have explicitly

endorsed the organizing principles of the following presentation. In addition, 94 individual municipal councils have endorsed our position. Further support for this position has been provided by the Manitoba Chamber of Commerce, the Canadian Federation of Independent Business, and the Manitoba Association of School Business Officials. In the four weeks of summer, since this bill was introduced, over 130 locally elected boards and councils, with three major provincial associations, have signed statements opposing this bill.

"On June 22nd, the Minister of Education and Training stated that he was proud to 'introduce a bill that deals with collective bargaining and puts the interests of our children first.'

"We agree with the Minister's assertions that the interests of our children, and their educational needs, must come first. Our public school system exists for that very purpose. The Public Schools Act provides the framework within which the powers of school boards and the legitimate interest of teachers and other employees are balanced to ensure that our central purpose,"—here it is—"serving our children, is achieved. Our analysis of Bill 42 will demonstrate that it fails to meet the Minister's criteria of 'putting the interest of our children first.'

"The Minister further stated that this new collective bargaining process will be fair to both teachers and school boards and sustainable."

Just getting off the quote here, that is exactly what our amendment addresses, the sustainability. I would like to proceed.

"For more than 40 years, Manitoba students have benefited from a collective bargaining system in which binding arbitration is used to settle disputes between teachers and school boards. Over the years this process has been modified. The most recent changes in 1996 were designed to rebalance the process that was becoming seriously skewed in favour of the teachers' union to the detriment of students and communities. Bill 42 not only undoes the changes that were introduced in 1996; this bill goes much further to skew the collective

bargaining process to the advantage of the teachers' union.

"Our presentation which follows will substantiate our convictions that this bill is neither fair nor sustainable. Most importantly, it is not the interests of children that are being put first.

"This bill compromises the educational interests of Manitoba children by shifting decision-making authority away from elected community representatives, and to the teachers' union and arbitrators.

"A school board exists to translate its community's hopes and aspirations for its young people into a sound and sustainable education system. School boards also manage that system. School boards have a dual responsibility to their students and to their taxpayers. Their mandate requires that they balance the responsibility to provide the best possible education for their students with the responsibility to manage their resources effectively and efficiently, and to recognize the impact of increased school taxes on their communities.

"In the preamble of Bill 42, government affirms this role by stating that 'democratic local school divisions and districts play an important role in providing public education that is responsive to local needs and conditions.' However, the legislation then proceeds to contradict itself by undermining school boards' ability to fulfill one of their most important responsibilities,"—here it is—"managing the human and financial resources of their communities.

"The collective bargaining process determines teacher compensation and teacher working conditions, which account for the majority of school board expenditures. When this process breaks down, binding arbitration is used as the final dispute resolution mechanism.

"The system of collective bargaining and binding arbitration is premised on two assumptions: the good faith of the parties involved—school boards and teacher associations—and the integrity of the arbitrator(s). For the most part, these assumptions hold true, but

not always. In one notable instance, the good faith of a local teacher association was called into question when it decided against approving a negotiated settlement in favour of arbitration. The arbitration board awarded a higher salary increase than that agreed upon through the negotiation process, and included five additional major union proposals for change to the collective agreement.

"Arbitration is generally viewed by the public as an unbiased means of resolving disputes. School boards respect the integrity of arbitrators to whom they present their cases, but we must also recognize their humanity, their fallibility and the political process through which they are appointed.

* (17:20)

"Of particular concern to school boards is the precedent-setting nature of arbitration awards. Arbitrators set precedents that influence both future arbitrations between other school boards and teacher associations, and the outcome of collective bargaining that does not proceed to arbitration. Arbitration introduces into collective agreements matters that had never been freely negotiated between school boards and teachers.

"There are many examples of clauses that, although now common in collective agreements, were first introduced by arbitrators. Two of these are interest or retroactive pay and noon-hour supervision clauses. Both of these resulted in substantial costs to school boards.

"Most recently, in June of this year, the first maternity leave provision that provides for a comprehensive, supplemental employment plan was introduced by an arbitrator. If such a plan were to be introduced province-wide, a conservative estimate of its cost is \$3.2 million based on 1999 maternity leave statistics. This same amount of money could pay the salaries of an additional 64 classroom teachers, who could enhance the educational experience for hundreds of school children. Enhanced maternity benefits are not an area where most school boards would choose to spend scarce dollars, particularly in light of the potential for the cost of this benefit to increase dramatically with changing teacher demographics.

"School boards are elected by their communities; arbitrators are not. Arbitrators should not have the authority to impose decisions upon elected school boards that undermine the board's authority to manage their community schools. We believe that allowing arbitrators to make determinations that would routinely require school boards to increase taxes amounts to taxation without representation, a concept that is an anathema to a democratic society."

They go on to say: "We strongly support the existing Public Schools Act which provides for reasonable limitations on arbitrators in areas of management rights, and requires arbitrators to consider the ability of school boards to pay in making awards. The existing legislation balances this limitation by giving teachers the right to grieve school board decisions in areas precluded by arbitration."

In the last two minutes, Mr. Speaker, I would like to say that it was most unfortunate that I could not get through most of this report. Perhaps later on I will have that opportunity, as MAST did not have the opportunity to read their whole report into the record. Certainly I believe it is important that everybody be heard. It is something that I hope that I will be able to do later on as we continue to debate this particularly very important bill for the House. Thank you, Mr. Speaker.

An Honourable Member: Westman rules.

Mr. Larry Maguire (Arthur-Virden): That is a fellow from Westman making rules that I hear?

It is a pleasure for me to put on the record a few words in regard to Bill 42. I know there will be other opportunities to do that, so I am not going to go into a great deal of depth in regard to the whole bill that we are talking about today in regard to Bill 42.

I only want to speak to a few of the items around the amendments that my honourable colleague from Fort Garry has put forward. That will deal more with the effective use of the opportunity to provide the tools that we have in our educational system for the betterment of our students and to try to enhance the education

system in the province of Manitoba by making better and more accountable use of the items that we have available to us.

I could go on at great length about some of the items in Bill 42 around the issue of ability to pay, having come from the region that I do, and the disaster that took place in that particular sector of Manitoba last year. But there may be another opportunity for me to do that. I will do so at that time.

Today I would like to open by saying that this changing of The Public Schools Act by the amendment and consequential amendments act that has been brought forward by the Honourable Member for Brandon East, the Minister of Education (Mr. Caldwell), has brought a great deal of consternation to the people of Manitoba, not only in my region, but also I know in his own region as well and in all of Manitoba. Parents and grandparents of students and children out there today are wondering what will be the basis of the kind of educational system that we will have in the future of Manitoba. They are very concerned about the input ability that they will have into the processes that we are going to be going ahead with in the future. They are very concerned about whether or not they will continue to have the ability to have the kind of consultations that they have enjoyed in the past in regard to the ability of their students to gain a sound education in Manitoba. Let me be very clear that the future of this province depends on a very sound education system.

As in the development of any sector, whether it is in information technology transfer, engineering, the agricultural economy or financial services, it really does not matter what sector of our economy today that we look at. Our students of the future, our children of today, are the leaders of tomorrow. They are going to have to be able to get the best possible education that they can in a competitive atmosphere with that of other provinces.

Manitoba, as I have always said, is in the middle of Canada. Now some people have described it, I have heard it described as being in the middle of nowhere. But I believe we are in the middle of everywhere because of our central location not just within Canada but within the whole North American continent. Because of

that, we bring together many diverse cultures and diverse heritages that have come together in a melting pot here in Manitoba, if you will, for the kinds of opportunities that we give our young people, regardless of their race, regardless of their history or past or culture or whatever. All of our students deserve to have the opportunity to be well educated, and they deserve to have the opportunity to learn in a safe, sound atmosphere.

I am very worried, as a newly elected member of this House, that some of the bills that I see coming forth by this government are going to detract from those students' ability to be able to have the most sound educational opportunities that they could possibly have in the future, and somewhat restrict them from being able to be as good a future leader in Canada as I see in some other areas.

I am willing to refer to a few of the comments in the preamble of this bill. One of them—"WHEREAS a strong public school system is a fundamental element of a democratic society"—is exactly what I have been just talking to. If we do not have a strong public school system or strong system of education where our children can become the leaders of the future, have a safe classroom atmosphere for them to learn in and help those who are not as favourably endowed as some, and provide them with that opportunity to become future leaders, then we are in for a dismal future.

I believe, and I am always an optimist, that the Minister of Education (Mr. Caldwell) does want our students in Manitoba to become the future leaders of not just Manitoba but of Canada. Indeed, as we move into more globalized trade and opportunity in intellectual property and other sectors that we are dealing with in world trade agreements, I have to believe that, regardless of what party he is from, regardless of what his vision is for the future, he has to believe that we need that sound system that will provide our students with the ability to make them the future leaders of our industries and of our sectors.

* (17:30)

It goes on to say that "WHEREAS the purpose of the public school system is to serve the best educational interests of students."

Well, there is no doubt that we need to have a system that provides students with those best educational interests and keeps their best educational interests in mind.

I have not been directly involved myself on our local school board, but I believe that I have had some background in it. That comes from having a spouse who was a member of our local Souris Valley School Board for some 11 years. So I know what it is like to have a family member that takes education to heart, that really, really gave her very best effort in trying to make sure our students' future was the basis of every effort, of every move that school boards made in Manitoba.

She spent four years on the school board before taking a two-year break because she kind of believes in turnover. I will not go into the story that I could tell you in regard to that. But she spent two two-year terms on the board at that time, and then because there were others in the district, she took a two-year leave. Our children were in school at that time and very young, but she was very concerned about where our education system was going in the province of Manitoba and came back and ran again. She was asked to put her name forward. She did win that election and spent another seven years on the school board after a two-year leave of absence.

I have to commend her for the years that she spent in that system, because I am sure, Mr. Speaker, that all trustees in Manitoba take their responsibilities very seriously, as my honourable colleague from Springfield has indicated his experience in this effort, in this whole process of education in Manitoba. Many of my colleagues have been on school boards in the past. But I have to commend her for taking the role and responsibilities, you know, giving it the effort that she did. She ended up being the Chair of Souris Valley School Board in her last year on the board. I can assure you that she worked very hard in that whole area of some of the issues that are around this preamble, virtually them all, but her most serious effort that she put forward was always, is this going to be good for the students?

I do not know how many times she came home and said to me that there are a lot of things taking place around the board table, but we

always have to come back and look at what is good for the students in Souris Valley School Division and indeed all of the annual meetings she attended here in the province of Manitoba. I had the opportunity as a spouse to attend some of those with her. So I have had the opportunity to see how the system works both as a parent and as a trustee's spouse and had the opportunity of attending one of the Canadian Trustees Association meetings with her as well.

She always looked at the public school system and said that it should contribute to the development of students' talents and abilities. That is another one of the WHEREASes that the Government has put forward in this bill. They also say that public schools should contribute to the development of a fair, compassionate, healthy and prosperous society.

I believe, Mr. Speaker, that that is what I have been referring to. We have to have a system that provides for our students to be able to go to school and learn in a safe, sound system that is fair, compassionate, provides each and every child with an opportunity to prosper in our society. I also believe that our school system has to be responsive to the local needs and conditions as further WHEREASes indicate. I will talk more on that under some of the other clauses, but a democratic local school division and districts do play an important role in providing public education. I believe that that is a fundamental of our sector in education and of our society. There is not a person out there, I do not believe, who is not caring about where our students' endeavours will be and how they should be carried out in the future.

WHEREAS parents have a right and a responsibility to be knowledgeable about and participate in the education of their children I believe is partly what we are talking about here as well. We do not want to have a system that limits public input from parents, from teachers, from any other sector of our society today into the economy of Manitoba, into the school system in Manitoba. We do not want to limit that ability for students to be involved in that process at all.

"WHEREAS parents have a right and a responsibility"—they must take that seriously.

From my wife's opportunity to be a school trustee, I can assure you that from the hundreds of phone calls we got that I had the opportunity to answer, there is a very open process that we go through in Manitoba in regard to the development of our school system. I have to thank her for also taking many of the phone calls from some of the sectors of the industries that I was involved in that she may have got her ear bent on a couple of times as well. But that is part of the co-operative approach to looking at any system whether it is the education system or the agriculture sector that we have both dealt in extensively in our lives.

Another sector that I am concerned about is that public schools require skilled and committed staff in order to be effective. Now the Government has put these WHEREASes forward, these eight WHEREASes that I have referred to, as a very—well, to me, Mr. Speaker, they are motherhood. They are the nuts and bolts of the kind of system that we would all want to have. But then they go on to say that the only way you can have a good, harmonious relationship between teachers and their employers is to have a sound "process of collective bargaining consistent with the principle that resources must be managed efficiently and effectively." Well, nobody has a problem with managing resources efficiently and effectively, and that is exactly what my honourable colleague, our critic for Education from Fort Garry, has done today. She has put forward an amendment that says that educational resources be managed efficiently and effectively for the good of students and communities.

I cannot see anything that could be clearer than that very sector. What we are striving to have is a sound educational system in Manitoba. I know that every one of those small schools, medium-size schools that I have in my constituency—we do not have a lot of humongously large communities in Arthur-Virden, in my constituency. Virden, of course, is the largest community with over 3000 population, but I have more schools that deal with smaller classroom sizes, combined classroom sizes, and a number of schools that have had a very tough time and are in community discussions right now about how they are going to survive and how they are going

to continue to be there in the future. I will tell you what the people of Arthur-Virden tell me, and that is that they know that they need to use these resources very effectively. If they are deficient with them—when your back is against the wall, you learn how to use resources as efficiently as you possibly can. And I believe that they are accountable for every penny and every ounce of tools that not only the Government gives them to educate the children in their areas, in our areas, but for every ounce of resource that they gather from their own local communities as well. There are many fundraisers in those small communities that help out with bringing a sound education system to the students of rural schools, as I know there are in the city here as well and cities across Manitoba.

* (17:40)

I also have members of our family who are schoolteachers and who work very hard at the education of our students, and are as conscientious as anyone in the province's teaching staffs anywhere in Manitoba. But the word "accountability" is a key to this whole process. That is why the Honourable Member for Fort Garry (Mrs. Smith) has brought forward the 10th. Part of this amendment is a wording change in the 10th clause that adds the word "accountability," in conjunction with the word that is already there, "responsibility," because it is a clear responsible process that we need to go through in the education of our children and the use of these resources. We always have to be accountable for every decision that is made in not only our school boards but by government, particularly by government, in relation to the future of our youth.

Mr Speaker, if we are going to have an accountable system in the future, then the Government has to take the responsibility into its own hands to try to put forth a bill that will be accountable to the people of Manitoba. Now, how can that happen? How can that happen when you will not listen to some of the major players in the province of Manitoba, when you will not give leave for the largest elected body of school trustees in the province of Manitoba to make a presentation to you to deal with some of their concerns?

I do not care if it is three or four o'clock in the morning, Mr. Speaker. If somebody comes in

with that kind of legitimacy, with that kind of strength and any kind of concern they might have, who are we, as elected officials of Manitoba, elected by the citizens of every community to work on their behalf, to say we will put a time limit on your ability to talk or we will not even listen because you are a couple of minutes over the time limit?

We give each other leave in this House all the time, and I cannot understand why we would not do that for the people of the Manitoba Association of School Trustees or to any other organization, the Teachers' Society, to others who might want to make presentations on accountability in this House.

Mr. Speaker, that is why I rise today to speak to this small amendment. It may seem small, but it fits in, because those last two are somewhat different than the previous eight WHEREASes in that preamble in Bill 42, The Public Schools Amendment and Consequential Amendments Act, as brought forward by this minister from Brandon East. It is disheartening for me to see that the Minister has said, well, we are going to change the Bill, put out a press release saying we will make improvements to this bill based on some of the suggestions that have come forward and then tinker around the edges with some of those items.

Mr. Speaker: Order. The Honourable Member's time has expired.

Mr. Jack Penner (Emerson): I rise today with some trepidation, and the only concern I have is with the entire bill. The entire bill, this education bill, Bill 42, that has been put forward, as put forward, is certainly not in keeping with the direction that we have been given as legislators at least from those communities in rural Manitoba that we represent. They feel that there is an effort being made here to undermine the school divisions and indeed cast a huge question mark on the ability of divisions and/or people, taxpayers in the rural communities, and I believe in most urban communities in Manitoba, to be able to pay the bill that we believe will be incurred by the cause of this new legislation.

I support the amendment that the Honourable Member has put forward. I believe

that education resources should be managed efficiently and effectively for the good of the students of the community and should have accountability and responsibility. I think "accountability" is the key word.

Anytime we draft legislation in this building, in this institution, we, as legislators, anytime we draft legislation without accountability, we are throwing caution to the wind.

This legislation, Mr. Speaker, should be directed at the child. I do not see the child being a great consideration here. I see the monetary issue as being the main part of this amendment. Doing away with Bill 72 clearly demonstrates that it is this government's desire to put into the hands of a very few people, that will be the arbitrators, the decision-making process and taking that away from school boards.

And maybe that is the reason why the Education Minister has clearly stated to all school divisions in Manitoba that he has given them basically a time limit and an ultimatum. You either merge, or we will merge it for you. The only thing that he—*[interjection]* Well, the Honourable Member for Selkirk (Mr. Dewar) says: Be honest, Jack.

I think this is being very, very honest, because there is no question that Bill 72 has virtually disappeared. All the effects of Bill 72 are gone, removed. Is that wrong? I ask the Honourable Member for Brandon West (Mr. Caldwell) whether that is true or not. And there had been absolutely no consultation. I find this government's approach rather interesting and disturbing.

We look at legislation that we are currently passing, or currently dealing with under the intermunicipal minister's portfolio, The Planning Act. A very minor bill, a very small bill, yet it has huge ramifications, huge ramifications. It changes the way we will be doing business in rural Manitoba. It calls into question virtually every livestock operation in rural Manitoba. And you know what that does, Mr. Speaker? If you call into question and you put a halt to the livestock development in rural Manitoba, you in fact put a halt to revenue generation ability in

rural Manitoba, and that will have a dramatic impact on the education system.

This bill clearly, clearly will feel the effect of this. This bill will, in large part, underpin the need then for huge amounts of government funds to be transferred to the then, could we still call them school divisions if the Honourable Minister goes to a dozen or so school divisions in this province? That appears to be his will or direction.

If that is the case, will they still be deemed school divisions? Or will they be called educational regions? And will we then have regional boards as we do in the health care facility? What powers will those boards have? Will that Minister also do away with the parent councils which now play a significant role in the direction of the education of the child? All those things are being called into question by this bill. Bill 42 has a huge impact on our education system.

* (17:50)

Previous governments, as long as I have been here, have paid a great deal of attention to the education of the child, from changes that were made to the kindergarten process to changes that were made to the primary education system and the high school system and, indeed, the secondary level at universities and colleges. Some of the changes to the acts that we made to allow for the community colleges to play a significantly larger role, I think are an indication clearly of how intent the previous administration was to ensure that the education of the child would be first and foremost in legislation. And, therefore, Mr. Speaker, the members of the current administration should think long and hard before they speak or vote against the amendment to the resolution to Bill 42 that the Honourable Member for Fort Garry (Mrs. Smith) has put forward, because I think she has been involved in the education system long enough to know what is required for the child, and one of the fundamental requirements by any government is to make sure that there are enough funds for the education system.

I want to spend a minute or two speaking on that if you would allow me because I think that

that is the fundamental of the resolution and the change to the Bill that the Minister for Fort Garry or the Member for Fort Garry, who will be the next minister, is promoting and has introduced. So I say funding. This government, this Minister of Education, the Member for Brandon East, has on numerous occasions criticized the previous administration for cutting funding in education. Well, let me say to you, Mr. Speaker, look at the record, look at Hansard, look at all the budgets, each and every budget that the previous administration has put forward, and I believe you will find an increase in funding in each and every one of those budgets. So the fallacy that the Minister has put forward and members of government have put forward on numerous occasions is real, the fallacy is real because we need only open up the budgets and find the increases. Were the increases always adequate? No, they were not. Will they be adequate under this minister's purview? No, they will not be.

I guarantee you that the system will beg for more money and that is understandable. We all understand this. Teachers want more money, caretakers want more money, teachers' assistants want more money. Everybody wants a higher level of salary. That is only natural. I want more income. The members opposite, the ministers want more income—*[interjection]*. Oh, the Minister of Education (Mr. Caldwell) says, no, no, no. Well, we can fix that. Three years from now we will fix that. We will see to it that you will not get quite as much. We will, then, deal with that matter.

However, in order to properly assess the needs and properly assess the amounts of global dollars available for the total system in government, and the Minister of Finance (Mr. Selinger) certainly knows this by now, there needs to be some serious consideration and decisions made. I think the Minister of Finance would quite willingly stand in the House and give us a bit of an overview as to the decision-making process that goes on and the prioritization within cabinet and Treasury Board of the issue, and that is no different than what happened in our term of office of almost 12 years. Our ministers of Finance had the chore imposed upon them of ensuring that health care would be the No. 1 priority, and that is where the

major portion of the money went; education would be No. 2, and that is where the second largest amount of money went; and the family services portfolio was the third one, and that is where the third largest amount of money went. Between those three departments, they consumed the vast majority of monetary resources available to government.

If the amount of money allocated to education is not adequate to serve the needs of the child, then the only other resource there is is the local taxpayer, and his or her only ability to pay then becomes the real issue. If they cannot pay, then where is the money going to come from? If there is no money coming, then who suffers? Mr. Speaker, there is only one person that suffers then, and that is the child. Nobody else will because we have secured that in ensuring that there will be mandatory provisions to ensure that teachers will be paid, staff will be paid, the buses will be paid and the fuel will be paid. So who in the final analysis then takes the reduction in the education cycle? It is the child that suffers.

This ability to pay will give the school board the final authority in making decisions as to how much money will be required after the allocation of the central authority, in other words, the provincial government or the federal government, if they ever get involved in education funding. The school board will then have the authority under the amendment to Bill 42 to make the decision, and why a government would want to remove that decision-making authority is totally beyond our comprehension.

So, Mr. Speaker, I say to you, and I say to all members opposite, all members of government, think long and hard. If you really think about and look at this amendment, you will support us. You will support us in amending this bill to make it a workable bill. Then, after we

have amended this section, we will amend the other portions of the Bill to in fact make it again an acceptable bill to ensure that the needs of the children of this province are met. It becomes very apparent to the school boards of the province that the Government of the day has cast all the needs of the children aside and has only looked at itself and its power struggle to ensure that they maintain and hold total control of the system. That is what this is all about.

That is what this bill is about. This bill is another control bill, as Bill 44 is, as Bill 4 is. These are control bills. That is what this new government, that is what the new NDP is. They are bent on ensuring that nobody else will have a say but the central authority.

There was an article written in one of the magazines not too long ago about the dictatorial approach of governing and the electoral process every four years to ensure the dictatorships. When I look now at The Election Finances Act that we are debating in committee and dealing with in committee it becomes very apparent that this government will tighten the screws tighter than we have ever seen them tightened before, and the total authority of the Premier (Mr. Doer) and his cabinet, and the members in the back benches will not have a thing to say. I know some of them complain now that they have nothing to say about the decision-making process in their government. I think that is true—

Mr. Speaker: Order. When this matter is again before the House, the Honourable Member for Emerson (Mr. Jack Penner) will have four minutes remaining.

The hour being 6 p.m., this House is adjourned and stands adjourned until 1:30 p.m. on Tuesday.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, August 3, 2000

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