

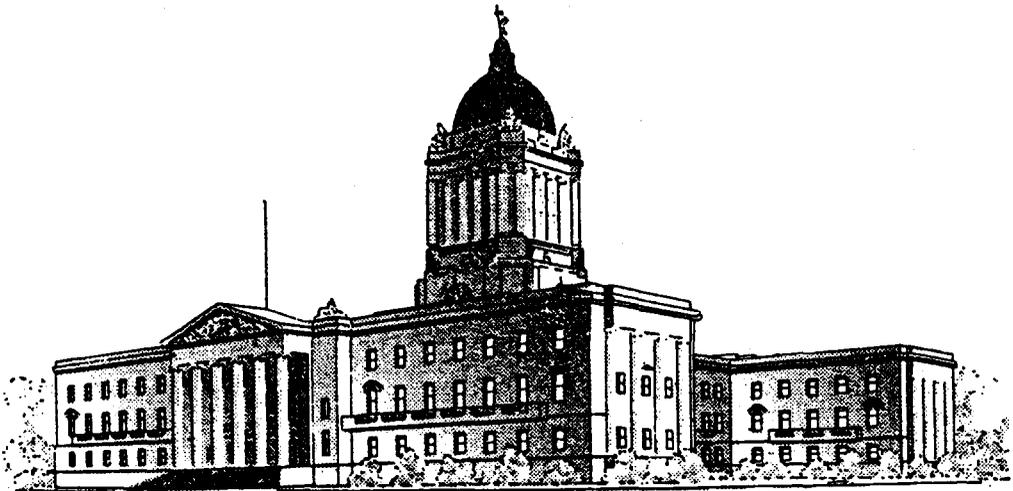


Sixth Session - Thirty-Fifth Legislature
of the
Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

(Hansard)

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Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Fifth Legislature

Members, Constituencies and Political Affiliation

<u>Name</u>	<u>Constituency</u>	<u>Party</u>
ASHTON, Steve	Thompson	NDP
BARRETT, Becky	Wellington	NDP
CERILLI, Marianne	Radisson	NDP
CHOMIAK, Dave	Kildonan	NDP
CUMMINGS, Glen, Hon.	Ste. Rose	P.C.
DACQUAY, Louise	Seine River	P.C.
DERKACH, Leonard, Hon.	Roblin-Russell	P.C.
DEWAR, Gregory	Selkirk	NDP
DOER, Gary	Concordia	NDP
DOWNEY, James, Hon.	Arthur-Virden	P.C.
DRIEDGER, Albert, Hon.	Steinbach	P.C.
DUCHARME, Gerald, Hon.	Riel	P.C.
EDWARDS, Paul	St. James	Lib.
ENNS, Harry, Hon.	Lakeside	P.C.
ERNST, Jim, Hon.	Charleswood	P.C.
EVANS, Clif	Interlake	NDP
EVANS, Leonard S.	Brandon East	NDP
FILMON, Gary, Hon.	Tuxedo	P.C.
FINDLAY, Glen, Hon.	Springfield	P.C.
FRIESEN, Jean	Wolseley	NDP
GAUDRY, Neil	St. Boniface	Lib.
GILLESHAMMER, Harold, Hon.	Minnedosa	P.C.
GRAY, Avis	Crescentwood	Lib.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	NDP
KOWALSKI, Gary	The Maples	Lib.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar	The Pas	NDP
LAURENDEAU, Marcel	St. Norbert	P.C.
MACKINTOSH, Gord	St. Johns	NDP
MALOWAY, Jim	Elmwood	NDP
MANNES, Clayton, Hon.	Morris	P.C.
MARTINDALE, Doug	Burrows	NDP
McALPINE, Gerry	Sturgeon Creek	P.C.
McCORMICK, Norma	Osborne	Lib.
McCRAE, James, Hon.	Brandon West	P.C.
McINTOSH, Linda, Hon.	Assiniboia	P.C.
MITCHELSON, Bonnie, Hon.	River East	P.C.
ORCHARD, Donald, Hon.	Pembina	P.C.
PALLISTER, Brian	Portage la Prairie	P.C.
PENNER, Jack	Emerson	P.C.
PLOHMAN, John	Dauphin	NDP
PRAZNIK, Darren, Hon.	Lac du Bonnet	P.C.
REID, Daryl	Transcona	NDP
REIMER, Jack	Niakwa	P.C.
RENDER, Shirley	St. Vital	P.C.
ROBINSON, Eric	Rupert Island	NDP
ROCAN, Denis, Hon.	Gladstone	P.C.
ROSE, Bob	Turtle Mountain	P.C.
SANTOS, Conrad	Broadway	NDP
SCHELLENBERG, Harry	Rossmere	NDP
STEFANSON, Eric, Hon.	Kirkfield Park	P.C.
SVEINSON, Ben	La Verendrye	P.C.
VODREY, Rosemary, Hon.	Fort Garry	P.C.
WOWCHUK, Rosann	Swan River	NDP
<i>Vacant</i>	River Heights	
<i>Vacant</i>	Flin Flon	

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, December 20, 1994

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

MATTER OF PRIVILEGE

Sale of McKenzie Seeds

Mr. Steve Ashton (Opposition House Leader): Mr. Speaker, I rise on a matter of privilege. As is part of our rules and is the tradition in terms of matters of privilege, it will be accompanied by a motion.

In phrasing this matter of privilege, I want to indicate that it is a matter of significant concern to us not only in regard to the particular matter I will be dealing with but in terms of a number of similar items, items of significant public importance that have not been scrutinized by this Legislature and have not been scrutinized by a committee of this Legislature or in fact been the result of any discussion in this Legislature.

While I am referring today to the circumstances surrounding the sale of McKenzie Seeds, it could apply to the Winnipeg Jets. It could apply to a number of issues of major public importance and the contempt which this government has shown in handling the public discussion and public debate on those important issues.

I want to remind members of this House of the principles of Canadian Parliamentary Law, because this applies particularly to this case, which is outlined in Beauchesne Citation 1 which indicates that the principles of Canadian parliamentary law are: to protect a minority, restrain the improvidence or tyranny of a majority and to enable every member to express opinions and give abundant opportunity for the consideration of every measure. That is something that I will show, Mr. Speaker, has not been followed in the case of McKenzie Seeds.

I want to go further to outlining why we believe this is a matter of privilege. First of all, as

members are no doubt aware, your role is to determine whether there is a prima facie case of privilege, and then it is up to the House to decide from that point on.

I want to stress, as is outlined in Citation 24, that when we are talking about parliamentary privilege, it is the "sum of the peculiar rights enjoyed by each House collectively as a constituent part of the High Court of Parliament, and by Members of each House individually, without which they could not discharge their functions and which exceed those possessed by other bodies or individuals."

I want to stress it refers to matters, refers to traditions, the roles of members of this House and of the House generally which enable them to follow in terms of fulfilling their obligations as a member. I want to suggest that I can go further and establish, as I will show in the next few minutes, that there is not only a question of whether we have been able to fulfill our obligations as members of the Legislature in the case of McKenzie Seeds—we have not—there is a question of the degree of contempt shown by this government in refusing repeatedly to allow any avenue for consideration or discussion of the McKenzie Seeds sale.

I want to outline that, Mr. Speaker, because I believe there is clear evidence of contempt. First of all, today, by press release, we have the announcement that McKenzie Seeds has been sold. We have—[applause] Well, it is interesting that members opposite applaud. We have requested a copy of the sale. The government has refused. We have requested a copy of the sale through Freedom of Information. The government has refused. We have requested, for the past six months, that the committee on McKenzie Seeds, which did not complete its sitting in the last session of the Legislature, be called, and the government has refused to do so.

Now, Mr. Speaker, we find today, without any statement by the minister in this House, without

any debate whatsoever, without anything being said in this House beyond the questions of the member for Brandon East (Mr. Leonard Evans), we now find today that McKenzie Seeds has been sold.

We believe the government has shown contempt for this Legislature, as it did with the Winnipeg Jets agreement and as it is doing with the McKenzie Seeds sale, Mr. Speaker, and it is of concern obviously to people in Westman and Brandon, many of whom have questions about the sale.

* (1335)

It is of concern, Mr. Speaker, because we know of the fact that this government has been wanting to do this for many years, going back to the Sterling Lyon administration initially, and now is, in the dying days of its mandate, selling McKenzie Seeds.

Apart from the politics of a government that is so arrogant as to make important decisions in the final months, in the dying days of its mandate, we believe McKenzie Seeds and the sale and divestiture that is part of the announcement today should be subject to scrutiny by this Legislature.

We believe this government has shown contempt for members of this Legislature, for the Legislature itself, Mr. Speaker, and for the people of Brandon, of Westman and of this province as a whole.

We demand to have scrutiny of the sale. We demand the government put on hold any sale, and we demand that we have our ability, as is part of the privilege of the parliamentary system of members of this House, to have the opportunity to scrutinize that sale.

That is why I move that the failure of the government to allow the scrutiny of the sale of McKenzie Seeds be referred to the Standing Committee on Privileges and Elections.

Hon. Jim Ernst (Government House Leader): Mr. Speaker, I am somewhat surprised that the

member for Thompson would stand on a matter of privilege with respect to this matter. In no way has he indicated any kind of prima facie case whatsoever.

First of all, the intentions of the government were made known back in March or April of 1994 when in fact we did indicate that we had an unsolicited offer for the purchase of the company. We indicated that we were prepared to consider offers on the purchase of the company based on six conditions. Those conditions were made well known, and as a result of those conditions, a number of offers came forward. They were evaluated by the government, and it was then determined that one would be selected. Other events overtook that which caused some delay in determining that all of the conditions could be reasonably met.

There is no intent of trying to hide anything from anyone. That is the most ridiculous argument I have ever heard. Mr. Speaker, this has been well known for at least eight or nine months, and the intentions of the government have been well known over that period of time. As a matter of fact, discussions actually took place the last time the committee met to deal with McKenzie Seeds regarding this sale, so how they can claim today this is a secret, I have no idea, no idea at all.

If recollection serves me correctly, I do not believe there was a question of privilege raised with respect to the sale of Manfor, and I do not believe there was any question of privilege raised with respect to the sale of ManOil, and I do not believe there was any question of privilege raised with respect to the sale of Manitoba Data Services, all of which were sold on the same kind of basis and the same kind of plan. There was no intention—in fact, to make an argument even that there was some kind of intent to not involve the members of the Legislature is, quite frankly, silly.

Mr. Kevin Lamoureux (Second Opposition House Leader): Mr. Speaker, if you go through Beauchesne's—and it does not take you very far—you can actually go right to the very first clause, where it will talk about parliamentary responsi-

bilities of members and being able to hold the government to account for actions that they take.

I believe that there is a bigger issue to this. It is somewhat symbolic in terms of what it is that this government is doing on not only McKenzie Seeds but other issues. I recall when we used to have a minority government, and the minority government was much more accountable, made available more committee meetings and so forth, so that opposition members and, in fact, government backbenchers would be, in fact, able to put forward questions and try to solicit exactly what it is that the government was attempting to do.

* (1340)

But since the Filmon team received that majority government, what we have seen is a government that is prepared to go on a course in which it does not want to share the directions with other members of this Legislative Chamber.

We could talk about McKenzie Seeds. We have made requests. We have made written requests. We have made oral requests for information, but to no avail. You can talk about the Faneuil and the commotion that is going on in that area, the Lotteries Corporation, the Winnipeg Jets. In fact, had it not been for the Provincial Auditor, we would never have gotten the government to admit to some of the problems that they had entered into.

Mr. Speaker, I would suggest to you, even though the member for Thompson (Mr. Ashton) brings up a valid matter of privilege, I would argue, but it is a much broader abuse of the Legislature and the whole process in which this government, the Filmon government, has not really provided members of this Legislature the opportunity to hold them accountable in a much more sincere fashion. I would encourage the government, because there is a good chance that if this ruling does not necessarily go in favour of the opposition or Beauchesne citations that the member for Thompson made reference to, that the government should take very seriously what their responsibilities are and provide for opposition members the opportunity to be able to debate and

to have committees meet on a regular basis and, at the very least, if you do not want to sit down in committees or inside the Chamber, to provide us the information.

We have a right to that information. Honour that right and give us the material that we need in order that we can provide much more creative critical analysis of what exactly this government is doing. Thank you.

Mr. Speaker: I would like to thank all honourable members for their advice on this matter. A matter of privilege is a serious concern, and I am going to take this matter under advisement to consult the authorities. I will return to the House with a ruling.

PRESENTING PETITIONS

Improvement of Highway 391

Mr. Steve Ashton (Thompson): Mr. Speaker, I beg to present the petition of Robert Francois, Fred Hart, Ella Moose and others requesting that the government of Manitoba consider reviewing the state of Highway 391 with a view towards improving the condition and safety of the road.

Physical Education in Schools

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I beg to present the petition of Reg Piché, Jean Gilbert, Carolyne Lynch and others urging the Minister responsible for Education (Mr. Manness) to consider reinstating physical education as a compulsory core subject area.

READING AND RECEIVING PETITIONS

Physical Education in Schools

Mr. Speaker: I have reviewed the petition of the honourable member (Mr. Lamoureux). It complies with the privileges and the practices of this House and complies with the rules. Is it the will of the House to have the petition read.

An Honourable Member: Yes.

Mr. Speaker: Yes. The Clerk will read.

Mr. Clerk (William Remnant): The petition of the undersigned residents of the province of Manitoba humbly sheweth:

THAT in July 1994, the Minister of Education introduced an action plan entitled *Renewing Education: New Directions*;

THAT this report will make physical education an optional course in Grades 9 to 12;

THAT the physical education curriculum should be regularly reviewed to ensure that it meets the needs of students;

THAT the government is failing to recognize the benefits of physical education such as improved physical fitness, more active lifestyles, health promotion, self-discipline, skill development, stress reduction, strengthened peer relationships, weight regulation, stronger bones, reduced risk of health diseases and improved self-confidence.

WHEREFORE your petitioners humbly pray that the Legislative Assembly urge the Minister responsible for Education to consider reinstating physical education as a compulsory core subject area.

* (1345)

Mr. Speaker: I have reviewed the petition of the honourable member (Mr. Leonard Evans). It complies with the privileges and the practices of this House and complies with the rules. Is it the will of the House to have the petition read?

An Honourable Member: No.

Mr. Speaker: No. Dispense.

The petition of the undersigned citizens of the province of Manitoba humbly sheweth that:

WHEREAS the proposed changes to the Manitoba curriculum would have no physical education required for students after Grade 8; and

WHEREAS the social, intellectual, emotional and physical benefits of physical education have been proven through extensive research; and,

WHEREAS requiring physical education for high school sends a message that physical activity is important for life and encourages high school students to make life choices to stay active and it fits into a preventative health strategy; and,

WHEREAS many parents, students, medical professionals and educators, health and recreation specialists are urging that physical education be increased in schools.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba may be pleased to request the Minister of Education to consider maintaining physical education as part of the core curriculum from kindergarten to senior high.

Mr. Speaker: I have reviewed the petition of the honourable member (Mr. Santos). It complies with the privileges and the practices of this House and complies with the rules. Is it the will of the House to have the petition read?

An Honourable Member: No.

Mr. Speaker: No. Dispense.

The petition of the undersigned citizens of the province of Manitoba humbly sheweth that:

WHEREAS the proposed changes to the Manitoba curriculum would have no physical education required for students after Grade 8; and

WHEREAS the social, intellectual, emotional and physical benefits of physical education have been proven through extensive research; and,

WHEREAS requiring physical education for high school sends a message that physical activity is important for life and encourages high school students to make life choices to stay active and it fits into a preventative health strategy; and,

WHEREAS many parents, students, medical professionals and educators, health and recreation specialists are urging that physical education be increased in schools.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba may be pleased to request the Minister of Education to consider maintaining physical education as part of the core curriculum from kindergarten to senior high.

Mr. Speaker: I have reviewed the petition of the honourable member (Mr. Hickes). It complies with the privileges and the practices of this House and complies with the rules. Is it the will of the House to have the petition read?

An Honourable Member: No.

Mr. Speaker: Dispense.

The petition of the undersigned citizens of the province of Manitoba humbly sheweth that:

WHEREAS the proposed changes to the Manitoba curriculum would have no physical education required for students after Grade 8; and

WHEREAS the social, intellectual, emotional and physical benefits of physical education have been proven through extensive research; and,

WHEREAS requiring physical education for high school sends a message that physical activity is important for life and encourages high school students to make life choices to stay active and it fits into a preventative health strategy; and,

WHEREAS many parents, students, medical professionals and educators, health and recreation specialists are urging that physical education be increased in schools.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba may be pleased to request the Minister of Education to consider maintaining physical education as part of the core curriculum from kindergarten to senior high.

Mr. Speaker: I have reviewed the petition of the honourable member (Mr. Reid). It complies with the privileges and the practices of this House and

complies with the rules. Is it the will of the House to have the petition read?

An Honourable Member: No.

Mr. Speaker: Dispense.

The petition of the undersigned citizens of the province of Manitoba humbly sheweth that:

WHEREAS the proposed changes to the Manitoba curriculum would have no physical education required for students after Grade 8; and

WHEREAS the social, intellectual, emotional and physical benefits of physical education have been proven through extensive research; and,

WHEREAS requiring physical education for high school sends a message that physical activity is important for life and encourages high school students to make life choices to stay active and it fits into a preventative health strategy; and,

WHEREAS many parents, students, medical professionals and educators, health and recreation specialists are urging that physical education be increased in schools.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba may be pleased to request the Minister of Education to consider maintaining physical education as part of the core curriculum from kindergarten to senior high.

Housing Authorities Voluntary Boards

Mr. Speaker: I have reviewed the petition of the honourable member (Ms. Cerilli). It complies with the privileges and the practices of this House and complies with the rules. Is it the will of the House to have the petition read?

An Honourable Member: No.

Mr. Speaker: Dispense.

The petition of the undersigned citizens of the province of Manitoba humbly sheweth that:

WHEREAS thousands of Manitobans depend upon public housing as affordable housing geared to their income for themselves and their families; and

WHEREAS these units are particularly important for thousands of low income seniors and single parents; and

WHEREAS the provincial government upon the request of the federal Liberal government has increased without notice the rent payable for tenants; and

WHEREAS the federal Liberal government has eliminated all funding for new public housing; and

WHEREAS the provincial government has abolished the voluntary boards of public housing authorities and made other cuts to the public housing program in this province.

WHEREFORE your petitioners humbly pray that the Legislative Assembly request the Minister responsible for Housing (Mrs. McIntosh) to consider cancelling the recent unilateral rent hikes and restoring the voluntary boards of the housing authorities.

TABLING OF REPORTS

Hon. Albert Driedger (Minister of Natural Resources): Mr. Speaker, I am pleased to present the Annual Report for the Department of Natural Resources for the year 1993-94.

INTRODUCTION OF BILLS

Bill 220—The Environmental Rights Act

Mr. Gord Mackintosh (St. Johns): Mr. Speaker, I move, seconded by the member for Radisson (Ms. Cerilli), that leave be given to introduce Bill 220, The Environmental Rights Act (Loi sur les droits environnementaux), and that the same be now received and read a first time.

Motion presented.

Mr. Mackintosh: Mr. Speaker, it is a proud moment for me to introduce this bill today after having presented arguments in favour of such legislation in my former career in the private sector.

This bill, for the first time, empowers all Manitobans to become stewards of the environment by establishing the right of individuals to take legal action to protect the environment against damage and to help ensure a healthful environment, but also empowers people to initiate a government investigation into allegations of environmental damage.

As well, the bill protects employees who blow the whistle on polluting employers. By the way, Mr. Speaker, a minister cannot waive these fines.

Motion agreed to.

ORAL QUESTION PERIOD

SmartHealth

Contract Tabling Request

Mr. Gary Doer (Leader of the Opposition): Mr. Speaker, about a week and a half ago, we asked questions to the government concerning the Royal Bank's SmartHealth \$100-million health proposal. At the time, the government indicated that they had not signed the contract, but they were developing the contract and would make it available to all members of the public.

Since this issue has been raised in the public, we are getting considerable feedback from citizens who are very opposed to the government proceeding with this proposal with the Royal Bank.

Yesterday, on a national radio show, the Privacy Commissioner from British Columbia said: I regard the Manitoba example of the Royal Bank as a thin edge of the wedge because of all of the power of technology and technocracy and the cost-efficiency of bigger and bigger databases in both the public sector and the private sector and then interlinking of those databases so the distinction between the private and public sector disappears.

I would like to ask the government today, will they table their proposed contract, so that all of us can be assured of the validity of the comments made by members opposite about the privacy of the public dealing with their own health records and the Royal Bank proposal?

* (1350)

Hon. James McCrae (Minister of Health): Mr. Speaker, the honourable Leader of the Opposition has referred to comments made by the Privacy Commissioner for the province of British Columbia, I believe.

I would invite the Privacy Commissioner for British Columbia to make himself or herself aware of the opportunity that I have made available to the honourable member for Kildonan (Mr. Chomiak), and I repeat it for the Leader of the Opposition. We would be pleased to offer honourable members and the Privacy Commissioner any kind of a briefing that is necessary to provide assurances for them and for members of the public.

The public health information system is going to be implemented in such a way that the privacy we guarantee today, to the extent that we can, will remain the highest priority or, I would say, more than likely be enhanced.

I do not think the honourable Leader of the Opposition realizes that when he takes the position he takes, he defends the kind of system where people's health records are found in the back alleys of Winnipeg.

I do not support that. We want to put an end to that, Mr. Speaker—

Mr. Speaker: Order, please.

Mr. Doer: Mr. Speaker, this is a hundred-million dollar agreement that this government is entering into with a subsidiary of a private bank dealing with the health records of all Manitobans.

We do not need the political rhetoric from the minister. Either he has the intestinal fortitude to table the draft document or he does not. And it appears to us that he will not table the document.

I would like to ask the Deputy Premier (Mr. Downey), will he table today the draft contract for all Manitobans to see, and will this government allow the public to debate this issue of where they want their health care records to go, and hold off signing this \$100-million six-year agreement until after the election so the public can have a say on this agreement rather than the Tories signing away our health records on the dying days of their mandate?

Mr. McCrae: I think, Mr. Speaker, what is becoming clearer and clearer with every day that New Democrats and their friends get involved in the debate about health care improvements in Manitoba is that they want to preserve a status quo about which they complain all the time.

Our mission here in Manitoba, as it is elsewhere in this country, is to make improvements so that we can generate the kind of outcomes that we should be looking for with the expenditure of funds and all of the expertise that is put to work in Manitoba to create a healthy environment and to work with those who require health care services.

Honourable members opposite, in every utterance, it does not seem to matter whether it is an improvement or if it is a problem, they want to preserve what we have had which was dying and which would have died if it had been left in the hands of New Democrats.

We were spending \$500 million less six, seven years ago, Mr. Speaker, on health care than we are today. Members of the opposition seem to want to take us back to those days. I do not want to go there.

Mr. Doer: Mr. Speaker, I can only assume that the minister is hiding the proposed contract and is unwilling to provide it to the public.

Desktop Management System Request for Proposals

Mr. Gary Doer (Leader of the Opposition): I have a final question to the acting Premier.

In June and July of this year the government developed a proposal to commercialize or move into the private sector the desktop computer systems in Manitoba. Now you would think after the Wang fiasco that this government had learned that they are not very good at doing this in terms of the costs to the taxpayer and the ineffectiveness of their technology.

This proposal is selling all the government inventory in the desktop information system and the technology assets which of course is information to the public.

I would like to know whether the government is proceeding with this proposal. I will table a copy of it. The target date is January of 1995, and again, what will the impact of this be on the confidentiality of citizens on their tax information and other information in light of the fact the government has no privacy information in this province?

Hon. James Downey (Deputy Premier): Mr. Speaker, unlike the opposition members who want to leave all kinds of accusations and inaccurate information in the public, Mr. Speaker, the project which the member refers to is in the process of being discussed with the managers within the system. There has not been a final decision made, but we are looking at better ways of operating a more efficient government, as we have demonstrated in many areas.

I am extremely surprised at the Leader of the Opposition, whose members raised a matter of privilege today on McKenzie Seeds and he does not even ask a question on it, Mr. Speaker. So much for how mixed up that party is.

**A.E. McKenzie Co. Ltd.
Sales Agreement Tabling Request**

Mr. Leonard Evans (Brandon East): Mr. Speaker, in the dying days of this government, with no moral authority, with no authorization from the Legislature, with no mandate from the people, the government has sold a multimillion-dollar public asset. In privatizing McKenzie

Seeds, it has transferred control of the company to Toronto and opened the door of uncertainty with the possibility of jobs being eventually transferred out of Brandon.

Will the minister now table the agreement of sale as a courtesy to the Legislature and in the interests of open government? What has this minister been hiding? What has he got to hide?

* (1355)

Hon. Harold Gilleshammer (Minister responsible for A.E. McKenzie Co. Ltd.): Mr. Speaker, one of the most telling comments that has been made during this debate was a letter written by an employee of McKenzie Seeds who says: Stop playing politics with my job, please.

Just a little background on this. When that member was minister in charge of McKenzie Seeds, he says: Frankly, the seed business is the last industry that we want to be in. He says that the deal fell through because Ferry Morse was unwilling to guarantee that the Brandon plant would keep operating for more than two years. He said, if the U.S. company had agreed to remain in Brandon, we would have approved the sale and possibly assisted them to put up a new plant.

This is the same member who cast aspersion on the MDC company. He says he has no documentation on this, but they were having a problem with its bankers. He says, I have not seen the agreement, and he condemns it. This led, of course, to the characterization of that member as a rumourmonger.

Point of Order

Mr. Steve Ashton (Opposition House Leader): Mr. Speaker, on a point of order, this is absolutely pathetic. The member has asked the question; the government does not have to answer, but if they do not want to answer, they should sit down and not waste the time of this Legislature. We would prefer that they answer the question. Where is the contract?

Mr. Speaker: Order, please. I think I had better advise all honourable members, we have a matter

of privilege under advisement at this point in time. I have done it in the past. The only reason I allowed the honourable member to put his question was because you were being taunted by the Deputy Premier (Mr. Downey) for a question, so when I allowed the question, we have an answer.

Now, unless you have another question on a nonrelated department, I will accept that question. Do you want to try another one?

Crown Corporations Privatization

Mr. Leonard Evans (Brandon East): Well, Mr. Speaker, I wonder whether the government will be engaged in selling other companies in the same way, without giving information to the public in Manitoba, without tabling any reports? What do you have to hide? Tell the people what you are hiding.

Hon. Harold Gilleshammer (Minister of Culture, Heritage and Citizenship): Mr. Speaker, I submit that the only reason there is some uncertainty surrounding this issue is the inaccurate information that the member for Brandon East has put out in the public and in the press, indicating items like 80 percent of their market is in eastern Canada, indicating that Brandon is not a good place to do business, which led the—

Point of Order

Mr. Leonard Evans: Mr. Speaker, on a point of order, you just ruled that because of the matter of privilege being taken by yourself as notice, I was not to ask questions on this particular company. Now the honourable minister is getting up, talking about the company that he is not supposed to be talking about. So I say he has no business getting up here and making snide remarks.

Mr. Speaker: Well, the member for Brandon East does have a point of order, so I caution you, sir, in your answer.

* * *

Mr. Gilleshammer: Mr. Speaker, this would apply to any questions the members might ask, and it led the Brandon Sun to conclude, while there is a need for prudence, there is some need for factual accuracy and there is no need for hysteria.

Mr. Speaker, it is very important, I think, that as a member of the Legislature, every member has a responsibility of putting accurate information out in the public.

* (1400)

Mr. Leonard Evans: Mr. Speaker, I have a general question to ask this minister and indeed to ask the government.

Is it this government's position that they are selling profitable Crown corporations for purely ideological reasons? It does not matter how practical it is to maintain them in the public sector, but on principle, they are going to dispose of everything because of their ideology.

Mr. Gilleshammer: Mr. Speaker, a former minister once said that a government has no business owning certain companies, and this government looked at some opportunities, unsolicited opportunities that came forward, put out some guidelines for that, and this is a tremendous opportunity for a former Crown corporation to take advantage of some of the synergies that are involved with partnering with other companies across this country.

A.E. McKenzie Co. Ltd. Sales Agreement Tabling Request

Mr. Paul Edwards (Leader of the Second Opposition): I want to respect your caution on the issue of privilege which has been put before you, Mr. Speaker. Nevertheless, I believe it will be within the confines of what you have said to reflect on what the minister has said, which is that he is concerned that the member for Brandon East (Mr. Leonard Evans) and others are putting inaccuracies on the record and are speaking about this deal in inaccurate ways.

He has a way to remedy that within his own power, and aside from the issue of whether we have a right to that document, which I leave to you to decide upon, my question for this minister is, what is the reason that that contract is not being made public?—because we have a letter of rejection from the Freedom of Information officers. I am sure the members do. Ours is dated September 30. I understand that. I understand that in the context of the negotiations of the fall.

We now have a press release from this government heralding the conclusion of that agreement.

My question for the minister: Given that the negotiations are over, what is his remaining reason for not allowing the release publicly to members of this Legislature of the contract that this government has signed?

Hon. Harold Gilleshammer (Minister responsible for A.E. McKenzie Co. Ltd.): I know the Leader of the Liberal Party will be consistent with the previous Leader, and I would suggest that perhaps he read her comments when we had our last meeting on the annual report who wholeheartedly supported government's divesting of Crown corporations.

This has been a very open process in that we submitted preconditions that helped to answer questions that came about as a result of some unsolicited bids. We will make public all that we are legally able to make public. There is some third-party confidentiality around some of the information we have.

This has been a very open process in terms of public meetings, press conferences that have taken place. The CEO of the particular Crown appeared before city council in Brandon, answered any and all questions, appeared on open-line radio shows, met with the chamber of commerce. This has been a very open process.

We will commit to making public all that we are legally able to.

Mr. Edwards: Mr. Speaker, the minister indicates that the press conferences and press

releases of his government should satisfy us. Well, they do not. He goes on to say that they will release all that they are legally able to release. This request for information is now three months old.

Can the minister table the legal opinion he has received as to what part of the contract he can release and what he cannot, because we have received contracts in the past, particularly the Repap deal and others where parts were blanked out, and we accept that. There are certain confidences which must be respected.

Where is the contract so that we can do our job other than through press conferences and press releases from the government?

Mr. Gilleshammer: I do not accept that the member indicates part of my answer. I also said that there has been a public meeting with the chamber of commerce, with the city council, open-line radio shows, meetings where many people from within the community were present, including the member for Brandon East (Mr. Leonard Evans).

I have indicated that this has been an open process. We will release all that we are legally able to release.

Faneuil Corporation Contract Tabling Request

Mr. Paul Edwards (Leader of the Second Opposition): Mr. Speaker, I will eagerly await the minister releasing the contract, because there is no substitute for the release of the agreement to which we are legally bound.

My final question, in the same vein, is to the Minister of Industry, Trade and Tourism on the Faneuil deal.

A second Freedom of Information request was placed by our office. A rejection was received October 5 to any of the terms and conditions of the Faneuil deal which this government signed, a \$47.2-million contract with MTS, as well as over \$17 million in loan guarantees to that company.

My final question for the Minister of Industry, Trade and Tourism is: Why can the people of this province not have access to the contract that was signed between this government and Faneuil representing close to \$70 million of obligations on behalf of the taxpayers?

Hon. James Downey (Minister of Industry, Trade and Tourism): Mr. Speaker, first of all on the McKenzie contract and arrangements, the minister has clearly said that we are prepared to provide what we are able to do legally so it does not impact on the company which has been purchased in good faith, which we believe will continue on not only to guarantee the jobs in Brandon but a major expansion in job opportunities better off for it.

As far as the other contract the member refers to, it is the telephone corporation that in fact has that contract with the work that is being done. Any information again that is able to be provided will be provided. [interjection]

Mr. Speaker, he keeps asking questions from his chair. We will be as co-operative as possible to make sure that the public are clearly brought up to full speed as it relates to the information with the deals this government carries out.

SmartHealth Contract Tabling Request

Mr. Dave Chomiak (Kildonan): Mr. Speaker, while line-ups grow in our health care system and while the health care system deteriorates, what does this government do?—they are entering into a hundred-million-dollar contract with the Royal Bank for computers. How do we know about it?—from a two-page press release.

Will the minister, today, categorically assure this House that they will table the contract with Royal Bank for computers prior to spending one cent of taxpayers' money on this?

Hon. James McCrae (Minister of Health): Mr. Speaker, initially the concern raised by the Leader of the Opposition (Mr. Doer) had to do with the

information that is important that it not be shared with the wrong people. I accept that.

I want the honourable member and his Leader to understand and look back on the Drug Program Information Network which came into effect in July. The honourable members will be aware that privacy was an issue in that regard, and we put together a committee composed of various people representing the community and the population. We have every intention of doing the same thing with respect to the public health information system.

With regard to information that we can make available to the honourable member, just as soon as we are able to do so we will make that information available.

APM Management Consultants Contract Tabling Request

Mr. Dave Chomiak (Kildonan): Mr. Speaker, how does this government expect us to have any confidence in the process they are putting in place, because we requested details on the Connie Curran contract and her living expenses of \$130,000 and, yes, we got back invoices, but on this contract, censored out is information as to how this \$130,000 was spent.

How can we have confidence in information on the \$100-million contract when they will not give us information about the Connie Curran contract that is already concluded?

Hon. James McCrae (Minister of Health): I do not think there has ever been a time when there has been more openness in the relationship between the Department of Health and the people of this province when it comes to the health system and the system that we want to build together in this province.

You cannot move as far as we have without the consultation and the input that we have had from people right across this province from corner to corner.

The honourable member asks how he should have any confidence. There is not a thing that I remember announcing in the last year—and there have been many very positive things that have been brought forward—there is not one time that I have heard the honourable member say that he is confident in what we are doing. So it is very hard for me to answer him and say, well, you are going to be confident, because that honourable member never is.

* (1410)

Mr. Chomiak: Mr. Speaker, we have a consistent pattern, not just in today's Question Period but throughout the entire year, of a reluctance of this government to provide information to the public.

My final question: Can the minister explain why, on the details of this \$130,000 in living expenses for Connie Curran, the government censored out information on this document, why they would not provide information as to how this money was spent? Why did they censor the information?

Mr. McCrae: The honourable member refers to information he has no doubt obtained under The Freedom of Information Act and the mechanisms under that act. I will take the honourable member's question as notice and contact him further with respect to details.

Winnipeg Development Agreement Arena Funding

Mr. George Hickes (Point Douglas): Mr. Speaker, my questions are for the minister responsible for the Winnipeg Development Agreement. Constituents have called me voicing their concern that dollars for the inner city will be going to the arena.

I would like to ask the minister if she will guarantee that Winnipeg Development Agreement dollars will go towards long-term jobs for the people and not for a new arena.

Hon. Linda McIntosh (Minister of Urban Affairs): Mr. Speaker, I indicate to the member

that we have had no discussions about Winnipeg Development Agreement money going towards an arena. The whole purpose of the program is to address the areas the member has identified: community development, labour force development, strategic initiatives for the city of Winnipeg. Nothing about the arena has been discussed in that agreement.

Consultations

Mr. George Hickes (Point Douglas): Mr. Speaker, I would like the minister to guarantee that there will be no dollars going to the arena and also, will the minister ensure community groups such as Point Douglas Residents' Association, Turtle Island Residents' Association, Gilbert Park Residents' Association, CEDA, Social Planning Council and other organizations are consulted and have input in prioritizing dollars spent under the Winnipeg Development Agreement?

Hon. Linda McIntosh (Minister of Urban Affairs): Mr. Speaker, I am very happy that the member has identified certain groups that I have a special interest in and that I know he has a special interest in as well. By all means, we intend to stay in touch with those groups, make sure they have access to us to providing ideas. We already have some projects going on in the initial stages with certain of those groups. They have contributed ideas to this point. We welcome their ideas in the future.

That area of the city will certainly be considered as part of the agreement as are other parts of the city, because we are not limited to just one geographical area this time which is good because Gilbert Park, for example, is outside the original limited geographical area.

I reassure him again that we have had absolutely no discussions on an arena as part of this agreement.

Employment Creation

Mr. George Hickes (Point Douglas): Mr. Speaker, in my first question I was asking for a simple yes or no, that there be no money going to

the arena under this agreement. It was just a yes-or-no answer that I was looking for.

Also, will the minister develop a partnership with business and labour to ensure long-term jobs are obtained for graduates for many training programs?

Hon. Linda McIntosh (Minister of Urban Affairs): Mr. Speaker, one of the aspects of this agreement that we hope to see come to fruition is the ability to have partnerships with business, with labour, with nonprofit groups, community organizations, as well as the three levels of government, of course, which are the three levels putting the project together.

So I can say to the member that we will make every effort to ensure that we have that kind of input depending upon the willingness of groups to co-operate, and I reassure him again that the Winnipeg Arena debate is not part of this agreement debate.

Tender Process 114 Garry Street

Mr. Steve Ashton (Thompson): Mr. Speaker, over the last number of years, we have raised numerous questions about contracts entered into by this government.

I would like to ask a question to the Premier related to another contract, this to do with 114 Garry Street, a tender for 65,000 square feet of space which was awarded to Marvin Investments. I would like to ask the First Minister if, once again, as was the case with 280 Broadway, whether the government has moved away from the process of looking only at the lowest tender and why this particular contract was awarded to Marvin Investments.

Hon. Gary Filmon (Premier): Mr. Speaker, firstly, if 280 Broadway is the old Investors building, then that was the lowest tender that was accepted. So we have moved away from no principle.

Mr. Ashton: Mr. Speaker, it was not the lowest the first time around. It was not the second. It was not even the third lowest. The government rehired the tenders.

My question again is in regard to 114 Garry Street and what the circumstances are and why Marvin Investments Limited of which Barry Shenkarow is a partner just happens to have been awarded this particular contract, despite the fact there were a number of other bids—there was at least one which put in a lower price—and also the fact that government is now leaving space in Eaton Place which is at a lower rate than what they have awarded this particular contract at, Mr. Speaker.

Mr. Filmon: I want to just correct the member opposite. On 280 Broadway, as in any tender, the government always puts in a clause that says the lowest or any tender not necessarily accepted, and by retendering, we saved a million dollars for the taxpayers of Manitoba.

He is opposed to that, Mr. Speaker, and that is why the New Democrats have left this province with billions of dollars of—because of their stupidity, because they believe that you ought to just throw money away. We do not believe that, and we do not accept his solution that we ought to pay a million dollars of taxpayers' money more than necessary for any property.

Mr. Ashton: We do not accept sweetheart deals and changing the process—280 Broadway, Mr. Speaker, and I am asking now for 114 Garry Street.

I would like to ask the Premier, since the question was on 114 Garry Street, why the contract was awarded to Marvin Investments. Are we not paying enough to Mr. Shenkarow through the management fees for the Winnipeg Jets, sharing the cost of the Winnipeg Jets, or is this another way of indirectly funnelling taxpayers' money to support the Winnipeg Jets deal that this government signed?

Mr. Filmon: I repeat, Mr. Speaker, this member for Thompson would prefer the government to pay

a million dollars more in lease fees than necessary for building space. I do not accept that solution. I do not accept anything that he brings to the table because usually it is factually wrong.

Immunization Nurse-Managed Program

Ms. Avis Gray (Crescentwood): Mr. Speaker, my question is for the Minister of Health.

It would appear that the Manitoba Medical Association has been hard at work trying to come up with ideas on how to save dollars in the health care system, and the formal Manitoba Medical Services Council, which has been established by this government, has representatives on it from the minister's office.

One of the innovative ideas that this council should be looking at in terms of saving money in the health care system and not jeopardizing quality of care is the idea of having nurses giving immunizations for children, not the physicians.

Will the minister ensure that this particular idea is brought forward to the Manitoba Medical Services Council and is discussed and debated fully as to the merits of the idea?

Hon. James McCrae (Minister of Health): Mr. Speaker, aside from the suggestion being made, which I will pass along, I am pleased to point out to the honourable member that earlier this year, the Premier (Mr. Filmon) announced to the annual nurses' meeting that we would be engaging with the Manitoba Association of Registered Nurses in the establishment of nurse resource centres in Manitoba.

Work is underway in that regard. We have been working with Dr. Helen Glass's implementation committee, and I expect in the very near future to see some proposals, so that we can get going on that proposal, but I will pass on the member's suggestion to the Manitoba Medical Services Council.

Ms. Gray: Mr. Speaker, with a supplementary to the same minister. The Manitoba Nurses' Union

did a survey this fall, a survey of the public, and it said that 86 percent of Manitobans felt that having nurses giving vaccinations to children was appropriate.

Will the minister not only pass that idea along, but, in fact, ensure that that particular issue gets on the next agenda at the next meeting of the Manitoba Medical Services Council?

Mr. McCrae: I do not think there is any question but that Manitobans very much support the appropriate use of nursing professionals in our communities. You know, this is the 150th anniversary of the Grey Nuns in Manitoba. Ever since the beginning of nursing in Manitoba, nurses have been playing a role.

We talked about the Home Care program starting about 20 years ago here in Manitoba, when in reality the Grey Nuns started the Home Care program 150 years ago in our province. I think all honourable members have already joined with me in calling attention to that particular event in Manitoba's history.

As I say, we intend to continue working with the Manitoba Association of Registered Nurses to assure them and to assure Manitobans that we are using the skills that are there to the maximum extent possible.

* (1420)

Manitoba Medical Services Council Agenda Items

Ms. Avis Gray (Crescentwood): Mr. Speaker, my final supplementary is to the minister.

Can the minister indicate to us if other organizations and groups such as MARN and the MNU are allowed to present agenda items to the Manitoba Medical Services Council?—because I get the distinct impression from my first two questions—with answers that have nothing to do with the issue—that I am not sure this minister is going to pass that on. Can he indicate today if organizations and groups involved in health care

can present agenda items to the Manitoba Medical Services Council for full debate?

Hon. James McCrae (Minister of Health): Mr. Speaker, there is nothing stopping the honourable member or anyone else in Manitoba from presenting their ideas to the Manitoba Medical Services Council. There are two co-chairs, and it can also be done through my office.

If anybody has a suggestion they want to bring to the attention to suggest that something go on the agenda of the Manitoba Medical Services Council, they need only get that done through the co-chairs or through my office.

As I have already said to the honourable member, I would be pleased to pass on the suggestions she has made.

Forage Producers Compensation

Mr. Clif Evans (Interlake): Mr. Speaker, last year the Manitoba Forage association, with support from Keystone Agricultural Producers, presented resolutions to the Minister of Agriculture requesting compensation for producers province-wide for losses incurred during the inclement weather in 1993.

Can the minister tell this House what response these producers received from the minister and what support for their requests?

Hon. Harry Enns (Minister of Agriculture): Mr. Speaker, I will take that question as notice.

I am aware that some of the leaf-cutter bees have in fact received support from the Disaster Assistance Board. I have advised the remaining members, some of whom have written directly to my office, to make the appropriate claims.

The issue seems to be that not all parties affected filed the necessary documents claiming support from the Disaster Assistance Board.

Mr. Clif Evans: Mr. Speaker, the minister indicates that other producers were provided compensation.

Can the minister tell this House why 40 producers to this point in the Lac du Bonnet area have received in excess of \$560,000 when the proposal made by the forage association province-wide was a million dollars? Why \$560,000 here when a million dollars by the forage association was asked for?

Mr. Enns: Mr. Speaker, I can only repeat the answer that I just gave him principally because these producers filed and filled the appropriate forms out. I might also say, and I say this without fear of favour, that the producers were aided and provided these forms to fill out and they made their claim to the Disaster Assistance Board.

I am aware of the fact that not all producers of alfalfa seed have made their claims. I have asked Mr. Sid Reimer the director of the Disaster Assistance Board to reopen the file, if you like, and consider any additional claims.

Mr. Clif Evans: Mr. Speaker, just speaking to the forage association yesterday, there is no response from this government whatsoever through the disaster relief fund for any other producers in this province. There is not any.

Can this minister assure that these forms and applications will be provided to all the producers such as they were to the producers in the area of the member for Lac du Bonnet (Mr. Praznik)?

Mr. Enns: Mr. Speaker, in the well-established pattern, when the Manitoba Disaster Assistance Board examines disastrous situations, whether they are flood or wind or storm, it is up to the citizens of the area to file with the Disaster Assistance Board for the assistance program. The issue that the honourable member from the Interlake brings up is a simple fact of the matter that a number of alfalfa producers failed to file the necessary forms with the Disaster Assistance Board.

Forest Management Agreement Louisiana-Pacific

Ms. Rosann Wowchuk (Swan River): Mr. Speaker, we often hear this government in forms of brochures and pamphlets making a strong commitment to sustainable development. We on this side of the House want to ensure that all new jobs are sustainable and in a sustainable community. In the Forest Management Agreement signed by the province and Louisiana-Pacific, the government agreed to an annual allowable cut of 900,000 cubic metres of hardwood in the Manitoba forest section in western Manitoba. However, the province's own five-year plan indicates there are only 578,290 cubic metres.

Will the Minister of Natural Resources or the Minister of Environment (Mr. Cummings) indicate what studies have been done to indicate that there actually is the additional amount of wood that is required and that the harvest we are going to have in that area will be sustainable and we will have long-term jobs—

Mr. Speaker: Order, please. The honourable member has put her question.

Hon. Albert Driedger (Minister of Natural Resources): Mr. Speaker, I very rarely thank members when they ask a question, but in this case, I want to thank the member for asking that question.

It is most appropriate because we are sending out letters to thousands of people starting as of today. I am having a press release, as well, indicating that we will be making information available to all the people throughout Manitoba, and that we will also be having open houses. We will be having all the technical information in terms of how allowable cuts get arrived at. So it is most timely that you asked the question.

I want to give the member assurances that all that information is going to be made available.

Ms. Wowchuk: Mr. Speaker, I appreciate the fact that they are communicating because there is a concern as to how this goal will be achieved.

Mr. Speaker, another group of people is the independent loggers who met with the minister asking for some long-term supply of wood. I know there are 50,000 cubic metres that have been set aside, and we are assuming it is for independent loggers, but they have not heard from this minister.

Can the minister indicate clearly when these independent loggers are going to be given assurances that they will have a long-term wood supply, rather than applying for the 150 cubic metres?

Mr. Driedger: Mr. Speaker, I do not know when the member has last spoken to some of the permit holders, but I have asked my staff from time to time whether there has been any further concern expressed. To date, after we have given the assurances to the operators that we have adequate supply for them, there has been no further concern.

This also will be dealt with at the time that we have the open houses, when we will be going out and explaining exactly what is available, for whom, to whom, the allowable cuts.

Mr. Speaker, I am anticipating that we should be in a position to have the open houses and all this information available by the end of January, and it will be ongoing from there on.

Ms. Wowchuk: Mr. Speaker, I want to let the minister know that there are people who are still asking questions. I am in contact with them.

Can the minister indicate whether, at these hearings, he will be addressing the concerns that are raised by people who use the mountain for a recreational facility?

This is a tremendous amount of wood that is going to be taken out of the mountain areas. Can the minister give assurances that there will still be the recreational areas around the lakes and that they will be protected?

Mr. Driedger: Mr. Speaker, in the Forest Management Licence that I have signed together

with Louisiana-Pacific, these issues are all addressed in there, but this information is also going to be made available.

In the Forest Management Licence, we address the area of sustainable allowable cut. We address the area of wildlife. We address the area of fisheries. We address the area of recreation. All of these things are part and parcel of what is happening there. So if the member has a little bit of patience, all this information will become available.

Manitoba Product Stewardship Program Board Representatives

Ms. Norma McCormick (Osborne): Mr. Speaker, my question is to the Minister of Environment.

The Manitoba Product Stewardship program the minister has announced will be administered by a corporation established for this purpose.

Can the minister advise this House what groups or interests will be represented and when he intends to make announcement of the composition of the board?

* (1430)

Hon. Glen Cummings (Minister of Environment): Mr. Speaker, in a general sense, we will have representation from consumer organizations, from industry that is affected by the recycling regulations, by municipal governments and the Province of Manitoba. Those will be the general categories.

Mr. Speaker: Time for Oral Questions has expired.

ORDERS OF THE DAY

Mr. Speaker: Honourable government House leader, what are your intentions, sir?

Hon. Jim Ernst (Government House Leader): Mr. Speaker, would you call Bills 8, 9 and 10, please.

DEBATE ON SECOND READINGS

Bill 8—The Off-Road Vehicles Amendment Act

Mr. Speaker: On the proposed motion of the honourable Minister of Highways and Transportation (Mr. Findlay), Bill 8, The Off-Road Vehicles Amendment Act; Loi modifiant la Loi sur les véhicules à caractère non routier, standing in the name of the honourable member for Thompson.

Mr. Steve Ashton (Thompson): Mr. Speaker, I adjourned it on behalf of my colleague the member for Brandon East (Mr. Leonard Evans).

Mr. Speaker: Okay.

Mr. Leonard Evans (Brandon East): Mr. Speaker, as the Minister of Highways and Transportation explained the other day, this is a fairly innocuous piece of legislation involving four main policy proposals. I suppose the most significant one was the introduction of staggered registration periods for off-road vehicles, hopefully commencing March 1, 1995.

This is to be implemented by the Manitoba Public Insurance Corporation, although I am not sure how MPIC is going to do that as of March 1, 1995, unless this Legislature decides to come back relatively early in the New Year and pass the legislation, or unless there is agreement to pass it before Christmas at this particular sitting of the Legislature. I am not sure what the implications are of that. Maybe the government might wish to comment on that at some point.

As I read it, MPI will implement a staggered registration renewal system for motor vehicles commencing March 1, 1995, and my understanding is that they would like to do that also for other vehicles as well.

I notice in reading this further that MPI is planning to introduce a staggered registration renewal system for off-road vehicles upon expiry of the current registration cycle on September 30, 1995.

At any rate, in principle I do not think we should have any difficulty with this because staggering the registration is good for the owners of the vehicles, and it certainly makes for better and more efficient operation of the Manitoba Public Insurance Corporation.

There is also reference, Mr. Speaker, to giving authority to the Registrar of Motor Vehicles to suspend, cancel or refuse to renew off-road vehicle registrations for an owner who is indebted to the Registrar or to the MPI. I do not know how prevalent that particular problem is, but obviously it is a big enough problem to want to try to correct it through this particular means.

Another policy area relates to increasing the property damage threshold from \$500 to \$1,000 for all off-road accidents. They are raising the threshold up to \$1,000 for off-road accidents and requiring them to be reported to the police. In other words, no longer will you have to report if it is under \$1,000 damage. I suppose that is in recognition of increasing costs of such vehicles that have taken place in this province.

Fourthly, there is a reference to a change to provisions regarding certificates provided by the Registrar as evidence in court to ensure the legal admissibility of those documents.

All in all, Mr. Speaker, it is fairly innocuous legislation. I do not see that we would have any difficulty supporting its passage to the committee stage. I think it is important though that it go to committee, because it is important that Manitobans have an opportunity to be heard on all legislation brought by this House.

I know from time to time we do make exceptions, such as the Food Donation bill the other night. But even at that we may have made a mistake because there may have been groups out there, poverty organizations, other social service agencies, that may have wanted to say something about that particular proposal. Likewise here, even though this looks fairly innocuous and relatively noncontroversial, nevertheless there may be some elements of it that members of the public

who do own and operate off-road vehicles may have some insights to offer with regard to this particular legislation.

Mr. Speaker, having made those few remarks, as I said, I have no problem to see it passed to the committee for committee stage approval. There may be others in my caucus who may wish to speak on this bill, but with those few words I would conclude my remarks. Thank you.

Mr. Daryl Reid (Transcona): Mr. Speaker, I am pleased to rise today to speak on Bill 8, The Off-Road Vehicles Amendment Act, that was introduced by the Minister of Highways and Transportation (Mr. Findlay) just a short time ago.

I appreciate the comments that the previous speaker, the member for Brandon East (Mr. Leonard Evans), has put on the record here today with reference to this piece of legislation.

I have a few areas here relating to some of the items on this legislation, as well as some of the comments that the minister had made when we did second reading on this bill.

Of course, the minister made reference and has provided once again for us, and we thank him for that, the spreadsheet on this piece of legislation, which allows critics in the opposition, Mr. Speaker, the opportunity to look further into the intentions of the government when they do make legislative changes. We thank the minister for bringing forward this spreadsheet. His department has been very good with that in the past, and we appreciate their efforts.

In the legislation, Mr. Speaker, and it has been referenced by my colleague the member for Brandon East that the government intends to make four changes to The Highway Traffic Act, dealing with off-road vehicles, in registration and insurance, et cetera, and of the four areas, there is a staggered registration process that the government is now entering into, I believe, as part of the Autopac 2000 process. Also, there are some changes with respect to the powers and the authorities of the Registrar in dealing with off-road

vehicles, changes in the reporting for damage claims as a result of accidents and also changes regarding certificates provided by the Registrar with respect to court actions.

Mr. Speaker, of these four changes, of course, as I have indicated, two of them are with respect to needed changes for Autopac, for MPIC, in dealing with the Autopac 2000 requirements that they are hoping to bring forward this coming year, which would allow MPIC to move towards a staggered renewal process.

In the last session, we had the opportunity, Mr. Speaker, to debate a piece of legislation in this House which we thought was a good move, even though the minister indicated that it was a piece of housekeeping legislation. It allowed for changes in the mandatory registration. At that time, the minister had explained and we understood that the old practice at that time was that off-road vehicles were registered for a three-year period and that there might have been some confusion in the minds of the public in that the insurance for those vehicles was only for a one-year period. To change that confusion, it was better, I suppose, that the registration period would be changed to coincide with the insurance period for those off-road vehicles.

* (1440)

So we supported that legislation at that time, even though the minister called it housekeeping at that time, as well, I believe, and now we have a registration period that is the same as the insurance period. We hoped that the confusion would be changed and that those who are operating off-road vehicles would, not only register for each year period, but would also seek out and obtain the necessary insurance for their protection and for the protection of members of the public.

I believe that this change, as well, will allow for further protection of the public by moving to ensure that the off-road vehicles are insured and registered. I am sure all of us can relate from time to time to cases that may have come before us where individuals may not have registered their

off-road vehicles. Of course, this may occur at times when accidents unfortunately take place and we find, to our dismay, that there is no insurance attached and that those who are injured would not be protected. So I think that we have to ensure that the Registrar has greater powers in the sense of protecting the public safety in these matters.

The government is now moving towards a change for a staggered renewal process for the Autopac 2000. As the member for Brandon East (Mr. Leonard Evans) has indicated, we are not sure how they are going to arrange to have this accomplished unless we are able to pass this legislation through today or tomorrow. If this House is to adjourn and we do not have the opportunity to debate this legislation until some time into the month of March and it calls for the implementation of this legislation starting in March of 1995, we are not sure how this legislation would come into being if it has not passed through this Chamber and received the approval of this House.

The current registration period for the registration of off-road vehicles, Mr. Speaker, currently runs from October 1 of the year to September 30 of the following year. There is now going to be an assigned renewal date that will change in that individuals that are going to register off-road vehicles will have that renewal date attached to a fixed period of time in which the renewal will take place and be calculated upon an individual's birth date plus four months. We are not exactly sure whether or not it will be at the end of that four-month period that the registration has to take place, as the current licensing process calls for, but we suspect the minister will be able to provide us with some further details on that when we move into committee and have the opportunity to ask some questions on this legislation.

This staggered renewal process, of course, Mr. Speaker, as I have indicated, will fall into line with the vehicle registration process to which MPIC is moving with their Autopac 2000 and also will tie in the off-road vehicles with that.

The question I have and I guess would be on the minds of members of the public in dealing with

this legislation is that it is the government's intention and MPIC's intention to put into one file all of the registrations for all of the vehicles that an individual might have registered in their name. Well, we all know, Mr. Speaker, it is a common occurrence when we move to February 28 or February 29 in a leap year when we get our Autopac bills and they come due, there is always some discussion about the amounts that we have to pay.

Now by this process, we are not only going to have to renew and pay for our vehicle registration and our insurance at that time, but we are also going to have to pay for our off-road vehicle registration further adding to the costs that an individual must bear at that period of time. Whether or not those costs occur at the person's birth date plus four months or at February 28 or 29 in a leap year, nevertheless there is going to be a higher cost lumped in all at the same time. It is going to make it financially a bit more difficult for an individual to afford those costs.

I looked at some of the comments, Mr. Speaker, that the minister made with reference to this piece of legislation, and I am not exactly sure on the intent of his comments. He made reference to the fact, and I quote from Hansard page 620, the average cost of a snowmobile is \$10,000 to \$12,000. Well, I am not sure where the Minister of Highways and Transportation (Mr. Findlay) is buying his snowmobiles, but the ones that I have looked at in this province here in costs would average in the range between \$5,000 and \$7,000. So unless the minister knows of a Cadillac model that costs \$10,000 or \$12,000, I am not sure where he is getting his information, unless he was making reference to the fact that the \$10,000 to \$12,000 is an average claim cost for the MPIC in settling out accident claims that are brought to them. Perhaps the minister could explain that when we move into committee stage on this piece of legislation.

The minister also referenced the fact the staggered renewal process and there will be a day of choice for the customers in this process in renewing their registration for off-road vehicles.

We are not exactly clear on what that means, if the individual will choose within a 30-day time frame like we do for the current licensing renewal process in the birth month, Mr. Speaker, or there is something else, some other intention that the government has in mind for the renewal process.

This legislation also allows for a change in the threshold reporting of off-road vehicle accidents in that unless there is injury to an individual or to other third-party property, I believe it is, the individual—the current reporting method is \$500 for just pure accident damage to that off-road vehicle. That is going to change to \$1,000, which, I believe, according to the figures that the minister's department has provided, indicates that the majority of off-road vehicle accident claims are for above \$2,000 in value. So it should, hopefully, simplify the reporting mechanism to ensure that claims that are less than \$1,000, there would be no need to report unless, of course, there is injury or third-party property damage.

This legislation also empowers the Registrar to have an increase in the powers that the Registrar currently holds with respect to the registration of off-road vehicles. The Registrar, we know, according to this legislation, will have the powers to suspend, cancel or refuse to renew off-road vehicle registrations for an owner that is indebted to the Registrar by failure to pay for fines or to pay for any of the costs associated with the registration and/or NSF cheques that an individual may issue in payment for the registration or payment process.

We think that is a fair and reasonable process to give the Registrar those powers. An individual should be responsible for any payment of debt that they would owe to the Registrar for any of the process.

We also note, Mr. Speaker, in this legislation, that the Registrar is now going to be empowered to use a lithographed signature in the presentation of documents towards court evidence. This is something that I believe the Department of Highways and Transportation ran into problems with a short time ago, in that some of the documents that they had produced in court for

evidence were rejected as evidence and were not allowed to take part in those proceedings. Of course, that jeopardized the actions of the Crown in representing the interests of the department of Motor Vehicles. Now that the Registrar will not have to sign the 100 or possibly thousands of documents that would come by his desk in a day for the purposes of fulfilling the needs of that job, and the lithograph signature of the Registrar would be acceptable for the purposes of evidence in court.

There are also changes in the government's intention to introduce the vehicle inspection program. We note that there were some difficulties. Although the government did not quite come clear on the full details of why they are delaying their Private vehicle inspection program that they were talking about last year, we think that they would have taken the necessary steps.

Even though they indicated that it was moving towards the fulfilment of the Autopac 2000 provision, we think there has to be some other reasons why there is a delay in the implementation process in that the private vehicle inspection points, from my understanding, have been sought out and have been approved. So I am not sure why the government, at this time, has not moved in that direction, since that was their intention.

Members of the House had the chance to voice their concerns, and, of course, we were opposed to it at that time. Now it appears the government seems to be delaying the implementation of that. I am not sure of the exact reasons why they would delay that implementation.

There is also another change to this Bill 8, Mr. Speaker, in that it will make changes to, I believe it is, subsection 55(4) of The Highway Traffic Act with respect to owners or operators of off-road vehicles that may have been under the influence or may have consumed substances, Mr. Speaker. I reference the fact alcohol may play a role as the minister has made reference to in his comments, the number of accidents we see in the province of Manitoba in relation to the operation of off-road vehicles.

*(1450)

The minister referenced that in 1991-92 there were 108 off-road vehicle claims with an average first-party property damage claim of \$2,100 approximately. In '92-93 those claims jumped. They over doubled from 108 to 227 which is alarming in itself, but the average dollar value for those claims also increased from \$2,100 to \$2,300.

In this past year, for which the minister has provided statistics for us, there was a slight decrease in the number of off-road vehicle accidents from 227 down to 220, but there was a fairly large jump in the average claims cost from \$2,300 up to \$2,700. So the costs are rising in that area.

The minister, as I already indicated, has referenced the fact that quite often there is alcohol related to some of the accidents that occur with off-road vehicle use, and the government has made some changes with respect to subsection 55(4) of The Highway Traffic Act and has replaced the current legislation through this legislation with two separate sections relating to the immediate suspension of driving privileges for a six to 12-hour period with an individual found to have a blood alcohol content of .05 milligrams or .08 milligrams.

Mr. Speaker, there is also a provision here that is separated out from the old legislation that applies to the right of an individual to apply to the Licence Suspension Appeal Board in the event of a suspension imposed under The Off-Roads Vehicles Act. So if an individual feels aggrieved by the process, there is always that appeal mechanism.

I would hope that members of the public, when operating a motor vehicle of any type, whether it be vehicles on the highways or roads of this province or the off-road vehicles, would refrain from the consumption of any alcoholic beverages or refrain from being under the influence of any substance. These are and can be dangerous mechanical equipment, and I think we have to ensure that we operate them in a safe fashion.

There have been some complaints with reference to off-road vehicles in that I saw some correspondence and some communications that came to my constituency office from those that are owners of Polaris snow machines and that they drew to my attention and to the attention of my colleague for Radisson (Ms. Cerilli) the fact that Polaris snow machine owners are now being assessed a higher premium for the registration and insurance of their vehicles, their snow machines, higher than other snow machines that others may be operating in the public.

Now MPIC has indicated that this is a result of a higher number of thefts of Polaris snow machines. My colleague has indicated here that Polaris are good snow machines. I am sure there are many good snow machines that are available to the public. We hope that they would be designed and constructed in such a way from the manufacturers that would hopefully reduce the incidence of theft for these machines.

We hope that MPIC has played a role in notifying the manufacturer of the increased incidence of theft and that it is causing increased costs for the owners of these off-road vehicles and that it would give the manufacturers some reason to go back and to redesign their anti-theft mechanisms on these off-road vehicles.

We hope MPIC has played that role and has notified the manufacturers of Polaris snow machines as they would for any machine, because MPIC has obviously access to a greater number of statistics relating to these additional costs and the additional number of thefts. Therefore, I think it is only reasonable that they would have the reason to go and notify the manufacturers of these changes and these statistics.

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

There are other areas, Madam Deputy Speaker, of this legislation that I will not go into at this point, and we hope that we will have the opportunity to ask the minister various questions with respect to the staggered renewal cycle, with

respect to the changes to the Registrar's powers and with respect to suspension, cancellation or refusal to renew vehicle registrations.

We will have some questions with respect to provisions for the reporting thresholds, questions that we have, and also questions about some of the comments that the minister had with respect to statements that he made in this House just yesterday.

I will be the last speaker, Madam Deputy Speaker, from our side of the House, I believe, on this piece of legislation, and we look forward to members of the public coming out to committee to add their comments to the comments of members of this House and any concerns that they might have with respect to The Off-Road Vehicles Amendment Act and, of course, any other issues they might have on their minds related to the use of off-road vehicles.

With those few comments, Madam Deputy Speaker, I would like to thank you for the opportunity to add my comments on Bill 8.

(Mr. Speaker in the Chair)

Hon. Jim Ernst (Government House Leader): Call the question, Mr. Speaker, on Bill 8.

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

House Business

Mr. Ernst: Mr. Speaker, on a matter of House business, the House leaders have had some discussions of recent time, and I would propose, followed by appropriate request for motions, a scenario such as follows. We will consider Bills 8, 9, 10, 6, 4 and 3 up until around 4 p.m. or shortly after, following which we will consider Bills 203, 214, 216, 217 and 218.

Mr. Speaker, we would waive private members' hour, and we would seek leave not to see the clock at six, if required. Following all of that, I propose to put the adjournment motion on the Order Paper.

Mr. Speaker: Did you want to waive private members' hour now?

Mr. Ernst: Mr. Speaker, I would ask if you would seek leave of the House to waive private members' hour.

Mr. Speaker: Is it the will of the House to waive private members' hour? [agreed]

Mr. Ernst: Mr. Speaker, I would seek leave to not see the clock at 6 p.m.

Mr. Speaker: Is it the will of the House that I do not see the clock at six o'clock? [agreed]

Mr. Ernst: Thank you, Mr Speaker.

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

Bill 9—The Wills Amendment Act

Madam Deputy Speaker: Second reading of Bill 9, The Wills Amendment Act (Loi modifiant la Loi sur les testaments).

Mr. Gord Mackintosh (St. Johns): The purpose of this bill was, I think, well described by the minister, and it takes me back to my period, not long ago, in law school, when we studied very intensively the provision in The Wills Act, which is relatively unique to Manitoba, which says that you need not comply with all of the formal requirements for making a will for the courts to recognize that indeed a will or a testamentary disposition has been made.

That particular provision, Madam Deputy Speaker, I thought at the time, and I still think, although less so, was a great contribution to the law of wills, not only in Canada, but in other common-law jurisdictions in the world, because what it said was that there are more important things than strict rules. The more important thing was the real intention of a person who makes a will.

We recognize that this bill does not have an application to hundreds and thousands of

Manitobans. Nonetheless, it can have a critical impact on cases from time to time. I think it is important that the legal system, the justice system, allow access by people to their intentions. The legal system should not be there simply to put up barriers of formalities that really thwart the needs and intentions of individuals.

We know that since the provision under consideration was passed by this Legislature, it received an interpretation consistent with its intention on a couple of occasions. Then I say, unfortunately, in 1990, our Court of Appeal, in the Langseth estate case, appeared to say that some compliance with the formal requirements was required. This was somewhat frightening to those who had seen the provision as representing a liberal and purpose of approach to the interpretation of wills, because what that said was that at least one of the formal requirements required for wills set out in The Wills Act had to be complied with, whether that be the signature or the dating or the witnesses or even the wording.

* (1500)

That led, of course, to the Law Reform Commission presenting a report to the then-Minister of Justice on December 14, 1992. In the Law Reform Commission report, the commission identified the difference between requiring substantial compliance with the formal requirements for wills that was exhibited in the Langseth case with what, I think, was truer to the original intentions of the provision, and that is that there be a dispensation power, in other words, the courts be given the power to dispense with all the formal legal requirements required for making a will. The Law Reform Commission concluded that The Wills Act should be amended and that the provision under consideration have the wording changed as set out in Bill No. 9.

We support this amendment to The Wills Act. I might add that it appears that the wording accurately sets forward the intention of Section 23 or the provision in the act as originally drafted and as well the intention of the Law Reform Commission, which we support.

With those comments, Madam Deputy Speaker, we look forward to moving this bill along. Thank you.

Mr. Gary Kowalski (The Maples): Madam Deputy Speaker, it gives me pleasure to speak to this Bill 9, The Wills Amendment Act. On behalf of our caucus, I would like to say that we appreciate the work of the Law Reform Commission, as always.

This act addresses a Court of Appeal decision which gave a narrow interpretation on complying with the former requirements of wills and frustrates the intentions of makers of wills.

We look forward to this bill moving to committee and we hope during the committee hearing sometime in January we will hear submissions from people in regard to this matter. We look forward to this bill moving on to committee in January.

Madam Deputy Speaker: Is the House ready for the question? The question before the House is second reading of Bill 9. Is it the pleasure of the House to adopt the motion? [agreed]

Bill 10—The Trustee Amendment Act

Madam Deputy Speaker: To continue debate on second reading, Bill 10, The Trustee Amendment Act (Loi modifiant la Loi sur les fiduciaires).

Mr. Gord Mackintosh (St. Johns): Madam Deputy Speaker, the amendment proposed to The Trustee Act is not too unlike the amendment proposed to The Wills Act in that it allows for a more generous and liberal application of the laws to circumstances.

I am familiar with the Law Reform Commission considerations and report on the topic of what is called ethical investments. Essentially what this amendment purports to do is to allow trustees to make investments on behalf of beneficiaries that do not consider only financial criteria.

I think it is much more common today that all of us make investment decisions not simply based on

the expected rate of return, but on other considerations, whether they be religious, whether they be moral, ethical, whether they be environmental, perhaps.

I know myself of the offerings of green stocks on the market, and they are very successfully marketed and widely accepted in our community. People are making a decision. They are saying that it is important to invest in sustainable development, important to invest in green ventures more so than it is to get the top dollar that I could with perhaps some other investment. It is not uncommon for investors now to recognize that moral decision making has to be acknowledged as legitimate.

We have seen, for example, investments avoided in South African businesses. That is one example that is recent. When they want to invest in certain offerings made by community economic development initiatives or such investment vehicles as the Crocus Fund in Manitoba, it may be that the predominant reason for the investment is not merely financial, but there is a balance that is required.

Clearly, when one makes a decision for oneself, there is no review, there is no accountability in law as there is for a trustee. When one is a trustee there is still a requirement that decisions be made with financial criteria being predominant. Indeed, the only measure of prudent trusteeship, this bill says, should not be financial criteria so long as safeguards are in place against an unreasonable financial detriment occurring from the investment. So the provision appears to balance that recognition that nonfinancial criteria have a role to play and should be legitimized. At the same time it appears to be saying that there still must be prudence in making the investment decision by the trustees.

We question and we will look forward to presentations and the minister's detailed responses to this proposed provision to see if the predominant criteria is still financial. I think that is the main question. So, Madam Deputy Speaker, we support, in principle, the amendment to The Trustee Act and look forward to the following stages of this bill.

Mr. Gary Kowalski (The Maples): Madam Deputy Speaker, it gives me pleasure to rise and speak to Bill 10, The Trustee Amendment Act, and once again our caucus appreciates the work of the Law Reform Commission.

As already has been mentioned, the amendment clarifies the obligation of trustees who hold money on behalf of beneficiaries making their investment decisions for the money they hold. Their first obligation is to maximize the return they make for the beneficiaries. The amendment states that the trustees can take other than nonfinancial criteria into consideration, such as ethical consideration, environmental or other concerns about a company's activities and not be in breach of trust.

In principle, we agree with this amendment. I will welcome to hear submissions and the minister's comments in committee hearings because in the Section 79.1 where it says, in relation to the investment policy and investment decisions the trustee exercises judgement and care that a person of prudence, discretion and intelligence would exercise, those words are open to interpretation.

We will be anxious to hear the minister's views and the views of any submissions during that committee hearing, and we welcome this bill moving to committee so we could hear the submissions of others. Thank you.

Madam Deputy Speaker: Is the House ready for the question? The question before the House is second reading of Bill 10, The Trustee Amendment Act. Is it the pleasure of the House to adopt the motion? [agreed]

* (1510)

Bill 6—The Northern Flood Comprehensive Implementation Agreement (Split Lake Cree), Water Power Amendment and Consequential Amendments Act

Madam Deputy Speaker: To resume debate on second reading of Bill 6, The Northern Flood Comprehensive Implementation Act.

Mr. Paul Edwards (Leader of the Second Opposition): Madam Deputy Speaker, I believe this is standing in your name.

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

Mr. Edwards: Madam Deputy Speaker, this bill represents obviously another step in the process of settling one of the Northern Flood Agreement claims, this one involving the Split Lake Band. As many, in fact, I am sure, all in this House recognize, there has been far too long a process of settlement of these claims under this agreement for the five affected communities and First Nations.

I think that it is very important, regardless for a moment and just leaving aside the specific details of this agreement or some of the others that are being negotiated, to reflect on the history of this.

It is, I believe, some 25 years since the damage was incurred which led to this agreement and is only now leading to some final settlement of these claims. That is, I think, a tragedy of really unspeakable proportions that this has gone on that long without reconciliation and without understanding all of the consequences of those hydro projects.

I would like to think that we and Manitoba Hydro and we the 57 members of this Legislature who are representatives in this House have all learned that is not the way that hydro development should occur and can occur in the future. [interjection]

Well, the member for Thompson chooses to make light. I do not. Those members who are making light of this, I think, need to take a second look at the tragedy which all parties, I think, understand has occurred in not settling these agreements long before now so that these people, so that these nations, could go forward into a different and a better future for themselves, for their children.

I think that it is incumbent upon us, upon our Crown corporation Manitoba Hydro and indeed the province of Manitoba to ensure that this type of tragedy over this period of time never occurs in the history of this province again.

It has been through repeated discussions at the committee stage with Mr. McCallum, with Mr. Brennan, with the officers of Manitoba Hydro that I have sought over the years, as the critic on behalf of our party dealing with Manitoba Hydro, to question, continually question and continually ensure that Manitoba Hydro is dealing with northern development in a very different way and ensuring that First Nations concerns and in fact the concerns of all residents of the North who are affected are in fact put at the front of the process, dealt with up-front, put into the planning process and made a part of it, and that it is absolutely clear that the concerns of those who are going to be most affected, who are going to pay the largest price for the power supply from which we all benefit are brought into the decision-making process right at the beginning so that they are part of the planning process, and that any of the ill effects of northern hydro development are understood completely right up-front and dealt with and mitigated wherever possible.

That is, I think, not a partisan issue. I think that is the reality, and that is what we have all learned. It is an important time, I think, to reflect on that history as we again review in this House some of the legacy of development which did not consider at the outset the full implications of what was done to communities and nations like Split Lake.

Madam Deputy Speaker, I do not intend here to get into the detailed discussion about that agreement, about this piece of legislation. I simply want to put on the record here that it is time again to review the history of this province and commit ourselves again to never letting that type of legacy happen again. We must learn from what has gone wrong in the past and ensure that it does not happen again.

Madam Deputy Speaker, I know that the member for Thompson (Mr. Ashton) raised, I

believe yesterday, and I share his concern and the concern which has been raised in the communities as to whether or not this piece of legislation and that at the federal level are seen as treaties per se, because that is not only an important legal question but an important question of principle for First Nations individuals because they believe and want to see these as having the effect of treaties. I believe that the minister responsible responded and understood the consequences, but I was not sure—and I have reviewed the record to a certain degree from yesterday, but I was not clear as to what his answer was in terms of whether or not these are—[interjection] He is saying okay. I am sorry.

He is saying now from his chair that these are agreements and therefore do not take on the legal status of treaties. That is an issue which we will want to question further. I put the minister on notice. I do not think this is the appropriate time at debate on second reading, but in the committee we will want to have a fuller discussion of that with the minister when this does go to committee. We look forward to this going to that committee stage and I hope hearing from some of the representatives from the community who are most impacted by this agreement.

I do not hear today comment on all of the pros and cons of that agreement. I know these are always controversial matters. What I do say is that working towards settlement, working towards a new future is necessary and is positive and we must ensure that with all five of those communities proper compensation is made and we are able to see a new future with those communities and provide for them in a way—we can never completely make up for the damage that was done.

What is being sought here is to create a new future different from the past 25 years in this province for them. The best thing I think we can do for all Manitobans is to ensure again that we have learned from the past 25 years and that we ensure that that type of history does not ever repeat itself in the history of this province.

I can honestly say that in my discussions at the committee with Mr. Brennan and Mr. McCallum,

I have received those assurances that there is a different approach at Manitoba Hydro. I know the member for Thompson (Mr. Ashton) sat on the board. Perhaps he is better able than I to talk about some of the discussions which occurred at the board level about this agreement and about those five communities.

* (1520)

I think, nevertheless, that all senior employees at Manitoba Hydro, all members of this Legislature would agree that we now know in many respects how not to do northern development in terms of its impact on the residents and citizens and First Nations that make northern Manitoba their home, from which we draw so much of our resource base and our wealth in this province.

Madam Deputy Speaker, I look forward to some further detailed discussion on the treaty issue and indeed look forward to comments to be made by I hope representatives from the Split Lake First Nation. Perhaps others who are affected by the Northern Flood Agreement will present to that committee. I do look forward to that. I would go so far as to say that I would look forward to that. It may be a committee hearing we could have early on in the New Year. I do not know what the position of the opposition party will be on that. I do think we need to have some further detailed discussion on the Northern Flood Agreement generally and in particular on this, the first settlement to reach this stage of the five communities covered by that agreement.

Thank you, Madam Deputy Speaker.

Madam Deputy Speaker: As previously agreed, this matter will remain standing in the name of the honourable member for Thompson (Mr. Ashton).

Bill 4—The Public Schools Amendment Act

Madam Deputy Speaker: To resume debate on second reading of Bill 4, The Public Schools Amendment Act (Loi modifiant la Loi sur les écoles publiques), standing in the name of the honourable member for Inkster who has 37 minutes remaining.

Mr. Kevin Lamoureux (Inkster): Madam Deputy Speaker, I did want to spend some time on this particular bill.

Yesterday in the winding down minutes of last night's sitting I had indicated that in principle we support further clarification in terms of what will assist administrators in terms of ensuring that trespassers that are in our public schools or the immediate surrounding area, that we are empowering them to be able to do something with respect to it.

In listening to the debate on second reading, as the Minister of Education (Mr. Manness) put forward, he was very concerned and he put it in the context of the overall blueprint and he asked for clarification from the Liberal Party.

As he was speaking, I wrote down the points that he stressed. He wanted to know, for example, whether the Liberal Party believes there should be more or less time on language, curriculum development, choice of school, number of school divisions and the teacher training or teacher certification. Those were issues in which he felt that the Liberal Party had a responsibility in terms of stating what our position was because these were the issues in which he, as a government, was prepared to take and put on record, Madam Deputy Speaker.

Of course, we do not know what the actual government's position on those particular issues are because only some of them are in fact incorporated in the blueprint. Keeping that in mind, I did very briefly want just to comment because I know—and in fairness to the Minister of Education with respect to the blueprint, it basically covers five major points. One is the essential learning in which we see the core curriculum, those foundation skills, and he points out the foundation skills of literacy and communication, problem solving, human relations and technology. We have expressed some concerns with respect to this essential learning in terms of the history and the physical education.

With respect to educational standards and evaluation, another very important aspect to the

blueprint, he is now suggesting that there be standard exams, for example, in Grade 3, Grade 6 and Grade 12. The concern that we have is that this government is just talking about an exam that is placed in front of the student and what is going to be the consequence of some students that maybe not have the same abilities but do have a very good understanding in terms of what is being taught. If the minister, for example, was meeting with individuals from the Learning Disabilities association or talking to other interest groups or to other teachers, Madam Deputy Speaker, I believe that the Minister of Education (Mr. Manness) would have found out that there is a need for additional information on exactly what this government is saying with respect to the standards, evaluation and the purpose.

I can recall during the Estimates when we were talking about the implementation of the current curriculum, there was concern that the government was doing nothing to ensure that that curricula was in fact being implemented in the different grades.

The minister made reference to school effectiveness and talks about the responsibilities and roles of the principal, school board, minister and, of course, responsibilities and rights to teachers. Well, Madam Deputy Speaker, this particular bill does address some of those, or it does deal with some action with respect to school effectiveness, and we applaud the minister on some of the things that he is in fact doing in this whole school effectiveness area. We do have some concerns with respect to, for example, the parent advisory council's role, let us say, in the potential having influence to hire principals or fire, release teachers. There needs to be a lot of explanation in terms of what it is the government is actually trying to say. Again, Madam Deputy Speaker, I believe that all stakeholders will indicate that, you know, the more you empower the parents to get involved from the community and in fact the parents of the children that attend the school that the quality of education will, of course, improve. With respect to parental and community involvement, the fourth tier, if you like, on this blueprint commented with respect to the advisory councils. There is some concern in terms of the

make-up of the advisory council. There is concern in terms of who is actually going to be able to vote at annual meetings for the selection of these advisory councils. Again, the concept is a very positive one.

With respect to Distance Education and technology, Madam Deputy Speaker, I think that there is an acceptance from all three political parties inside the Chamber that there is a need for us to expand with Distance Education, to do what we can in terms of reaching out into the homes and schools of our young people. This is a wonderful opportunity, and we would like to see the government possibly enter into, whether it is a pilot project, to test this out in a more significant way. We have seen some school divisions that have taken very solid steps in dealing with this particular issue.

I initially indicated that there were five, there are actually six, keys. The sixth one, of course, being that of teacher education, and really the only commitment or discussion that has been brought forward with the blueprint, with reference to that, is in fact that there are talks about review and reform of the whole teacher education issue. Madam Deputy Speaker, one would like to think that there would have been a lot more, given the time that this government has been in power, to deal with that issue. It is a major issue, and all the government is committing to do is to review and to reform. At the same time, we have seen in terms of what they have done with the PD days, something which we would argue was a bad move.

The minister, as I said, wanted to know in terms of—because he did not want us to deal with this particular bill with just the idea of the trespassers, he wanted us to deal with it in terms of the overall blueprint. He asked outside of the blueprint for positions on, for example, the number of school divisions. It is interesting when he made that remark, Madam Deputy Speaker—just recently he was given the report from the former Mayor Norrie's commission, which indicated, no doubt, recommendations on what the province should be doing with the school divisions. By the sounds of the Minister of Education (Mr. Manness), he had

virtually accepted what Norrie's recommendations are, and we wait to see just how quickly this government is going to be acting on those recommendations.

We would anticipate that we will see this some time in the month of January. I had indicated and had made presentation, and I know the Leader of the New Democratic Party had taken exception to the fact that I made presentation on behalf of the Liberal caucus to Norrie's commission, but in essence, Madam Deputy Speaker, what we had talked about was a question of equity, both at the divisional level in terms of taxation to services and the whole idea that if you have community-based school divisions, then they should be community-based school divisions throughout the province, not just in certain sectors.

* (1530)

Now, the minister also asked questions with respect to the choice of school, Madam Deputy Speaker. It is a very serious concern that Manitobans have with respect to this particular issue. I think the Minister of Education himself, even though he asks for us to take a position, has not taken any sort of position on this issue. Other than to allude that he would like to see the choice of schools be given to the parents, he has not given any indication on how that choice would actually be decided.

He also made reference, as I indicated last night, when I was given a couple of minutes to be able to comment, he quoted from a 1902 Grade 1 textbook, Madam Deputy Speaker. I think the Minister of Education should acknowledge the difference between 1902 and 1994 and the different demands that are on the curriculum and different amount of times allocated in any given day for a student to be able to learn to read or write, and to acknowledge the difference in terms of the students. If the minister, for example, is trying to say that that is the way that we need to go, back to 1902, what we would see would be a continual falling through the cracks of many individuals that today attend our public school system. Yet we do not see any alternative coming from this government.

That causes a great deal of concern, Madam Deputy Speaker, if not likely the greatest concern that I have, the government's direction in terms of trying, in an attempt to indicate to the public of Manitoba that our education system is falling apart, thereby we need to raise standards and force kids to go through them. What is going to happen is we are going to see students falling out of the public school system, and the government is not providing any alternative, is quite prepared to write off these students. I find that to be somewhat sad and irresponsible. So when the Minister of Education takes a textbook, this 1902 textbook, and he talks about the Grade 1, I think that he has the responsibility to ensure that it is put into a proper perspective, and I do not believe that he has done that. The most recent literacy report that he himself released I believe last Friday indicates that Manitobans are on average, across Canada, in fact doing quite well in this area. So, of course, when he makes reference to the 1902 textbook he is saying, the standards across the country, not just in the province of Manitoba.

I know, Madam Deputy Speaker, my preference is to see Bill 4 and Bill 3, both education bills, pass to the committee stage. I see that there is some very positive benefit if we were to adjourn today, that the government would have the opportunity to be able to call committee. We have requested that all bills that pass be called in committee sometime in the month of January to provide individuals the opportunity to be able to express the concerns that they have. There are many educators, administrators, parents and individuals that would like to express their thoughts on the whole blueprint proposal and the specific legislation that the Minister of Education (Mr. Manness) has brought forward. This provides us the wonderful opportunity to do just that, to pass them, and that is the reason why I was wanting to speak to Bill 3 yesterday and now Bill 4 today so that in fact we would have the opportunity to see them go into committee.

Madam Deputy Speaker, I did want to address some of the remarks also that were put on the record from the Leader of the New Democratic Party (Mr. Doer) yesterday as I sat and listened to

him talk about the whole private school funding issue. I understand that there is a lot of stress that is no doubt going on within the New Democratic caucus in terms of their feeling that they are losing the issue of education and they are desperately trying to discredit the Liberal Party on the private school issue.

I recall about a year and a half ago, I was with the Seven Oaks Teachers Association and indicated to them that just recently I was appointed the Education critic for the party and in the discussions that I had with the Leader of the Liberal Party that we were prepared to be able to look at all of the different policies of the past of the Liberal Party. Mr. Edwards, the Leader of the Liberal Party had indicated that this is an issue in which he himself would be open to see change.

I met with literally, you know, dozens of organizations and individuals and had workshops and discussions in which we talked about this particular issue and at the last Seven Oaks teachers invitation I had indicated to them that the Liberal Party's position on the private schools was to have an absolute freeze. Madam Deputy Speaker, I know that the New Democratic Party who was in attendance, contrary to not seeing the government showing up at panels of this nature, at least they were there and they had indicated that it is good to see that the Liberals have come onside.

Last night inside the Chamber we saw the Leader of the New Democratic Party (Mr. Doer) try to say that, you know, the Liberals are wishy-washy, and Madam Deputy Speaker, you could be no further from the truth. If a political party acknowledges that there is a problem in a certain area and then takes a corrective action to show and demonstrate to Manitobans that we want to ensure that the public education system is our No. 1 priority, we are going to do whatever is possible to ensure that the public is well aware of that.

We had taken a very responsible approach to the whole issue of financing of education. I recall at one time the New Democrat Party's position was also to freeze private school funding, and then it was at a Seven Oaks School Division meeting in

which the critic then, who is from Dauphin—I am not too sure if he is the critic now—indicated that they wanted to have it rolled back to 50 percent financing of private schools. Is that the equivalent of a flip-flop or are they being wishy-washy?

If one wanted to, Madam Deputy Speaker—you know, I take an exception to a number of things that the Leader of the New Democratic Party was saying. He attempts to imply that the New Democrats do not support private schools in the province of Manitoba. I think that the Leader of the New Democratic Party should be aware that the greatest increases to private schools was when he was in the cabinet. I had received, you know, graphs in which we have seen 38.2 percent increases, 19 percent, 17 percent, 19.6 percent increase, 17.9 percent increase, 38.2. These are all NDP administration—

Mr. Steve Ashton (Thompson): On a small base.

Mr. Lamoureux: Well, Madam Deputy Speaker, the member for Thompson says on a small base. What the blueprint does not necessarily address is the whole financing of education, and when he says, well, it was based on a small percentage.

When the government was receiving relatively large increases in government revenues, we have seen very small increases to the Department of Education of financing of public education. This is not something that just this government could be blamed in terms of inadequately funding education. This is something that has been going on since 1982 where we have not necessarily seen government demonstrating that public education is in fact a priority.

* (1540)

So when I look at the blueprint, I would have expected to see something with respect to the financing of education. I believe that whether you talk to the superintendents, whether you talk to the teachers, the trustees, the parents, all of the stakeholders that you will find that there is some disappointment that this government was not prepared to deal with the issue of financing.

Members from across the way ask if we would increase the financing. Well, Madam Deputy Speaker, again the Liberal Party has taken a position on the financing of education contrary to what the New Democrats and the Conservative government has done. In fact, I would refer you again to go back to the '83, '84 budgets and go right through, you will see that there has been a continual reliance on property tax in order to finance public education. This is a more of a regressive tax than coming from general revenues.

Mr. Steve Ashton (Thompson): Kevin wants it to come from general revenues.

Mr. Lamoureux: Well, the member for Thompson (Mr. Ashton) who believes that we should fight for tax fairness, I do not understand how they can justify downloading or having a more regressive tax picking up a larger share of the financing of education. I do not understand how New Democrats can be as hypocritical as doing that, which really says a lot in terms of their principles on trying to get fairer taxation, but the Liberal Party will stop the drift. We are committed to ensuring that the further reliance on the property tax will stop under a Liberal administration, and depending on revenues that come in to the government will determine what it is we will be able to do with the financing of education.

Madam Deputy Speaker, the reason why I say that is again to point out that under NDP administrations when they had the high revenues coming in, they did not do anything really for the public education in the province of Manitoba. We have seen a government now which has frozen, which has cut back on public education, and they try to draw the equation that these cutbacks will not have any impact on the quality of education. I do not know where they are coming from because we have seen what has actually happened in the real world by legislation that has been brought in by this government that, for example, has seen professional days cut.

In many different school divisions it has been cut entirely. In some school divisions that have

higher reserves they have been able to compensate, which talks again about inequities and how some resources are not necessarily as straightforward as the government would like us to believe.

With respect to the bill, as I indicated, we do want to see this bill pass into the committee stage. We believe that it would be very fruitful for all of us to see both public education bills pass. So again, like Bill 3, I will be the only speaker from the Liberal caucus on this bill and would highly recommend that all members of this Chamber pass it into the committee stage, and I would highly recommend that the minister or the Premier ensure that we are in committee sometime in the month of January so that the public and the stakeholders will have input on a very important bill. I can assure all members of this House that that input is needed and I believe would be well warranted so that when we do come back in session we are prepared to deal with it in a very quick fashion.

Thank you very much, Madam Deputy Speaker.

Mr. Ashton: Madam Deputy Speaker, we are prepared to see this bill through to committee. In fact, there are a number of bills that have been passed through to committee already and we are hopeful as well that committees will be called in the intersessional period.

I want to say just briefly that while I found the Liberal education critic's speech to be entertaining, it just amazes me that the Liberals are now saying they are going to go around and—shall I quote another Liberal who said, zap, you are frozen. They are doing this now with private schools because they led the upping of the ante. They wanted 80 percent, and so now they have some increase in the private schools. If they think they can fool anyone with that hollow promise, I think they are absolutely dead wrong. Quite frankly, I was surprised that this issue came up— [interjection] The Liberal Leader talks about hollow promises, Madam Deputy Speaker. We are waiting for the red book, Manitoba version. It will probably be a slightly smaller, thinner document. If they think that anybody is going to buy their position on private schools, I think they

are dead wrong, and I think it is something that has to be transposed to what is happening to the public education system.

I am very concerned with what is going on in my own area. We have a school district in my own community. They have a \$1.5 million deficit they are faced with. Partly they have been caught, as we all have in Thompson, by the reassessment. A lot of it is due to overall funding situations. I am sure the Liberals are going to go and try and persuade people at the school district of Mystery Lake that somehow they are now against any increases in private school funding. I find it strange because I know what they have said to private schools and I know what they have said in the past on the issue. I wonder really where the consistency is, and I think they are going to find there is going to be some questioning from private schools themselves.

You know we have been up front in our position and I have been very up front in my own position. I think the priority should be public schools. I have difficulty with the increases that have taken place. I have difficulty with the increases in enrollment. That is where I stand. That is where the New Democratic Party stands, but I really wonder where the Liberals are going to be going on this issue—and I know where the Conservatives stand, too. I know—

Mr. Paul Edwards (Leader of the Second Opposition): Stay tuned.

Mr. Ashton: Well, stay tuned, says the Liberal Leader. I know it is like a soap opera. Every day there is a new version of it, the ongoing saga of the Liberal Party and its policy statements, but you know we are faced with some critical decisions in terms of our public education system. I mentioned about the situation in my own community. I look at the government's blue document—blue document, coincidentally, of course—and I will tell you what I have done in my own community. I am sending a survey out throughout the constituency on education, based on the blue document—[interjection] Well, the minister says, it is too late. It is not too late. The document was

issued. There are a lot of people who are very concerned about the document. I am going to be delivering that to teachers, to parents, to staff, to board members, because I have received a number of inquiries, a number of concerns about that.

I think that is what we should all be doing, engaging in debate on education reform in terms of our own vision. I have a sense of what the government vision is whether I agree with it or not, and I do not disagree with everything in the blue document, but there are a number of aspects to it which I think are of significant difficulty.

I do not agree with what has happened in terms of educational funding. I particularly did not agree with what happened last year with the combination of the application of Bill 22 and other issues, but at least I know where the Conservatives stand. We know where we stand, and I think after listening to the Liberal Education critic, I know less about where the Liberals stand now on educational issues than when he started.

An Honourable Member: You were not listening.

Mr. Ashton: Well, I was listening, and I was trying to keep track of it, Madam Deputy Speaker, and quite frankly, I will be very interested to see when we are back in this House what version of policy the Liberals will have next, whether it be on private schools or on the public education system.

As I said, I was surprised this whole issue came up on this particular bill, but we, based on the merits of the bill, want to see it go into committee. We want to hear from people who will be directly affected by this, the general public. What I would suggest to the minister, and I am saying this publicly because I think it is fairly important, we are going to have a number of bills which will be passed through second reading. I would suggest and recommend strongly that these bills be brought back, as the Liberal critic pointed out, in the early part of January. I would suggest too, we have a good opportunity to do what we should do on more bills, which is to give plenty of notice on this.

* (1550)

We can discuss as House leaders even today in terms of timing of the committees, do it early in January, and give the public the chance to have proper opportunity in terms of notice and proper opportunity to participate, because that is important too. We have one of the best systems for allowing bills to go to committee. Let us make it work and let us get this bill into committee within the next number of weeks so we can get some public input on it.

Thank you, Madam Deputy Speaker.

Madam Deputy Speaker: Is the House ready for the question?

The question before the House is second reading of Bill 4, The Public Schools Amendment Act (Loi modifiant la Loi sur les écoles publiques). Is it the pleasure of the House to adopt the motion? [agreed]

Bill 3—The Education Administration Amendment Act

Madam Deputy Speaker: To resume debate on second reading of Bill 3, The Education Administration Amendment Act (Loi modifiant la Loi sur l'administration scolaire), standing in the name of the honourable member for Wolseley.

Ms. Jean Friesen (Wolseley): I am glad to have this opportunity before we break for Christmas to speak on Bill 3.

The purpose for this bill is to give the Tories something with which to go to the polls, and it is quite clear and quite simple. After six years of talking about education reform it comes down to this, a Bill 3 which provides for the formation of school advisory bodies and which enables the minister to set the policies for expulsion on a province-wide basis and devolves to individual teachers the right of expulsion from the school.

It says a great deal, I think, for the minister's vision for our schools. Is he interested in new curriculum? Is he interested in ensuring the

students are taught about the new world of the information highway, that there be some standards of computer literacy for our high school graduates? Is he interested in encouraging critical thinking and problem solving vital to a society which must be based on knowledge and which values innovation? Is he interested in developing lifelong learning for both parents and students? Does he have a vision of citizenship for which our schools are the basic crucible? Does he have any indication of understanding the role of physical education in children's development or any understanding of its role in relationship to retention of memory and alertness? What of the role of music and art, their relationship to a society of innovation and creativity which are again fundamental to the new knowledge-based economics in which Manitoba must find its niche?

The world of education, Madam Deputy Speaker, is a world of wonder and discovery and of the great joy of entering on a long journey that will last the rest of one's life. So it is with great sadness that I see this government and this minister narrowing that world of education and narrowing the terms of the public debate about the future of our society and our children.

Does it really all come down to this at the end of the 20th Century, the creation of parent councils and the devolution to the classroom teacher of the right of expulsion? Well no, of course there is much more to the minister's agenda than this, though it has hardly formed the basis of public debate for the term of this government.

The minister will accomplish these earth-shattering transformations against a backdrop of continued funding cuts to the public school system. Many schools and teachers are finding themselves on the front line of poverty, bearing the brunt of an increasingly divided society whose children are in some cases very angry and whose parents have no means, little experience and no help in bringing them up in the way we would all want to see them brought up.

These great advances that the minister proposes should also be placed against a backdrop of

changes in curriculum which are leaving the most committed Tories baffled. I am even getting a little flutter of pleasure in telling all the Tories I know, and admittedly that is not a vast number, of the plans of this government to make phys ed and history optional in the high school, and I have not met one yet who believes me. I guess the number of petitions presented and letters we have all received are testimony to the widespread opposition to these proposals.

There does not seem to be any great difficulty for most people in understanding that physical education plays a fundamental role in the prevention of ill health and the maintenance of good health. The reports of the Minister of Health confirm it, and the daily experience of most citizens also recommends it.

Recent studies have been able for the first time to link exercise with the prevention of breast cancer. Exercise plays a significant role in the maintenance of good bone structure in older women. It has great benefits in mental health for children and for adults, and in the immediate environment of the school, study after study speaks of the role of physical education and the ability of children to retain information and an alertness and ability to absorb new concepts.

Madam Deputy Speaker, would you not think any Minister of Education would be interested in such a program? Most of the parents I speak to would think so, but whom is the minister speaking to? Where are the parents who have been beseeching him to abandon this subject? Where are the petitions asking for relief from this subject which promotes physical and mental health?

Ah, but I should mention that this is a minister who does not do research. Indeed, he shudders, literally, physically shudders at the thought of it. Even a suggestion from me that he might examine some studies or perhaps bring evidence to bear for his point of view brings out the sneer and the dismissal. This is a zealot who knows. Indeed only he knows, and there is no need for evidence when you are dealing in such realms of higher connection.

I must admit, I have actually never encountered anyone with such a disdain for research and evidence, and it is quite a shock to encounter it in any Minister of Education. But equally puzzling to Tories that I meet is this elimination of Canadian history in high school. To be precise, I should say that the minister has only enabled local school boards to eliminate history, and here, for the first time, I think, we have a minister who has made it possible for young Manitobans to graduate with European or American history but not Canadian history, this at a time when we face some very serious questions about the future of Canada.

On this one, I think the minister has begun to feel the heat. I have challenged him in the House to show us where the groundswell of voices for this change came from. This minister claims to listen to parents. I want to meet the parents who argued for this one. I would like to see their letters and petitions to the minister, but strange to say, he has been unable to produce any, not a one. It would be a pretty safe bet to say that they never existed.

What happened, I think, is that the minister, in his haste to draw blueprints and road maps and to talk about core education, in terms that it would hit the right notes with his peculiar political constituency, and I use peculiar in the sense of special, simply was not clear on the consequences of what he had done.

Now that he knows, he is back-peddalling so quickly that he is going to go head over heels over the handlebars. In early conversations this fall with teachers and others who inquired about this policy, the minister was at pains to argue for the importance of the will of local school boards.

As time goes on, we hear more about the many new programs he has now discovered he plans to add in Canadian studies, plans which are in no way indicated in any of his blueprints. This minister has created the situation where our students, who are about to leave school, will leave it without the basic tools of citizenship and understanding of the origins and values of our past.

History is our collective memory. My colleagues have argued that to remove Canadian history from the compulsory curriculum at the high school level in this province would be a grave mistake and a disservice to the future of both the province and its citizens. A well-informed citizenry is the bulwark of tolerance and of understanding, which all governments should be doing their utmost to ensure.

Is it perhaps that this minister believes that history is simply the memorizing of dates and names? Is it that he does not understand the role of history and citizenship or in the marshalling of arguments and evidence or its place in the development of critical thinking and powers of debate? Does he not understand the crucial role of history or other social sciences in the development of literacy?

I am told that when the minister is faced with these commonplace arguments for the role of history, he simply feigns ignorance or argues that he is only interested in something he calls pure literacy, a concept I have not yet encountered.

I do know that much of the time of any history teacher is taken up with written and oral expression in helping students at all levels to summarize and interpret written documents or arguments. It is a commonplace for history teachers that the understanding of the life of past societies cannot be separated from the ability of the student to marshal his or her arguments to provide the evidence and to communicate the thesis.

Perhaps the minister would like to compare the histories of his beloved 1902 benchmark. In his speech, he took some time to read to us from a Grade 1 textbook of 1902. Should he not compare the histories of 1902 and those of the Grade 11 course, which was developed in Manitoba by hundreds of Manitoba teachers and which has just been revised to add even more aboriginal material and which this minister proposes to make an option?

He will find, to his surprise, that the language of history, the concepts dealt with and the complexity of ideas have changed dramatically since 1902.

The world which our students must deal with has changed too, and they must be equipped with the analytical, literary and communication skills to enable them to understand and to eventually shape the world they are inheriting.

Will this be accomplished by the abandonment of high school history? Hardly, and it speaks volumes for the narrow world into which this minister is taking us. Again, we must examine this bill in the context of the other changes to our schools under this government. Not content with reducing support to public schools over several years, the government last year made sure that local school districts, that might have wanted to put more resources into their schools, were prevented from doing so.

The minister who now wants to devolve so much authority over curriculum to local school is exactly the same minister who could not trust locally elected boards to set their own tax rates. He cut a great centralizing swath through our system of local support for education by capping the powers of local school boards, and we find the same Janus-like approach in this bill.

On the one hand, this bill proclaims the extension of powers to the most immediate level. The classroom teacher will be able to expel a disruptive child from the school, not just the classroom, but who will set the regulations under which this will be done? Why, the minister, of course.

Whereas in the past the school, the principal, the parent, the superintendent and the school board might have been involved in the setting of disciplinary policies, now it is only the minister who by regulation will determine these policies for the province. The teacher will point to the exit, but according to this bill, they could have less power than before in the setting of conditions under which students can be asked to leave the school.

* (1600)

Now all Manitobans want to see safe classrooms, both in the intellectual sense as well as the physical sense. All of us expect that when

we send our children to school, they can learn in an atmosphere free of disruption or bullying. Will this bill accomplish that?

I look forward to hearing the views of parents, teachers, students and principals when this goes to hearings. I am puzzled by aspects of it, and I want to know how this will change existing conditions. Surely all teachers now have the right and responsibility to expel unruly students from the classroom. If there is a teacher who does not take that responsibility seriously, I would like to hear about it and I am sure the minister would. In most schools students are sent to the principal or to the vice-principal where one anticipates a systematic and consistent code of discipline is enforced.

Is this system not working? Perhaps not. Where is it not working and why? Is it generally not working across Manitoba or is it only in certain school divisions? Do we have large numbers of children who have faced expulsion in the past, say, five years or do we have a smaller number of children who have faced expulsion several times? If we do not know the scale of the issue or its location and if we have not inquired into the causes of the failures of the present system, how can we know whether the minister's proposal to set province-wide discipline regulations in his office in Winnipeg and to enable all teachers to expel from the classroom and the school is in any way going to meet the challenge? I look forward to asking those questions of practising teachers over the next few months and when this bill comes to committee.

At this point, we must content ourselves with observing that there are inconsistencies in appearing to extend power to teachers while at the same time giving the minister new and unlimited power to set the regulations by which this will occur. Such inconsistencies of lip service to local autonomy coupled with the extension of sweeping powers of centralization are characteristic of this minister.

Madam Deputy Speaker, the other major thrust of this bill is to enable the creation of advisory councils under conditions to be later determined by

the minister. In his so-called blueprint, we can have some idea, though I would point out, no guarantee of the kind of councils he wants to see.

I support, and so does our caucus, community advisory councils for schools. Many of us represent constituencies where school divisions have had them in place for some time. Many of us as parents or teachers have served on such committees. Indeed, I have heard that over 85 percent of Manitoba's children are already in schools where councils are part of the system. I do not know if this is true. Perhaps, the minister knows, but, alas, it might smack too much of research. There is no point in asking this minister such a question. Only an inquiring mind would want to know how such councils have fared. What has been Manitoba's experience with them? What works and what does not work? How does this compare with what the minister proposes in his blueprint and in this bill?

I know from talking to parents and teachers in my constituency that there is a recognition that school councils can vary a great deal in their effectiveness. They do depend on a principal who takes them very seriously and who is prepared to spend time explaining budgets and schools to parents and community representatives who have left their own school days some time ago. I have not yet met a principal who begrudges this time and who does not believe that it is always time and energy well spent, but it is a variable of which we should be aware.

Advisory councils depend too on parents with time and energy who understand English or French and the Canadian school system. In many inner city areas such is not the case for perhaps a large portion of the parents. This is a serious problem raised by everyone I have spoken to who has had experience with school advisory councils. Everyone recognizes it and is searching for ways to ensure that those unspoken voices may find a place in the advice that a school receives.

Does the minister indicate he understands and has given consideration to such a fundamental issue? I did not get that impression from his

speech. I listened to his speech and found nothing in there that would indicate that he understood and had given consideration to such fundamental issues.

Madam Deputy Speaker, I am not sure that there is indeed one simple solution for this issue. But as the minister is moving to make such councils universal one would have anticipated that this would have been part of his deliberations.

A second concern of anyone who has experience of advisory councils is their potential for being dominated by one interest group or by one particular group of parents. The minister's response to this is to again extend his own powers to enable him unilaterally to dissolve councils which are not, and I quote, functioning in keeping with the mandate for the advisory councils to be established by regulation by the province. I am quoting from his blueprint.

This is a double-edged sword. It increases the central power of the minister but purports to do this in the name of ensuring local autonomy. For a minister to have the power to dissolve, not just overrule, not just review, not just disallow, but to dissolve a duly elected local body, is a very serious matter and one that no one in this Chamber should take lightly.

There is no provision for appeal. There is no provision for recourse from a minister interpreting his own regulations to order the dissolution of a locally elected body. That change in government power gives me great cause for concern, and I expect to be able to discuss that with local authorities and parents when this bill goes to committee.

The minister proposes that such advisory bodies be composed primarily of parents, and he makes some provision for members of the community who are in the catchment area of the school. I think both those principles are possible. I particularly am glad to see the provision for community representatives.

So often we tend to think that education is only a concern of parents. I believe that everyone has a

stake in our public schools, and the broader the representation available, the wider the range of experience we can bring to bear. It also speaks to those who no longer have children in the schools and who are sometimes heard to be resentful of school taxes. We all benefit by having well-educated citizenry. We all can and should pay for our schools. We all can and should have an opportunity to participate in their future.

School advisory councils enable this to happen in a way which is perhaps more satisfying than the once every few years trek to the ballot box. However, I am puzzled by this minister's desire, as indicated in his blueprint, to prohibit the participation of parents with children in the school but who may also be employed by the school division. Parents who may also drive the school bus, work in the office or in maintenance or who may be teachers or consultants in other parts of the school division are not the kind of people this minister wants to see involved in school councils.

I would guess, Madam Deputy Speaker, that the practical application of this in some school divisions over a period of time will turn out to be counterproductive. But aside from the practical implications, there are important issues of representative democracy to be considered.

The minister indicates that he is concerned about conflict of interest. He is right to be so concerned, but many organizations, including this Legislature, have developed over the last decade pretty straightforward ways of dealing with this. I am curious as to why the minister did not consider this and why he is so eager to arbitrarily define Manitobans as employees first and parents second. This is a curious and inconsistent stand for a minister who claims that he wants to hear from all parents. Is there some old joke going around the Tory caucus? When is a parent not a parent? Answer: when they drive a school bus, or when they are a teacher.

Has the minister thought—and I say this perhaps facetiously—of barring former teachers or people who are married to teachers or who are, on occasion, supply teachers? What is it the minister

is trying to achieve by this limit on the right of representation that could not be achieved by clear conflict of interest guidelines. I look forward to his explanations on this issue.

Students too are to be represented on these councils, as they are on most of the existing ones. They are, of course, part of the school community and should be there. The minister, however, draws a line between the student representative and the teacher and the principal. The student will have a vote but the teacher will not. He separates them into two different worlds, an unusual proposal and one, again, that I look forward to discussing with both students and teachers.

In my opinion, education works best when parent, teacher and student are all pulling in the same direction and are regarded as part of the same community of learning. I am puzzled by the role this minister seems to have taken upon himself of driving a wedge between the elements of this community, perhaps best typified by the virulent ads and attacks he and his colleagues have made upon teachers.

* (1610)

The elements of this bill which deal with councils are relatively simple. It permits the minister to establish regulations for the composition, formation and mandate of the councils. We are being asked, in effect, to add to the powers of this Minister of Education (Mr. Manness) in a rather extensive manner. Only his accompanying blueprint gives us any indication of the kind of councils he wants to see, and we have no guarantee that this will be followed in the regulations.

I note with interest the Yukon Education Act, revised in 1992 by its then-NDP government. This act takes two pages to deal with the establishment of school councils, and I might take the time perhaps to draw the attention of members to this act, pages 36 and 38. What I want to draw to the attention of honourable members is the fact that the detail and the principles are spelled out in the Yukon Act. It is not that they, Madam Deputy Speaker, have, like this minister, simply arrogated

to themselves the power of extensive regulations. They spell out very clearly who is eligible to be elected to school councils and the franchise. The eligibility for election are the same as they are in any other election. There is no division within the community established by a minister. The provision for advice, for recommendations, for procedures, for accurate reporting, for review every five years of the position of these school councils is all established very clearly in the Partners in Education, the Yukon Education Act, written in plain language, I might point out, and made available to all members of the community.

That is not what we have here. We are being asked to give large, unknown powers into the hands of the minister.

When the territorial government passed their legislation they knew a great deal more about what they were voting for. They were not asked simply to give a carte blanche to this particular minister.

Is it that this minister is asking us for these extensive powers because he does not know what he is going to do? It is not that, Madam Deputy Speaker, because he has taken pains to publish a so-called blueprint. It is, it seems to me, because he deliberately wants to allocate much greater power into his office than did the Yukon Minister of Education.

The Yukon laid out in its act for all to see the roles and responsibilities of school councils. That gives far greater accountability than does allocating all that to the minister's regulations. I shall be interested to draw this to the attention of parents, teachers and students when they come to discuss this in committee and to seek their advice on this.

In conclusion, Madam Deputy Speaker, we support the principle of school advisory councils and the goal of having safe schools, but I am troubled in finding the many inconsistencies in this bill.

The minister's blueprint, for example, which is the only guide we have to the kind of regulations

he may establish, suggests that school councils should advise on discipline provisions. Yet the act says it will be the minister who sets the guidelines. Who is the principal to listen to?

The minister claims that he wants to establish well-disciplined classrooms. Yet he has set up the possibility of every teacher being left to interpret ministerial guidelines in an individual way. Any parent would have told him that discipline must be expressed consistently. It must be expressed simply. The child or student must accept the rules and if possible have a part in setting them. They must be clearly understood and above all, I repeat, above all, applied with consistency.

It is straightforward enough and it is already practised in many homes and schools across the province. One of the best examples I have seen is at John M. King School in my constituency, which includes conflict management for students as one of its fundamental objectives and does so very successfully.

Does this bill lend itself to consistency of the application of rules and discipline? I am afraid, Madam Deputy Speaker, that this may not be the case. We have a Minister of Education (Mr. Manness) who speaks of local control but who will dissolve local councils just as he has capped taxing responsibilities. This minister wants to have good discipline but creates the conditions for centralized rules applied differently in every classroom. He claims to listen to parents but will not listen to them if they are employed by a school division. He is responsible for the safety and education of every child in this province but seems to have no plans for the safety and education of those who temporarily are expelled and have no parent at home. He is responsible for education but has a disdain for research. He claims to seek literacy yet discards history. He wants alert children, eager and ready to learn yet eliminates physical education. He seeks dedicated teachers yet eliminates their professional development days and drives a wedge between them and their society.

It is difficult not to reach the conclusion that this minister has lost sight of the goals of education

and is dealing only in hastily put together bills which give him greater powers and quick headlines.

So I conclude, Madam Deputy Speaker, that this is a bill for the Tories to take to the polls. It is an important bill, and I look forward to discussing its implications with parents, teachers and students now, at committee and in the months leading up to an election. Thank you.

Mr. Steve Ashton (Thompson): Madam Deputy Speaker, I move, seconded by the member for Kildonan (Mr. Chomiak), that debate be adjourned.

Motion agreed to.

SECOND READINGS—PUBLIC BILLS

Bill 203—The Lotteries Accountability and Consequential Amendments Act

Mr. Gregory Dewar (Selkirk): Madam Deputy Speaker, I move, seconded by the member for Broadway (Mr. Santos), that Bill 203, The Lotteries Accountability and Consequential Amendments Act; Loi concernant l'obligation redditionnelle en matière de loteries et apportant des modifications corrélatives, be now read a second time and referred to a committee of this House.

Motion presented.

Mr. Dewar: I am pleased to rise today to speak on this particular bill presented to the House and recommend that the Legislature pass this particular piece of legislation as soon as possible, Madam Deputy Speaker, to allow Manitobans an opportunity to voice their concerns about gambling and, as well, to receive regular information from the Manitoba Lotteries Corporation.

This government will be remembered for a number of things, and I just want to highlight a few of them. I believe they will be recognized for having the highest rate of child poverty in Canada, or I believe it is the second highest rate only outdone by Alberta and Newfoundland. It has

been reported that there is a link between the introduction of VLTs into rural Manitoba and poverty in rural Manitoba as well in rural areas. So that particular issue is very relevant to the discussion here today.

Another point that they will be remembered on, of course, is having the highest deficit in the history of the province. It was reported that the government had a deficit of \$748 million.

Thirdly, they will be recognized for its attack on public institutions in our province, whether it is the public sector, whether it is Bill 70 or Bill 22, attack on our health care system. In Selkirk, I know, unfortunately, we were the recipient of some of their particularly insidious moves, with the closing of the School of Psychiatric Nursing and, of course, education as well, again in Selkirk. Our Lord Selkirk School Division received a 2 percent cut in its funding, which equalled to about a million dollars.

Finally, and this is what we will be dealing with this afternoon, is the rampant and the unchecked expansion of gambling by this particular government here in Manitoba. Madam Deputy Speaker, we in Manitoba are the leaders in terms of gaming opportunities in Canada. We are, as we have been called, the Las Vegas of the North. That is a very apt and very accurate phrase.

* (1620)

We have in Manitoba more VLTs per capita than any other province. According to the documents provided by the Manitoba Lotteries Corporation, as of September 30, 1994, there were 5,334 VLTs installed in 573 locations throughout the province. The Liberal Leader, in his comments he made in the Free Press today, mentioned that there were 4,000 VLTs in Manitoba. Unfortunately, there are 5,334, which once again proves to us the inaccuracies of the Liberal Party when it comes to relating any issue to this Chamber and to Manitobans.

We have also discovered that there has been an increase in terms of profits, a 1,600 percent

increase since 1988, when at that time there was \$12 million forecast. In the past year, it is up to now \$210 million, and even that, they are not even sure of.

I know the Minister of Finance (Mr. Stefanson) and the Minister responsible for Lotteries (Mr. Ernst) both released information in the final week of November. The Minister of Finance, in his release, stated that the projected revenues for the Manitoba Lotteries Corporation was \$180 million. Two days later, less than 48 hours later, the Minister responsible for the Lotteries Corporation released the actual figures. It has been estimated that it will be as high as \$210 million, a \$30-million increase. It is clear, they do not know over there which is accurate information. We have the Liberal Leader wrong. We have the government over there misleading the public with their information.

Madam Deputy Speaker, in April of 1991, when I raised the issue of VLTs in this Chamber, we raised our concerns of the introduction of VLTs. At that time, the minister responsible did not provide any information regarding VLTs. At the time, they were saying, well, we are only looking at it; we do not anticipate that this will be a potential scheme for the province. Soon after that, in September of 1991, there were 2,000 VLTs introduced into rural Manitoba. We have had VLTs in rural and northern Manitoba now for over three years. At that time as well, they promised that all the money raised by VLTs would be returned to rural Manitoba—a promise that the government quickly broke, Madam Deputy Speaker.

As well, it was stated by the government that that would be it, there would be no more VLTs in the province of Manitoba. Well, soon after that there were VLTs at Assiniboia Downs, VLTs on the riverboats and, now, VLTs everywhere. The City of Winnipeg received VLTs in September of 1993. At that time no one knew the impact that such a rapid expansion of gambling would have on Manitoba. The government decided, well, what we will do first, we will introduce the VLTs and then we will study it.

The other way around is what we suggested: that the government take the opposite approach, that perhaps they actually should—before they initiate such a huge policy that will have such an impact upon Manitobans—study it first. Then, if they decide that is what they should do, then they should introduce gaming to Manitoba.

It was only we on this side of the House, it was only the NDP that actually at that time called for a moratorium. We called for a pause in terms of gaming expansion. We called for the government to conduct public hearings here in the province. We called for the government to conduct a comprehensive study into the social costs or the economic benefits and costs to Manitobans. We were fortunate enough because of our pressure and the pressure from other Manitobans that the government actually—I believe it was around a year ago—finally did bow down to public pressure and impose upon itself a moratorium, something that we on this side of the House had been calling for.

I suggest to you that that has been breached over the past year, but there were still no major initiatives that were announced and basically all major initiatives were stopped. What could you expect? After all, the government did saturate the market. We have 5,334 VLTs, plus the literally hundreds of VLTs and slot machines in the two gaming palaces here in Manitoba. Clearly, the government saturated the market, and they decided, well, we cannot go any further, so let us just stop it for now. They finally bowed down to our pressure, and we are very pleased that they did.

All this time we were calling for a public debate on the future of gambling in the province. We have also called for more accountability in terms of Lotteries revenue and Lotteries expenditures. I have contacted the Manitoba Lotteries Corporation from time to time requesting information regarding annual reports, regarding quarterly reports, and they say, well, no, we cannot give you that information, that information must be tabled in the House once the House resumes.

Well, that being the case, if that is the policy of the government, then all of us received, I believe it

was in the latter part of November, a big quarterly report ending two, the first and second quarterly reports and the annual report. So where is the consistency of the government opposite? First of all they say, well no, it must be tabled in the Legislature, then miraculously these things appeared in our mail slot when the House was not yet in session.

We are bringing forward this legislation to accomplish two goals. One is to conduct a public inquiry into gaming to allow Manitobans the opportunity to voice their concerns on this important issue, and the second is the aspect of accountability forcing the government to be far more accountable than they have been so far in terms of lotteries and in terms of gaming initiatives in this province.

As well, Madam Deputy Speaker, the bill will require that the government provide budget projections of revenue and expenditure each year, something that is not currently done. As well, it will provide information in terms of the breakdown of revenues from each community.

A couple of years ago, I think it was in 1992, I did a calculation, and at that time each VLT returned to the government \$20,000 in revenue. That has increased, based upon the information provided to us by the minister. Now it is up to \$22,000 per machine back to the government. We are seeing there is an increase even more so than there was in the past in terms of actual revenues for the province.

As well, the bill will require a breakdown of revenues by facility, Madam Deputy Speaker, and it will require the government to commit to members of this Chamber and to the public at large, quarterly reports on the social impact of gaming.

If you read the annual report of the Manitoba Lotteries Corporation—it is quite an attractive document, 30 pages long, and only one paragraph in this whole document deals with the social impacts of gambling on Manitobans. The rest of it is a document praising how much money they

have managed to squeeze out of rural, northern and urban Manitobans over the past number of years, but only one small paragraph that actually deals with the social costs associated with compulsive gambling.

Again, our bill, once it becomes law, will force the Manitoba Lotteries Corporation to provide this information to Manitobans so we can have a good debate in terms of gaming impacts upon individuals who unfortunately overindulge in the various gaming initiatives in this province.

The document as well, our bill will require the government to provide timely financial reports to the public and to MLAs, not only while we are in session but when we are out of session as well. The most recent documents were for the period of September 1994; we did not receive the information until late into November. In fact, if there was not pressure put on by the opposition, I would suggest that information would not be forthcoming at all and would not be tabled until the House did resume December 1. If there was no session we would not have this information.

(Mr. Speaker in the Chair)

* (1630)

As well, Mr. Speaker, this particular legislation will provide a breakdown of payments to facility operators. We know that in the past if you take the projections, the hotel industry or individuals who have these machines could receive up to \$25 million in terms of commissions. It is a substantial amount, and we think it is important that that information be provided to Manitobans as well.

In terms of where this money actually goes, our legislation requires a detailed list of all grants the government recently provided Manitobans, and now they are running a series of television ads. I would suggest, finally, again, under pressure from the opposition, that they are providing some information as to where that money goes.

Unfortunately, from the calls I have received from individuals, they still look at this, and

unfortunately, they still review this information with a bit of skepticism, because, so far, the government has been so unresponsive in providing information to Manitobans.

We know that 85 percent of individuals who have problems with gambling in this province are individuals who play the VLTs, the video lottery terminals—85 percent. The remainder, the 15 percent of individuals, have problems with the other various and many gaming initiatives that we have here in the province.

Another issue, of course, is the regular mandatory reporting to the legislative committee. The Manitoba Lotteries Corporation has not come before a committee of this House in over two years. It was in 1992, the last time that this report was brought forward.

As well, Mr. Speaker, it will provide a reporting of the five-year business plan, something I asked for the last time the corporation did come before this House.

Two more points, Mr. Speaker, and that is the fact that this bill will require the Manitoba Lotteries Corporation to be reviewed by the Provincial Auditor, and finally, it will be required that the whole gaming initiatives and gambling in this province be subjected to a full public review for all Manitobans.

Mr. Speaker, with those few words, I urge all members on both sides of the House to support this legislation, so Manitobans can have the opportunity to look at this issue. Thank you very much.

Mr. Paul Edwards (Leader of the Second Opposition): I want to just put a few brief words on the record about this bill, Bill 203, sponsored by the member for Selkirk, Mr. Dewar.

Mr. Speaker, let me start by saying that I think the bill recognizes what is a real deficiency in this province in terms of accountability generally, but also specifically to the Lotteries Corporation. That seems to have been quite a bit of a lightning

rod in the last number of years under this government and, I think, symbolizes the lack of accountability that we have come to see on the part of this government. So this is another symptom of a larger problem, which is just a general disrespect for the right of the public, and through us, the public, the other members of the Legislature, to understand and completely assess the workings of government.

The Lotteries Corporation is a corporation that has had astronomical growth in this province in terms of its revenues and also in terms of its social impact. We have seen essentially lotteries and gambling under this government go 180 degrees in the time that I have been sitting in this Legislature in terms of its original purpose and intent and certainly in terms of its impact in the community.

Mr. Speaker, I am prepared to accept the correction the member for Selkirk (Mr. Dewar) puts forward, that there are 5,300 VLTs. I have not personally counted them. I doubt if he has, but I will accept that there are 5,300. In any event, let us just say, there are a lot of VLTs out there, enough for those 32,000 Manitobans who are susceptible to becoming gambling addicts to have pretty good access to those machines.

When we contacted people over in Europe—and of course this technology was brought from Europe—and some of the statements when you talk to the people who sell these and who promote these in Europe are really shocking. They recognize, the world gambling community recognizes that video lottery terminals represented really a new high in terms of gambling technology in creating addicts. They acknowledge that. This was the cutting edge of technology for the purposes of keeping people at a machine and really fueling the addiction problem.

So no one should misunderstand that that was part of the Lotteries Corporation's agenda, to not just bring these machines as an entertainment source, but to increase and enhance use at an alarming rate.

An Honourable Member: So you are saying that it was clandestine and intended.

Mr. Edwards: I do not have to say that it was clandestine and intended, because they said that in their five-year plan actually. The '91 to '96 five-year plan, which arrived in my office in a brown envelope—otherwise we never would have received it—we have been asking for years. Both parties have been asking for years. Where is the five-year plan?

I do not need to see the plan before it is approved by cabinet, but after it is approved by cabinet I think it represents government policy. I think they should be open about it. We got the '91 to '96 plan, which very interestingly—and members of this House I think received copies of that. I tabled copies of that plan.

That plan specifically foretold and put in it the clubs, Club Regent and the McPhillips Street Station, and talked about them. Of course, it described them in great detail and in fact that came to fruition. Unbelievable—they knew exactly where they were putting them, what they were going to be doing and what the concept was.

What they did in terms of a marketing strategy is evidenced by that five-year plan. These were never intended to attract tourists. The incredible thing about the two casinos on McPhillips and Regent was, they were designed to primarily attract local people. That is why they were put where they were put.

If you read the marketing analysis, they talk about targeting seniors, low- and middle-income Manitobans. They specifically talk about the club concept as being a marketing tool similar to the British model, which will attract lonely people of low and middle income and seniors.

They did a demographic analysis of that area around the McPhillips area and the Regent Avenue area. They looked at the income levels, and they looked at the average age. Do you know what they found? They found that there were a lot of low- and middle-income seniors and that those people were in fact going to use this club concept. Sure enough, they have, and we have gambling addiction problems that I think they knew very

well we were going to have and have consistently sought to downplay.

The accountability of the Manitoba Lotteries Corporation, I think, goes beyond how anybody in this Chamber happens to feel about gambling and government's role in it. I do not think that is the primary issue that the member for Selkirk (Mr. Dewar) or myself or others are talking about. I think what we are talking about is, if the government makes a political decision, as they have with the Lotteries Corporation, fine, they are within their power to do that. What they are not within their rights and power to do is to try to somehow hide what they are doing, and that corporation, the Manitoba Lotteries Corporation, is the single least-accountable Crown corporation, I think, this province has.

I can show you a file three inches thick of rejections from the Lotteries Corporation in request for information. Freedom of Information, the Auditor, the Ombudsman—when you ask for anything from the Manitoba Lotteries Corporation, you get a denial, you get the straight denial.

You know, it is incredible to me, Mr. Speaker, that we would have a Crown corporation that has had this type of impact on our society that continues to operate under a shroud of secrecy. We still do not have access to the detailed financial records of that corporation, to having the officers in front of us and asking them questions about the real social impact of this, the real levels of gambling addiction, analyzing all of their expenditure programs, because, of course, that is a bit of flux. I think there are a few tussles here in the cabinet on a weekly basis as to how to spend that money. You know, maybe Winnie the Pooh gets it one week, and maybe somebody else gets it the other, but I tell you, it is a moving target.

I think they just cannot believe how much money this thing is making. I think they are embarrassed by how much money this is making. At the Lotteries Corporation, I think they are looking for ways to show that they are not making as much money as they are, like renovating the premises. I think, what, four times in the last five

years, they have renovated the Lotteries Corporation.

I think they are desperate to find ways to hide some of the profits they are making because the truth is, this has gone beyond their wildest dreams of how much money this would make, and it has in fact become a form of taxation in this province without any regard for ability to pay.

The government actively promotes this at an alarming rate. Think about this. Think about, you know, it is often compared to, well, the government is involved in liquor and the government is involved in cigarettes, makes money off the cigarette taxes, but there is a difference. There is a real difference.

* (1640)

First of all, in Lotteries, we own the whole thing, not just the retailing distribution, as in liquor. We do not just tax this as we do with cigarettes. In fact, we own the whole thing. In fact, far from putting laws in place to restrict advertising over cigarettes, advertising over alcohol, no, we spend money—that is the government spends money promoting it. That is a pretty significant difference.

There is a total conflict in the government ranks, because if they are talking about gambling addiction as a bad thing, they are in the business of promoting it to the tune of millions and millions of dollars of promotions in advertising targeting low-income seniors in this province through their new casino outlets on McPhillips and Regent.

Mr. Speaker, what was really interesting to me was back when the moratorium was put in place, it was one of the most—well, next to the press conference that the Minister of Justice held when the Aboriginal Justice Inquiry report was released. That was an all-time low I think in terms of press releases for this government, where the minister felt he had to call a press conference, but he actually had nothing to say.

When the Minister responsible for Lotteries (Mr. Ernst) held that press conference saying that

we are going to put a moratorium in place, he did not know why. He could not answer that. People were saying, well, why are you putting it in place? Are you saying that there are some problems? No, we are just doing it.

It was bizarre. There was no rationale given. Why? Because this government, this minister was just a little bit worried about the polls. They had seen that there was a little bit of a growing unease in the community about this. They do not know why they have a moratorium in place. They want expansion; they have made that clear in all the years that they have been in government promoting this thing.

The reality is, they still want it. After the next election if they are still in power, you will see that moratorium off because they do have future plans for the expansion of gambling. They have never been up front and honest about that. If we ever got a chance to look at the updated five-year plan, I am sure what you would see would be further expansion plans around this province, because they are intoxicated with the level of— [interjection] Well, Pembina Highway or Brandon, you know, I am sure they have a lot of potential locations.

They are absolutely addicted to the revenues that they are getting through gambling. They are the biggest gambling addicts in this province. They are sitting right over there on that bench. They cannot— [interjection] Well, nothing is intended personally in this, as I am sure you will appreciate.

Listen, for those who have the financial means to gamble, we are all happy to take their money, but the truth is this goes far beyond that. When the government spends millions of dollars promoting and targeting those who cannot afford to pay and who are susceptible to gambling addiction, it goes far beyond simply a form of entertainment.

The other reality is that this has nothing to do with tourism. There are two big defences given: It is all about tourism; secondly, they say it is stopping cross-border gambling. Well, I do not think either of those are true.

Susan Olynik, the public relations person for the Lotteries Corporation, was on CJOB with me one day. It was very interesting because she said: Well, almost 10 percent of the people gambling in Manitoba are tourists. It is like the glass is half empty, the glass is half full. In excess of 90 percent are Manitobans. By their own admission, we have in excess of 90 percent of the people using the VLTs in the casinos are Manitobans.

(Mr. Bob Rose, Acting Speaker, in the Chair)

This is not about tourism. You talk to the people in rural Manitoba who have VLTs in their communities. They know. Nobody is driving up from Bemidji or Grand Forks to gamble at a VLT machine in Swan River or Roblin or anywhere else. This is their own people. This is sucking money out of rural communities faster than anything else, Mr. Acting Speaker. The truth is that is an absolute fiscal grab of unprecedented proportions from rural Manitoba and always has been.

Now I want to table one—and I have a very imperfect copy here, but there is an interesting letter, which the member for Selkirk (Mr. Dewar) will appreciate, December 21, 1984, Leader of the Opposition, signed Gary Filmon. I just want to put on the record one of the statements. It is a very interesting statement. He says—this is writing to a Mr. McKenzie.

I had this letter sent to me:

"Thank you for your recent letter and information on the novel accounting.

"I agree with your suggestion that publicly funded institutions should have their financial records opened to closer public scrutiny"

Hallelujah!

"As well, the mechanisms for monitoring and ensuring that these institutions meet the standards set down by the province should be a high priority." Thank you, Mr. Filmon.

That is what he said in opposition, Mr. Acting Speaker. What I would like to see—actually I am

going to ask your leave. I am going to get a better copy made of this so that I can table it. This is only half a piece of paper, so before the next speaker, I will stand up and table this so that I can have a full copy available at that time.

I think that the intent of this bill is one that we have been talking about for a long time. I know the other opposition party has too. We are feeling very frustrated. We mentioned that today about the McKenzie Seeds deal act. We have said that about the Faneuil deal. They are just a closed government. Regardless of the policy decisions they make, they should be prepared to stand by them, and they should be prepared to defend the facts and not hide the facts from the public and from us, as members of the Legislature. Why do they not have the courage of their convictions and the fortitude to open up the books and to release these deals? What is wrong? What are they hiding? Why are they not prepared to defend the letter and the spirit of what they do? We need access in order to do that.

Now, Mr. Acting Speaker, the bill, I am not convinced—I have read through it, and I do not intend to get into detail—puts into it all of the things that I would want to put into it, but the intent and principle of this is similar to what both parties have been saying for a long time. I am concerned that we would be setting up another committee essentially to do what I think the Public Accounts committee governing Crown corporations can and should do in part in this bill. Frankly, that committee is there. We have not seen the Lotteries Corporation in a year and a half. If they would ever show up at our committee, then I do not think we would need an extra committee. We, the members of this Legislature, can do our job as we see the Crown corporations, but we have to see them with some regularity. We must have them before a committee because all they do is deny our written and oral requests. We have to have some ability to hold them accountable.

So I am concerned about some of the details of this bill, and I said that at the time it was announced. The thrust of this is one that I think we have both been speaking about. It is, amongst

the opposition parties, a nonpartisan principle, which is that we want accountability. Mr. Acting Speaker, I repeat, there is not another Crown corporation in this province that is less accountable than the Manitoba Lotteries Corporation. There is not a Crown corporation that needs to be more accountable, given its increasing role in society and its 180-degree change in the last years than the Manitoba Lotteries Corporation. Thank you.

Mr. Gary Doer (Leader of the Opposition): Mr. Acting Speaker, I am pleased to see that the two opposition parties are agreeing to pass this bill and pass it, hopefully, today. The government, surely after the Auditor's Report, would want to pass this bill and let the people speak at the committee. I think this is extremely positive that we may even have all-party support for the member for Selkirk's (Mr. Dewar) proposal to just provide a lot more information to the public.

So I am delighted. I will not speak very long because we have already seen before, where there is agreement, we should proceed to get the bill before the public of Manitoba. Let us let the people speak. Let us get some power back to the people, where it belongs.

Mr. Acting Speaker, if ever there was an example of why we are frustrated in this House about the lack of information on Lotteries, one only has to look at the Minister of Finance's (Mr. Stefanson) own so-called public hearings on the budget, which took place here with Jules Benson and the Minister of Finance on a Tuesday, I believe it was, November 22. On November 24, his former colleague from City Hall and the former deputy mayor came out with a document dealing with Lotteries Corporation, as well, in terms of the so-called financial statement of the Lotteries Corporation.

* (1650)

Now, it is interesting. Both the Minister of Finance and the Minister responsible for Lotteries (Mr. Ernst) did not have a budget. There was no budget projections for 1994-95, but what was

interesting was, within 48 hours, the numbers that were shown by all the high-priced help of the Minister of Finance, including the superannuated secretary to Treasury Board, had grown by \$30 million. The Minister of Finance produced a number in this Legislative Building in this committee room \$180 million projected revenue, and 48 hours later, this had grown by \$30 million to \$210 million. Well, if the Minister of Finance is pedalling around six-month old information in these budget series, we are in a lot more difficulty. Of course, I suspect that they will have a balanced budget come heck or high water when it comes to the pre-budget consultation. [interjection] Beg your pardon. Yes, and some of us had to be on target with the public accounts at the end of the day in terms of our own departments. [interjection] I will take a look. And I was not cited by the Auditor for an Environmental Innovations Fund like the Minister of Environment (Mr. Cummings) opposite.

Mr. Acting Speaker, let us get to this bill, because I do not want to take a lot of time. We have agreement from the two parties on this bill. The provincial Minister of Finance (Mr. Stefanson) and the provincial Minister of Lotteries (Mr. Ernst) have demonstrated clearly that we need greater public accountability. They cannot even get their own act together. They sit a couple of seats apart. They have been friends for life in terms of City Hall. They cannot even get it within \$30 million. Surely the public is entitled to greater information than we got from the Minister of Finance.

Secondly, the Provincial Auditor again said that legislation must be considered, and that is very, very strong language for the Auditor.

She made three recommendations on the Lotteries Corporation: timeliness of information; Volume I versus Volume III; and the information that is available to this Legislature. If it is not the opposition parties saying that the information is inadequate, why does the Provincial Auditor not ring the bells for the government to make a change in their ethics and their information for the people of Manitoba?

When you talk about growth in this province, the Lotteries Corporation right now, is it not rather ironic that the Conservative government of Manitoba has taken a part-time casino with voluntary organizations that they criticized in opposition, a one-week-per-month casino with no VLTs and a few bingo halls and turned this into the biggest corporation in terms of profits of any corporation in Manitoba. The profits of this corporation, which is state owned, exceed the profits of Great-West Life, Investors Syndicate and a number of others on the top five list in Manitoba. Is it not rather ironic that this group across the way has turned Manitoba's economy in terms of the corporation into the largest profitable corporation owned and operated by the government of the day?

You know, it is funny when they talk to us about, you know, the government does not belong in this business, it does not belong in that business. When it comes to Lotteries and the Winnipeg Jets, boy, there is just no ideology at all, but when it comes to protecting a small community of Brandon to have a program like McKenzie Seeds, it is, close up the doors, it is Fort Knox in terms of information, Mr. Acting Speaker. Well, I do not like a government that says one thing in an election in 1990 and does something else four and a half years after they were elected. I find that disgusting and repugnant and I think that everybody in Manitoba should know, you cannot trust a Tory to keep a promise.

Mr. Acting Speaker, this Lotteries Accountability Act is a good idea. It makes it necessary for all parties, if they are in government, to bring this body before the public in committee.

You know, the member for Portage (Mr. Pallister) raises all kinds of interesting issues about financial accountability. You have to be consistent. You cannot have it both ways. You cannot talk about fiscal responsibility and not pass this bill and not vote for it. Stand up against the front bench. Stand up against the second bench. Let us have some backbone out there. Let us vote with the people of St. Norbert instead of voting with the front bench. Let us vote with the people

of Gimli instead of voting with the front bench. Stand up and be counted.

How much money is coming out of—

An Honourable Member: Do a Walding.

Mr. Doer: Nobody will ever forget him. Nobody on our side will.

Mr. Acting Speaker, can the member for Gimli (Mr. Helwer) tell us how much money is coming out of his community? Does he know how much money is going out versus how much is going back in? This bill will give you that. That bill will allow you to know how much is coming out of Lorette and how much is going back in—nothing wrong with that. What is wrong with that? What is so dangerous about people knowing how much is coming out of their community?

This is not an easy issue, gambling. All political parties are wrestling with this across Canada. I do not want walk around with a hair shirt on and pretend that this is a pure debate. It is a difficult debate. In Nova Scotia right now, today, there is a huge debate about the casino in Nova Scotia. There is a big debate in Saskatchewan, and that was after they had public hearings. After they had public hearings, Mr. Acting Speaker, there is a big disagreement in that province about how far they should go and where they should go.

VLTs provide a particular problem for all of us. I do not like going in a restaurant and seeing adults playing machines, and kids are at the table with one other parent. That is a bias I have. I do not like the fact that they are all over the place, Mr. Acting Speaker.

I raised the question about rural children, the first question in Question Period, the first day of Question Period.

Documents the government has indicate that rural children are getting less disposable income available to them for nutrition programs and less time with their parents who may be out playing these machines.

I do not know all of that. The member for Ste. Rose (Mr. Cummings) does not know the answer to all these questions, so this would provide a full hearing on this issue, and there is nothing wrong with what is in this bill. It is only accountability—mandatory hearings in the Legislature, mandatory information on a timely basis, mandatory public hearings on gambling, how far we have gone, should we go further, should we back off, should we back away, where is the revenue coming from, how is it being spent, and, Mr. Acting Speaker, who is going to run this Lotteries Corporation? Is it going to be a Fort Knox in terms of its information and accountability back to this House?

Mr. Acting Speaker, the other issue that we make mandatory in this bill is making it mandatory that the Provincial Auditor do the audited books for this Crown corporation. We want a body that reports directly to this Legislature to do all the accounting in the Manitoba Lotteries Corporation. We do not want the Provincial Auditor to just do the test audits of the Lotteries Corporation as is presently constituted now, because the government contracts it out to a company that obviously wants to keep the business. Private accounting companies want to keep the contract. Keeping the contract I think is not appropriate for any Lotteries Corporation to have a private outside auditing company.

Mr. Acting Speaker, the bottom line is, there is agreement to send this bill to committee. It would be very useful for the public to have a chance to speak out on this bill, allow them to speak out on lotteries in general. The member for Selkirk (Mr. Dewar) has pointed at all the advantages of this bill.

There may be some technical parts that we would want to debate, but I say today, in the spirit of all-party co-operation, let us send this bill to committee, let us give power to the people that we will provide with this bill, and let us give power to the people to speak out at the committee stage. What do we have to lose? Thank you very much, Mr. Acting Speaker.

(Mr. Speaker in the Chair)

Point of Order

Mr. Edwards: On a point of order, Mr. Speaker, I had referred to a letter that I intended to table once I had a copy. I now have a copy, and I want to table it. It goes back to my earlier comments before the Leader of the Opposition (Mr. Doer) spoke.

Mr. Speaker: I thank the honourable member. He does not have a point of order.

* * *

Mr. Marcel Laurendeau (St. Norbert): Mr. Speaker, I move, seconded by the honourable member for Gimli (Mr. Helwer), that debate be now adjourned.

Motion agreed to.

Bill 214—The Residential Tenancies Amendment Act

Mr. Conrad Santos (Broadway): Mr. Speaker, I move, seconded by the member for Selkirk (Mr. Dewar), that Bill 214, The Residential Tenancies Amendment Act; Loi modifiant la Loi sur la location à usage d'habitation, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Santos: Mr. Speaker, I am privileged as the opposition critic for senior citizens to present this bill for second reading and for passage to the committee.

* (1700)

On behalf of senior citizens, let it be known that there are certain senior citizens who are placed in such a difficult predicament when they are panelled to go into a nursing home and no longer can stay in the apartment and yet are being charged rental for staying in those apartments. These people become subject to a very difficult situation which without their own fault or by bad luck or by chance they may have some sickness or illness and no longer can stay in their apartment. It is also a difficult situation because they may have leases

they are bound to comply with, agreement must be kept, and the difficult thing is that they could not keep such an agreement because they are in a difficult situation beyond their call.

We are all subject to the operation of chance and bad luck. It is written, the race is not always to the swift nor the battle to the strong nor bread to the wise nor wealth to the intelligent nor yet favour to the men of skill, but time and chance happen to us all.

Time and chance happen to all senior citizens. Some of them get sick, some of them get ill, some of them get into accidents, unavoidable, unforeseeable, cannot be predicted, but it just happens. When that happens they are placed in such a situation they can no longer continue with their leases in their apartments. They have been panelled to go into a nursing home because of some disability, and therefore it is not fair that they be charged rent for those contractual agreements. If they are charged for rent to a place they could no longer return to, that will result in some inequity and some injustice and some hardship, particularly for senior citizens who are on limited incomes. It may not be a difficulty for people who have lots of money stashed in the bank or in their home, but it is a difficulty for those senior citizens who are on pension or on other limited forms of income.

It is therefore the task of every good government to remedy the situation, and since this government sometimes finds itself in a conflict-of-interest position because they are the ones who are running the Manitoba Housing Authority and they are interested to get the rent, they did not introduce this legislation. Therefore, it is the task of the opposition party in government to introduce this legislation to remedy such an unfair and difficult situation for seniors.

Point of Order

Mr. Speaker: Order, please. The honourable government House leader says he is up on a point of order.

Hon. Jim Ernst (Government House Leader): Mr. Speaker, the member for Broadway, in his

zeal with respect to this bill, has accused members on the government side of being in a conflict of interest. If the members are in a conflict of interest, let him prove it. If not, let him withdraw the remark immediately.

Mr. Santos: I just point to the facts.

An Honourable Member: No.

An Honourable Member: Withdraw.

Mr. Santos: No, I am going to state the premise.

Mr. Speaker: Okay, well, then first of all, on the point of order raised, the honourable government House leader did not have a point of order. That was a dispute over the facts.

* * *

Mr. Santos: Government exists to correct social inequity, but government can only be as good as those placed in authority. If, as government, you will not correct such inequitable situations, we in the opposition are willing to correct despite of the fact that we have no power of decision making in this Legislative Assembly, because if it is morally wrong to charge a person twice the rent for premises they can no longer occupy, it is no longer correct to say that contract must be upheld. Therefore, we provide an escape clause on the basis of moral justice, on the basis of fairness, on the basis of equity, from any such contractual agreement.

Even in law it says, extraordinary circumstances call for extraordinary remedies. It is not the fault of senior citizens that they become ill or they become sick or they become paralysed for nursing homes. It is beyond their fault, and therefore they should be helped, especially if they are among those who are of limited income and of limited resources.

The present provincial government, although they ran the Manitoba Housing Authority, should be able to remedy the situation, because they themselves are the stewards and guardians of our citizens, particularly the senior citizens in our society. It is the task of government to help those

people in difficulties, and if a government shies away from this obligation and responsibility, that is not the kind of government that we are looking up to.

It is therefore my pleasure, Mr. Speaker, not to take too much time, just to say that this is a just and fair legislation that will help those people who are caught up in a difficult situation not of their own making. They fall within the crack because of the operation of our procedure and institutions in our society, and they will be helped.

It is for the benefit of human beings, of senior citizens of limited income, of lower socioeconomic status, that this legislation be passed. I urge the members of this Assembly to take into account the plight of our senior citizens and that we see the wisdom and justice of this legislation, which we must co-operate together so that it goes into speedy passing today.

Thank you, Mr. Speaker.

Mr. Paul Edwards (Leader of the Second Opposition): Mr. Speaker, I have been listening intently to the member for Broadway on this. To be very frank and fair with all members, this is not a matter that in the meetings that I have been having recently with a number of the seniors groups and associations that they have raised. However, that is not to say that this may not be a very important amendment. It is just not something that has been raised to this point with me, and I want to simply suggest to all members that, as the member for Broadway (Mr. Santos) suggests, this may be an important provision in terms of those people who are moving into a personal care home and who have a lease which binds them, and therefore may, I gather, miss that opportunity to move into a personal care home.

So I can certainly see that circumstance arising. I am not in a position, nor is our caucus, to go through this in great detail, because, as I say, this is not a matter that has been raised with us by the seniors groups.

However, with that caveat in place, I think that we should—and I would suggest to all members

that we should allow the member for Broadway to bring forward those who have spoken to him about the need for this at the committee and to go through it with us. I will reserve judgment on whether or not at that point I feel it is necessary, but I think at this point the member for Broadway does deserve the opportunity to bring forward those in the community to go further and explain in some detail why it is that this provision is needed. I do not say that it is not. I just say that I would like to hear from those groups, and I have not at this point.

* (1710)

So I think, Mr. Speaker, with those comments, it would be appropriate to move this to committee to hear from those representatives from the seniors community.

Mr. Marcel Laurendeau (St. Norbert): Mr. Speaker, I move, seconded by the honourable member for Turtle Mountain (Mr. Rose), that debate be adjourned.

Motion agreed to.

Mr. Speaker: Are we proceeding with Bill 217?

Mr. Daryl Reid (Transcona): I would like to have leave, Mr. Speaker, to introduce on behalf of my colleague, the member for Radisson (Ms. Cerilli).

Mr. Speaker: Does the honourable member for Transcona have leave to introduce Bill 217 on behalf of the honourable member for Radisson?

An Honourable Member: Leave.

Mr. Speaker: That is agreed.

Bill 217—The Real Property Amendment Act (2)

Mr. Daryl Reid (Transcona): Mr. Speaker, I move, seconded by the member for St. Johns (Mr. Mackintosh), that Bill 217, The Real Property Amendment Act (2); Loi no 2 modifiant la Loi sur

les biens réels, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Reid: It is my honour and pleasure to rise to speak on this piece of legislation. This is an issue that has been important not only to members of the community of Radisson, which my colleague represents, but also for the members of our various communities for the members of this House and the communities we represent.

I know, Mr. Speaker, I had the opportunity to speak with an individual when this issue first came to our attention some two years ago. A Mr. Dan Dram, who was living in the constituency of Radisson, came to our office one evening, late in the day, and raised with us an issue that I had not to that point known about.

That issue was relating to the fact that Mr. Dram was an individual who with his family had sold his home in the centre of Winnipeg and had moved into the constituency of Radisson.

At that time Mr. Dram, unknown to himself and to his family, thought, as many of us do when we sell our homes and another purchaser assumes the mortgage for that home, that he had sold the home and that the responsibility for that mortgage had been transferred to the new owner. To Mr. Dram's horror and to other constituents whom we have spoken to since that time who have encountered similar circumstances, Mr. Dram was confronted by his original lending institution who had lent him the money for the mortgage, who told him that the purchaser of that home had defaulted on the mortgage and in fact I believe had gone bankrupt. Now the lending institution was coming after Mr. Dram and his family at Christmas time, two years ago, for the monies that were due and payable for that original mortgage.

We thought that I had been in a similar circumstance myself where I had sold my home and a party had assumed our mortgage—I am sure others of us in this House may have had similar circumstances—thinking that the responsibility for

the home and the mortgage would have fallen into the hands of the purchasing party. That was not the case.

Not only was Mr. Dram and his family responsible for the mortgage cost, the outstanding monies, but the lending institution also came to him and made him aware that he was also going to be responsible for the utility costs of that facility, the water, the heating and in fact some of the repairs. There was a broken window and, of course, in the wintertime, when you have broken windows the furnace runs as the heat escapes from the building. Therefore the heating bills were running up. It was up to Mr. Dram to actually go and do repairs to that home even though it was the lending institution who should have been responsible for that.

There was more than just the financial aspect of it relating to the mortgage that we had concerns with at that time. We took Mr. Dram's concerns quite seriously. We did some research on it. We found out indeed that under the personal covenant section of the legislation in the province of Manitoba and the mortgage aspect as well, Mr. Dram was responsible under the current Manitoba legislation. Therefore, we attempted to find out from other jurisdictions in Canada what the responsibilities in those jurisdictions for purchasing parties were in there.

We found, Mr. Speaker, that the province of British Columbia had legislation in place that would allow the assuming party to have the responsibility for payment of that mortgage and they would be the sole party that would be responsible for that payment, and that the selling party would no longer retain any responsibility under the personal covenant section. We think that would be a responsible position for us to have not only in this province but in other provinces. So that is why my colleague and I, the member for Radisson (Ms. Cerilli), attempted to put together some legislation under her guidance and directorship on this to find out that there was a need for this. That is why my colleague for Radisson has introduced the legislation in this province that will restore some justice to those

people in the province that are under the current assumption that they would relinquish all responsibility to the mortgage that they are turning over to a new purchasing party.

I have had discussions, Mr. Speaker, with members of the legal community in the city of Winnipeg here with respect to responsibilities that they might have in instructing their clients of ongoing and continuing responsibilities after their homes are sold. I have also had discussions with members of the real estate sales community in the city of Winnipeg, and I find that there is quite a bit of lack of knowledge, I will put it down to, on the part of not only the legal community in some aspects on this but also the real estate agents within the city of Winnipeg in that many of them do not understand or comprehend the continuing responsibility of the seller under the current legislation.

In fact, information that was brought to my attention by one legal counsel in the city of Winnipeg here indicates that nine out of 10 sellers are unaware of a continuing liability under the personal covenant section and that approximately 50 percent of the applications for release of liability are done so by lawyers now, and that quite often the real estate agents that are acting on behalf of the selling party do not relate to their clients the fact of the continuing responsibility.

It is my understanding that a request can go forward to financial institutions to have them relieved of that financial responsibility, but since they do not know about that continuing responsibility, therefore they cannot ask for it. It would seem to be reasonable and fair that there should be some approval given by a lending institution where a party should request that they be relieved of any personal financial responsibility that the lending institution would grant the same. That is not necessarily the case now. There is, in my understanding, no requirement for that to take place.

It may be, Mr. Speaker, and I do not know this for a fact, but it may be part of the fact that while real estate agents may not be aware of the

continuing liability under the personal covenant section, there may be also some reluctance on the part of real estate agents to notify vendors for fear of jeopardizing a potential sale. I do not know if that is an accurate fact for all real estate agents, but I assume that it may be for some. There also may be some responsibility on the part of real estate agents to become involved in it because of that aspect.

There are many areas, and we looked at the B.C. legislation and how it could be balanced to protect the interests of not only the lending institutions but also those that are selling their properties. I think that the B.C. legislation was a good background and example to model our legislation after in this province.

I note too, when I look at the minister's piece of legislation that he brought in by way of Bill 2 on this, there is one section here that I think still gives a significant amount of power to the lending institutions in this province. I refer specifically to Section 77.2(1) under the heading, Personal covenant in a real estate mortgage. I will quote for members of this House, and it says, "Notwithstanding section 77, a person who transfers an estate in land that is subject to a residential mortgage ceases to be liable under the personal covenant in the mortgage three months after the day the existing term of the mortgage expires . . ." and it goes on from there.

What that tells me, if I interpret that section correctly, is that if we have a five-year-term mortgage that an individual undertakes and for various reasons decides the need to move out of that property and the buying party assumes the mortgage, there is a continuing personal covenant on that section for the remainder of that five-year term.

The minister—I am not sure if he is aware of that but I do not think that is fair. I think there needs to be some tightening up of the provisions there to ensure that after three months where the title changes hands there is no longer any continuing responsibility financial or otherwise under the personal convenance section for that legislation. I think the government's legislation in

that area is faulty, and I think that the legislation that was brought forward by my colleague, the member for Radisson (Ms. Cerilli), would address the needs of those who are currently being caught off guard by this section.

* (1720)

I have had other calls from other constituents of mine. I know I have talked to several of my colleagues that have had calls on this matter as well. I think that this government, if they wanted to do the right thing for the people of Manitoba who are now being caught off guard by the financial institutions' enactment of the personal convenante section of any contractual mortgage obligations, would want to make the necessary changes to protect Manitobans, and the legislation they have there is not adequate in our estimation.

I think the government would be wise, if they wanted to do the right thing for the people of the province of Manitoba, if they would look at supporting this piece of legislation that we are here to talk about in private members' hour, Bill 217. We could again ensure and restore some confidence in the people by ensuring they do not have to have continuing personal financial liability for something that they thought was signed away when they signed the legal documents.

I hope that members of this House will have the opportunity to comment on this and that members opposite will not just stand this piece of legislation, that they will indeed I hope stand up for their constituents by putting on record their thoughts of what they would like to do and their support for this legislation to ensure that their constituents are protected and the interests of those families are protected as well.

With those comments, Mr. Speaker, I hope all members of the House will see their way clear to support this legislation and that we will have good consumer legislation in this province. Thank you for the opportunity.

Mr. Paul Edwards (Leader of the Second Opposition): Mr. Speaker, this is a case where I

think all three parties want to address the injustice, which was made known to us in all three parties, that can occur when someone transfers a piece of property and the personal covenant under the mortgage transfers with it. It can do an injustice to the transferor of that, and so I think we all understand that and I do not think it needs to be further commented on. We understand what we are trying to protect. However, I think this may be a case of good intentions not completely thought through in detail in terms of the actual amendment to The Real Property Act.

So, Mr. Speaker, what I think would be appropriate, given that the government has now produced Bill 2 and put it on the Order Paper—we have received copies of it—but has not as yet introduced it for second reading, is that we would like to reserve judgment until the government has an opportunity to explain its bill. Because, frankly, we all want to address the problem, but Bill 2 is quite a bit different from Bill 217, and just one concern that I do raise with the member for Transcona (Mr. Reid) is the issue of distinguishing residential from commercial real estate transactions.

So, where the government bill does make that distinction between residential and commercial real estate transactions, and those are delineations of definitions that are known in law, commercial and residential, so I think that the intent was never, I do not think, from the member for Transcona, I assume not, to give the same level of protection and the same legal protection to a transferor of commercial property. Because, frankly, they do not need it and, frankly, they have never made the case to me that they want it.

In a commercial transaction the covenants, the mortgages, are fundamentally different, and the transaction is different in terms of the way the parties come to the table, and they have in effect generally, Mr. Speaker, legal advice on the covenants, and they may well want to leave them in place in transactions. I am not sure that has been completely thought out in the opposition party's bill. Nevertheless, I think that the injustice, the potential for problems that the member for

Transcona (Mr. Reid) points out are the same ones that I am sure the government sought to address in their bill. I do not think there is any disagreement.

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

So I think that at this point what we want to hear is the government introduce Bill 2 and put some detail to it so that we can understand exactly how best to address this. We all, I think, want to support some amendment to deal with the problems which have come to all of our attention. Thank you.

Hon. Jim Ernst (Minister of Consumer and Corporate Affairs): I move, seconded by the Minister of Family Services (Mrs. Mitchelson), that debate be adjourned.

Motion agreed to.

Bill 216—The Public Health Amendment Act

Mr. Dave Chomiak (Kildonan): Mr. Acting Speaker, I move, seconded by the member for Broadway (Mr. Santos), that Bill 216, The Public Health Amendment Act; Loi modifiant la Loi sur la santé publique, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Chomiak: Mr. Acting Speaker, this amendment to The Public Health Act has been proposed by our party on previous occasions and, in brief, what it seeks to do is to provide more information for the public, more information for health care authorities. Basically, it allows for individuals to have better-informed decisions concerning medical treatment.

This bill should not be read as a bill that seeks to denigrate the effect of vaccinations in our province, but rather it seeks to provide more information for individuals and the public to determine the courses of action. The bill calls for recognition and for public disclosure to be provided if there should be an adverse reaction to

immunization. It provides for the duty, on the part of the medical practitioners or on the part of caregivers, to inform patients of the consequences of immunization. It requires family histories to be taken and it requires mandatory reporting of adverse reactions.

Mr. Acting Speaker, this kind of legislation perhaps at one time may have been considered radical, but in fact this kind of legislation is in effect in other jurisdictions of this country, specifically I believe it is Ontario and Alberta at least, who have this kind of reporting structure.

Mr. Acting Speaker, this is an important bill because there are instances of individuals in our society who, and some have spoken with me, feel that the effect of immunization has resulted in damage or in fact death to children, and they felt that they should have had the information concerning the immunization provided to them prior to the immunization taking place.

* (1730)

I have been provided with documentation that describes the adverse effects of immunizations, specifically the diphtheria-tetanus-whooping cough and poliomyelitis immunization. The fine print fills a page eight and a half by fourteen inches talking about adverse reactions.

What we are calling for quite simply is nothing radical. It is for the caregiver to provide informed information to the individuals involved, to outline for them the concerns. It calls also for mandatory disclosure and reporting of adverse reactions, a wide range of adverse reactions, both so they can be traced as well as provide information to those concerned.

We believe that a better-informed public is a healthier public, and I believe all members of this House would feel similarly in supporting this kind of a bill. It seeks to enhance the rights of individuals. It seeks to enhance the information practices provided in Manitoba. It does not denigrate or detract from anything in this province, and in that sense it is a very positive piece of legislation.

Mr. Acting Speaker, further, it seeks to provide access to information for individuals who want to make these very difficult choices, and I ask all members of the House to look at this very seriously, to recognize that this kind of a bill seeks to enlarge the rights of Manitobans and provide them with better-informed health decisions. On that basis I find it very difficult to recognize that there would be any negative reaction in this Chamber to a bill of this kind.

It is also important, Mr. Acting Speaker, at the same time to realize that this is one of companion legislation to other legislation that we have introduced this session, namely, The Public Health Amendment Act that deals with disclosure of information, as well as The Health Reform Accountability Act which deals with government's so-called reforms and a means to get a grasp and information. Taken together, all of this information and all of these bills provide for a better-informed public and for a better health care system.

If any individuals have had the opportunity to meet with the organizations that are involved, specifically the Association for Vaccine Damaged Children, one cannot help but be moved by their experience and their recognition of the need to have better informed members of the public, and the need to have a wider range of choices to those involved in the health care system. Mr. Acting Speaker, there is nothing more that any of us could ask, and that is in fact what we should be doing as legislators, is providing more and better information to allow for informed discussion and informed consent or dissent, if that is what is so chosen with respect to a particular form of health care.

So with those few words, Mr. Acting Speaker, I would hope that we would have an opportunity to send this bill to committee to allow for discussion on this most significant issue. Thank you.

Mr. Gord Mackintosh (St. Johns): I thought I would add just a few words to the debate on second reading on this bill since I had some very active involvement in the development of this bill

when I was involved in a volunteer capacity and working with groups and individuals such as those with the Association for Vaccine Damaged Children.

It is generally accepted that immunization has been a leading factor leading to the reduction of many diseases, although I know of some epidemiologists who say that we have overrated the influence of immunization and that in fact things such as water, housing and nutrition been the major factors leading to the reduction of many diseases, but I think we can conclude that immunization has nonetheless been a very significant factor and the general population has benefited.

(Mr. Speaker in the Chair)

On the other side, there is a significant body of evidence that immunization, notably for whooping cough, for measles, for polio vaccines, does cause disability and death in healthy infants. Two affected parents recently pleaded: Granted the vaccine-damaged children and their families are a small percentage of the population, but they are a hurting percentage.

In 1966, the infectious diseases and immunization committee of the Canadian Pediatric Society reported, it is highly likely that even the most sophisticated vaccines will carry some risk of adverse reaction. The study concluded: Although the number of people involved is small, the injury is tragic.

It is very important that legislation be enacted in this province to fine tune the immunization system that we have and mandatory reporting to a central agency of adverse reactions will permit the collection of reliable data, accurate statistics on the number of vaccine-related injuries and deaths. It is that first step, that reporting, to a central agency that is imperative. We have to know what the adverse reactions are, what the relationships are, what is the incidence of this tragedy.

It has been estimated that 80 percent of adverse reactions are not reported, and although the federal

bureau of communicable disease requests reporting, the process is voluntary and largely ineffective.

This legislation is modelled somewhat on the experience in Ontario. We have to though have an effective enforcement program in Manitoba.

With those brief comments, I hope that this House will give serious consideration and support to this bill and that we will enact it and that we will protect all Manitobans. Thank you.

Mr. Bob Rose (Turtle Mountain): I move, seconded by the honourable member for Seine River (Mrs. Dacquay), that debate be adjourned.

Motion agreed to.

Bill 218—The Plain Language Act

Mr. Gord Mackintosh (St. Johns): Mr Speaker, I move, seconded by the member for Thompson (Mr. Ashton), that Bill 218, The Plain Language Act; Loi sur la langue courante, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Mackintosh: Mr. Speaker, I have been challenged here today to speak in plain language, and I will see if I can rise to that. I think that oral communication is one thing—

Some Honourable Members: Oh, oh.

Mr. Mackintosh: No, no, I will try, I will try, but certainly oral communication is one thing. Another thing is written communication, and I know we have all, particularly in this Chamber we have used gobbledegook too often, Mr. Speaker, particularly when we have difficult moments and we are overcoming some embarrassments, but this legislation addresses the written word.

I was very honoured to be a part of the development of this legislation, having worked with the former member for St. Johns on it, and I

really brought a lot of concerns from my recent foray into the practice of law. I certainly discovered that the intentions of people entering law school and communicating clearly and helping people out became a little bit muddled because I noticed that there were some people in my class who during law school spoke just like you and me, very plainly, but on graduation I get letters from these people and they would use words like "herein after before," and "aforesaid". I do not know what happened to them, but something over the course of those four years really muddled up their communication skills.

I think in this House it is important now to quote Winnie the Pooh. He said, quote, long words bother me, and I think that is as plain as it can get, the words of Pooh.

Moving to the Law Reform Commission of Canada, in its annual report in 1988, it stated; It is an unpleasant fact that 10 percent of the adult populations of Australia, Canada, New Zealand and the United Kingdom and the U.S. are completely illiterate. A sensible objective would be to ensure that the remaining 90 percent of Canadians who are literate will be able with minimal help to understand all forms, instructions and booklets issued to them by government. Since government forms are not competing for the Nobel Prize in literature, short sentences and words of one syllable should be used wherever possible.

* (1740)

I am afraid, Mr. Speaker, that over the centuries the legal profession in particular has developed and embraced a mystique. There is a certain aura, I think, that the legal profession wishes to continue. I see it exhibited not only orally, but certainly in the written documents, and I suppose if you use language that is unknown to others, you create, I suppose, whether it is a respect—I suggest it is a disrespect—but you create that mystique that I think does not really serve the people.

Furthermore, I know from my experience in the bureaucracy that there is a lingo of the bureaucracy

just as there is a lingo of the legal profession, and I think it is unfortunate that the legal profession and bureaucrats, whose real responsibility and role in the community is to inform and educate and advise people of their obligations and their rights, those are the two professional areas where plain language should be mandated.

The plain language movement is not something that is very new, although it is relatively recent. There are currently 600 statutes in North America which require the use of plain language. Essentially, what the statutes seek is to lessen the imbalance of power that is so often in relationships, in legal relationships and in relationships between a citizen and government.

It was back in 1975 that Citibank in New York rewrote its consumer loan agreement and that really started the plain language movement. It then went to law in 1978 in New York, and we have seen Minnesota enact plain language statutes in 1981. Recently, in the 1990s, Alberta has required that financial contracts be written in plain language and, as well, has begun a very interesting program to require plain language to be used in government publications, and they set a strict timetable.

Yukon and British Columbia are also very involved in the development of plain language, and in British Columbia there is the Institute of Plain Language that came into being in 1990, and although that is no longer around, the British Columbia government has on a departmental basis been developing plain language for government publications.

It is interesting that for the first time ever in Canada the federal government has recently tested consumers for their understanding of a regulation. In this particular case it is the fireworks regulation.

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

So I think we see this new development as very encouraging. It is one where a document is written in plain language, not from the point of view

simply of the writer, but from the point of view of the consumer or the citizen.

In Manitoba I think the best example of plain language has been the development of the new Court of Queen's Bench rules which, of course, took rules that were in very, very difficult language, using a lot of Latin, and put them into everyday language.

I think the overall development of plain language is really a part of the consumer movement in North America. Consumers are empowering themselves, and I think this is in reaction to what is really a more complicated society. Relationships are more complicated. Certainly I can say one thing for sure is that warranties and instructions are more difficult simply because our technology is becoming more complex. As well, people are seeing that relationships are becoming more legalized. So it is important that people know their rights and obligations when they enter into those relationships.

So what is plain language, Mr. Acting Speaker? I think essentially it is language that is written and organized in a clear and coherent manner using everyday words. Certainly I know what it is not. It is not using words like "said", you know, the said automobile. I think some doozies are: notwithstanding, hereinafter, before, aforesaid.

I think here is a real doozie, Mr. Acting Speaker. This is from the rules of the Legislature. This is a real classic. This is from Appendix B, the Model Bill:

"WHEREAS the persons hereinafter named have, by their petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition;

"THEREFORE HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Manitoba, enacts as follows:"

That is gobbledygook. That is supreme gobbledygook—[interjection] I think, yes. The

member for Thompson (Mr. Ashton) says, we do need a translation of that. I hope that this Assembly will take that on at some point in the not-too-distant future.

The next question is, why the need for plain language? First of all, as I said earlier, it is to correct that imbalance that is too often found in relationships both between the citizen and governments and between the parties to contracts. It is important that we communicate. If we do not communicate, one wonders how we can really develop as a society, as a community. It is important, Mr. Acting Speaker, that people have access to the law, that it not be simply the realm of lawyers and that people have to hire high-priced assistance to access the law. It is important for people to know their obligations. It is important for people to know their rights. It is indeed an access-to-justice issue.

The argument has been made, as well, in addition to the access-to-law argument, that plain language saves time and money. It was the position of Royal Insurance Company of Canada that when in 1977 it unveiled its simple-English select home-shield policy for home insurance, sales increased 38 percent from \$58 million to \$79 million in the same year, and Royal Insurance had attributed that to their new policy form.

In Britain, the Department of Health and Social Security states that one legal aid form was made simpler and more understandable at a cost of \$50,000 Canadian. The government now saves the equivalent of \$2.9 million every year in staff time. I think that demonstrates the old saying that: I sent you a five-page letter; if I had more time, I would send you a one-page letter, but that certainly pays off and I think that investment has been proven by some experiences.

(Mr. Speaker in the Chair)

I think I want to go back to the experience of Citibank in the United States where in 1975 it redesigned and rewrote its consumer loan agreement. The motive was simply money, Mr. Speaker. Citibank spent a lot of time in small

claims court trying to collect on bad loans. It also spent a lot of time training staff to answer consumer questions about its complicated forms and contracts. Now, since the new form was introduced, Citibank has saved on staff training time and on small claims lawsuits. It also increased its market share and has never had the new form challenged in court.

The legislation that is before the House is based largely on that developed by the former member for St. Johns and it is as plain as we could make it, Mr. Speaker, although I think there may be some improvements that members can find, and I would look forward to hearing of any suggestions.

What it requires is that consumer contracts, that is, the contracts that Manitobans enter into on a daily basis, whether that be for sale or for lease or loan of property or for services or for borrowing, that consumer contract shall be in plain language, and it does provide both a carrot and a stick I think in the damages sections. I think that it was not enough that this Legislature require consumer contracts to be in plain language. I think the Legislature and government has to look at itself, and we have to set an example. We cannot simply say to the private sector, it is an obligation that only you have to fulfill in speaking plainly to your consumers. So it is important that government documents also be in plain language.

It is heartening to see the Workers Compensation Board of Manitoba embarking on a plain language exercise, but I think for every regulation, Order-in-Council, statutory report and other government publication, plain language is required.

Finally, Mr. Speaker, the Statutes of Manitoba have to be in plain language. I have noticed over the last decade or so that the Statutes of Manitoba are way different than they were in earlier times. The Statutes of Manitoba used to be terribly complicated. I know you can still find remnants of that complicated language in such documents as The Municipal Act or The City of Winnipeg Act, those pieces of legislation which have not been reviewed for quite some time.

I see now Legislative Counsel is doing just an outstanding job of writing statutes as clearly as I think they possibly can be but, nonetheless, I think it is important to always remind Legislative Counsel and members of the Assembly that plain language has to be a virtue that we pursue.

* (1750)

So I think in conclusion, Mr. Speaker, I would simply remark that we think the best-equipped consumer is the well informed, and the best-equipped citizen is the well informed. I hope members of this House will embrace the principles of this legislation and will pass it.

Thank you.

Hon. Jim Ernst (Government House Leader): I move, seconded by the Minister of Family Services (Mrs. Mitchelson), that debate be adjourned.

Motion agreed to.

* * *

Mr. Ernst: Mr. Speaker, I move, seconded by the member for Thompson (Mr. Ashton), that when the House adjourns today it shall stand adjourned until a time fixed by Mr. Speaker upon the request of the government.

Mr. Speaker, in moving that motion I want to take this opportunity to wish you, Sir, and all members of the House a very merry Christmas and a happy New Year. I hope that this time at the end of the Year of the Family is a special time for all members of the House to have an opportunity to get together with their families and enjoy the blessed Christmas season.

Mr. Speaker: It has been moved by the honourable government House leader (Mr. Ernst), seconded by the honourable member for Thompson (Mr. Ashton), that when the House adjourns today it shall stand adjourned until a time fixed by Mr. Speaker upon the request of the government. [interjection] No? No seconder? Oh, we do not have a seconder, okay.

Mr. Steve Ashton (Opposition House Leader): Mr. Speaker, I appreciate the sentiments of the government House leader, but I am not seconding the motion.

Hon. Jim Ernst (Government House Leader): Mr. Speaker, seconded by the Minister of Family Services (Mrs. Mitchelson).

Mr. Speaker: It has been moved by the honourable government House leader (Mr. Ernst), seconded by the honourable Minister of Family Services (Mitchelson), that when the House adjourns today, it shall stand adjourned until a time fixed by Mr. Speaker upon the request of the government.

Mr. Paul Edwards (Leader of the Second Opposition): Mr. Speaker, we certainly appreciate the wishes of the government House leader that we all have a pleasant Christmas holiday season and, of course, we all want to do that.

Mr. Speaker, I am disappointed that we do not have a return date that has been able to be agreed upon between the parties. In fact, when I spoke to the Premier when he was calling this session back in for December 1, I specifically asked him about after the Christmas break when we would be back and the response at that time was that it would be after the federal budget.

Since that time there have been some further discussions and it is clear that that would mean certainly late February and perhaps early March. That does give me some concern, because I think that, in fact, this year it turns out that in the number of days that we have sat in this House there has not been another year in the last 20 in which we sat less days.

I want to table a graph of the last 20 years, and I think that, in fact, contrary to what the member for Thompson (Mr. Ashton) is indicating from his seat, there are currently in front of this Legislative Assembly 110 legislative instruments of various forms—bills, resolutions—

An Honourable Member: Zero Liberal bills.

Mr. Edwards: Well, Mr. Speaker, as the member knows, bills which have anything to do with money cannot come in the form of private members' bills. There are a number of bills. We have spoken in favour of a number of those that have come forward from the opposition. We put forward the cost analyses of the resolutions that came forth. The point is that there are an enormous number of instruments already before the Legislative Assembly.

Secondly and more importantly is what is not currently here that the government should be producing. They made as their keystone piece of legislation the balanced budget legislation that we have yet to see even given a first reading in this Legislative Assembly. They wanted to talk about it and have a press release on it but they have yet to produce it. The sustainable development act, another one that was in the Speech from the Throne, that has been talked about, the study two years ago; we have yet to see that bill.

Mr. Speaker, we are saying that a reasonable break for this Legislative Assembly would be the same as the people outside of this Chamber who are going to take a period of time. It is my suggestion that we return to this House no later than January 9 of next year. I think that would be a reasonable period of time for members to take a break.

What we have seen happening is that the government outside of this Chamber has been continuing to govern without having to be accountable, and I know that there are sensitivities with members, Mr. Speaker. We are not saying that members should not take a Christmas break. What we are saying is that there should be a return date before March.

Surely this government has a responsibility to be accountable. We have been talking about accountability all day, whether it has to do with committees, whether it has to do with annual reports of Crown corporations, whether it has to be

contracts that the government is signing, like McKenzie Seeds, like the Faneuil deal.

There are two options which we have put forward to this government. Firstly, the option that the return date be set, which I think would be reasonable that we should have a return date, and I noticed from last week's comments that the opposition party also expressed some frustration at not having a return date before March. We need a return date. I am suggesting January 9 would be appropriate. If there are other suggestions, let us have them, and I am sure we would find common ground. March is not acceptable.

Mr. Speaker, the other option [interjection] Well, I have been here every day, every single day, every day. [interjection] The members question my . . . I have been here more often than the Premier (Mr. Filmon) has in this Chamber, absolutely—spoken on more bills and been here.

The other option that I put to members of this House—

Hon. Gary Filmon (Premier): You get paid more than me; you should be here more often.

Mr. Edwards: I would like the Premier to prove that, because I highly doubt that.

Mr. Speaker, the second option: We have not seen Crown corporations, like the Lotteries Corporation, for a year and a half. We have not seen the Manitoba Telephone System, despite the minister saying he was bringing the committee back in May. They have not come back.

We are saying that if the government chooses, we can use that January and February period of time to sit the committees of the House and to have those Crown corporations, as well as others, continue to be accountable; secondly, to refer the bills that have gone today into those committees in the January and February time frame.

Now, we recognize that that sitting of committees outside of the legislative session would mean that MLAs would be entitled to further remuneration.

That is not what we want. That is not what any member of this Legislature wants, but what we do want—and frankly we would be prepared to forfeit that. We would be prepared to forfeit that, but I think that government has to continue to be accountable, regardless of whether or not we need a Christmas break, which all members are entitled to.

Coming back in March is not good enough, Mr. Speaker. We have sat less than the last 20 years in this Legislative Assembly, and for a government to be accountable, we must have a higher degree of accounting of the government to the opposition parties, through us, to the people of this province and, accordingly, I move, seconded by the member for Inkster (Mr. Lamoureux) that the government motion be amended by deleting everything following the word "until" and substituting the following: the 9th day of January 1995.

Mr. Speaker: It has been moved by the honourable Leader of the second opposition party (Mr. Edwards), seconded by the honourable member for Inkster (Mr. Lamoureux), that the government motion be amended by deleting everything following the word "until" and substituting the following: the 9th day of January 1995.

The honourable member's amendment is in order.

* (1800)

Is it the pleasure of the House to adopt the amendment? No?

Voice Vote

Mr. Speaker: All those in favour of the amendment, please say yea.

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

Formal Vote

Mr. Kevin Lamoureux (Second Opposition House Leader): Yeas and Nays, Mr. Speaker.

Mr. Speaker: A recorded vote having been requested, call in the members.

The question before the House is the amendment as moved by the honourable Leader of the second opposition party, that the government motion be amended by deleting everything following the word "until" and substituting the following: the 9th day of January 1995.

Division

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

Yeas

Ashton, Barrett, Cerilli, Chomiak, Dewar, Doer, Edwards, Evans (Brandon East), Evans (Interlake), Friesen, Gaudry, Gray, Hickes, Kowalski, Lamoureux, Mackintosh, Martindale, McCormick, Reid, Robinson, Santos, Schellenberg, Wowchuk.

Nays

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

Mr. Clerk (William Remnant): Yeas 23, Nays 28.

Mr. Speaker: The motion is accordingly defeated.

Mr. Steve Ashton (Opposition House Leader): Mr. Speaker, I would like to put a few comments on the record in terms of the main motion.

I first of all want to begin by saying I quite frankly was surprised at the motion moved by the

Liberal Leader, surprised not in the sense that our caucus does not want to come back in the early part of January—we do. We believe there is business to be dealt with, but the interesting thing, Mr. Speaker, is that there are NDP bills currently on the Order Paper. There are 10 bills. There are nine bills that are still in second reading. In fact, a number of them have been moved through to committee, and how many bills are there from the Liberal Party?

Mr. Speaker, I would suggest we could deal with the Liberal legislative agenda for this session right now.

Some Honourable Members: Oh, oh.

Mr. Ashton: We want to do it, Mr. Speaker. It will not take very long. There are zero bills on the Order Paper from the Liberal Party, and I must say that when we move motions in the House, I think it is also incumbent upon us not just to simply be saying to the other parties that we want to debate your agenda, but to put our agenda forth in this Legislature.

The government has put forward its legislative agenda. We have put forward our legislative agenda in terms of the bills, Mr. Speaker. There is not a single Liberal bill on the Order Paper, so I think it is hypocrisy. [interjection] Well, the Liberal Party has no legislative agenda.

Perhaps when we do come back, some of the bills that they have talked about will be introduced, Mr. Speaker, and we will debate them, as we have done with government bills and in terms of our own bills, and I want to suggest that what we should do in the next period of time—and we would like to see the Legislature called back to deal with some of the bills that have been moved into committee, and I am going to move an amendment to the motion, which I believe probably can be supported by all members of the House, because it would accomplish that.

It would bring us back in to deal with a number of the bills that were introduced by the government which we have passed through second reading. In

fact, Mr. Speaker, there are four bills right now currently sitting that can be dealt with by committee. We have a number of legislative committees that still have to deal with items of business, whether it be McKenzie Seeds, Workers Compensation or Lotteries, which have not met this year, or else, if they have met, have not dealt with the items.

So I would suggest in a constructive sense here—and this is, reluctantly, for government bills only, because we did attempt to have our legislative agenda dealt with, and the government members preferred to adjourn all of the bills we introduced, but, Mr. Speaker, we are not going to play the game of saying that we only want to see our bills. There were a number of government bills we have passed through second reading. We want to see them discussed by committees.

In fact, Mr. Speaker, on a constructive note, I want to suggest that I believe some of the things we have done in this minisession might perhaps be a model for future sessions. We have had discussions, and I do not think it is giving away secrets, particularly when I read about it in the editorial column of the Free Press, about rules discussions, rules reform, and we often talk about having a more structured legislative sitting.

It was interesting—I ran into a Member of Parliament today, Mr. Speaker. We manage to sit probably, on average, within about two weeks of what the House of Commons does federally, except we always manage to do it in July, August or the last week of December before Christmas, and we might want to look, I think, at some alternatives, perhaps a more structured legislative sitting with a fall sitting, where we do what we did this session, where we, at least in the case of two parties, brought out our legislative agendas, in terms of bills, and where we have the opportunity now to have hearings, committee hearings on bills in a situation where we can do it without the kind of rush that we end up with at the end of sessions, where we often see bills passed through in 24 hours, with very little notice to members of the public, and we lose the opportunity we have in this Chamber.

Just before I do move this amendment, since it may be my last opportunity to speak in this minisession, I think actually, when I look at the comments by the member for Interlake (Mr. Clif Evans), there is some truth of what has happened here, where we have come in, we have yelled and screamed at each other for three weeks, and he also said that what we do at the end is we also wish each other a Merry Christmas, and I feel sorry that I have to move the amendment at the end of my comments, because I would rather say merry Christmas after.

But I would like to wish everybody a very Merry Christmas and a Happy New Year and I would like to move, seconded by the member for Concordia (Mr. Doer), that the motion be amended by adding the following after "the Government": and that until such time as the House does resume sitting that committees of this House shall meet to consider the reports of Crown corporations and bills referred to committee for public review and further study.

Motion presented.

Point of Order

Hon. Jim Ernst (Government House Leader): Mr. Speaker, on a point of order, I would advise that no amendment of that type is necessary for those committees to meet intersessionally.

Mr. Ashton: I just want to clarify that it was moved, Mr. Speaker, and it is in order.

Mr. Speaker: It is in order.

* * *

Mr. Speaker: Is the House ready for the question? The question was the amendment as moved by the honourable member for Thompson (Mr. Ashton), seconded by the honourable Leader of the official opposition (Mr. Doer), that the motion be amended by adding the following after "the Government": and that until such time as the House does resume sitting that committees of this House shall meet to consider the reports of Crown corporations and bills referred to committee for public review and further study.

Voice Vote

Mr. Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

Formal Vote

Mr. Ashton: Yeas and nays, Mr. Speaker.

Mr. Speaker: A recorded vote having been requested, call in the members.

The question before the House is that the motion be amended by adding the following after "the Government": and that until such time as the House does resume sitting that committees of this House shall meet to consider the reports of Crown corporations and bills referred to committee for public review and further study.

Division

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

Yeas

Ashton, Barrett, Cerilli, Chomiak, Dewar, Doer, Edwards, Evans (Brandon East), Evans (Interlake), Friesen, Gaudry, Gray, Hickes, Kowalski, Lamoureux, Mackintosh, Martindale, McCormick, Reid, Robinson, Santos, Schellenberg, Wowchuk.

Nays

Cummings, Dacquay, Derkach, Downey, Driedger, Ducharme, Enns, Ernst, Filmon,

Findlay, Gilleshammer, Helwer, Laurendeau, Manness, McAlpine, McCrae, McIntosh, Mitchelson, Orchard, Pallister, Penner, Praznik, Reimer, Render, Rose, Stefanson, Sveinson, Vodrey.

Mr. Clerk (William Remnant): Yeas 23, Nays 28.

Mr. Speaker: The honourable member's motion is defeated.

The question before the House is that when the House adjourns today, it shall stand adjourned until a time fixed by Mr. Speaker upon the request of the government.

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

Some Honourable Members: No.

Mr. Speaker: No? Okay.

Voice Vote

Mr. Speaker: All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

This House is now adjourned and stands adjourned until a time fixed by Mr. Speaker upon the request of the government.

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, December 20, 1994

CONTENTS

ROUTINE PROCEEDINGS

Matter of Privilege

Sale of McKenzie Seeds

Ashton	673
Ernst	674
Lamoureux	674

Presenting Petitions

Improvement of Highway 391

Ashton	675
--------	-----

Physical Education in Schools

Lamoureux	675
-----------	-----

Reading and Receiving Petitions

Physical Education in Schools

Lamoureux	675
L. Evans	676
Santos	676
Hickes	677
Reid	677

Housing Authorities Voluntary Boards

Cerilli	677
---------	-----

Tabling of Reports

Annual Report, Natural Resources

Driedger	678
----------	-----

Introduction of Bills

Bill 220, Environmental Rights Act

Mackintosh	678
------------	-----

Oral Questions

SmartHealth

Doer; McCrae	678
--------------	-----

Desktop Management System

Doer; Downey	679
--------------	-----

A. E. McKenzie Co. Ltd.

L. Evans; Gilleshammer	680
------------------------	-----

Crown Corporations

L. Evans; Gilleshammer	681
------------------------	-----

A. E. McKenzie Co. Ltd.

Edwards; Gilleshammer	681
-----------------------	-----

Faneuil Corporation

Edwards; Downey	682
-----------------	-----

SmartHealth

Chomiak; McCrae	683
-----------------	-----

APM Management Consultants

Chomiak; McCrae	683
-----------------	-----

Winnipeg Development Agreement

Hickes; McIntosh	684
------------------	-----

Tender Process

Ashton; Filmon	685
----------------	-----

Immunization

Gray; McCrae	686
--------------	-----

Manitoba Medical Services Council

Gray; McCrae	686
--------------	-----

Forage Producers

C. Evans; Enns	687
----------------	-----

Forest Management Agreement

Wowchuk; Driedger	688
-------------------	-----

Manitoba Product Stewardship Program

McCormick; Cummings	689
---------------------	-----

ORDERS OF THE DAY

Debate on Second Readings

Bill 8, Off-Road Vehicles Amendment Act

L. Evans	689
Reid	690

Bill 9, Wills Amendment Act

Mackintosh	695
Kowalski	696

Bill 10, Trustee Amendment Act

Mackintosh	696
Kowalski	697

Bill 6, The Northern Flood Comprehensive Implementation Agreement (Split Lake Cree), Water Power Amendment and Consequential Amendments Act		Edwards	697	Bill 214, Residential Tenancies Amendment Act		Santos	721
Bill 4, Public Schools Amendment Act		Lamoureux	699			Edwards	722
		Ashton	703	Bill 217, Real Property Amendment Act (2)		Reid	723
Bill 3, Education Administration Amendment Act		Friesen	705			Edwards	725
Second Readings—Public Bills				Bill 216, Public Health Amendment Act		Chomiak	726
Bill 203, Lotteries Accountability and Consequential Amendments Act		Dewar	711			Mackintosh	728
		Edwards	714	Bill 218, Plain Language Act		Mackintosh	728
		Doer	718				