



Fifth Session - Thirty-Sixth Legislature

of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

**Official Report
(Hansard)**

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Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Sixth Legislature

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, July 8, 1999

The House met at 1:30 p.m.

ROUTINE PROCEEDINGS

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

Committee of Supply

Mr. Marcel Laurendeau (Chairperson): Madam Speaker, the Committee of Supply has adopted certain resolutions, directs me to report the same and asks leave to sit again.

I move, seconded by the honourable member for Steinbach (Mr. Driedger), that the report of the committee be received.

Motion agreed to.

TABLING OF REPORTS

Hon. Harold Gilleshammer (Minister of Finance): Madam Speaker, I would like to table the Supplementary Information for Legislative Review, 1999-2000 Revenue Estimates.

INTRODUCTION OF BILLS

Bill 47—The Municipal Assessment Amendment Act (2)

Hon. Leonard Derkach (Minister of Rural Development): Madam Speaker, I move, seconded by the Minister of Highways and Transportation (Mr. Praznik), that leave be given to introduce Bill 47, The Municipal Assessment Amendment Act (2) (Loi no 2 modifiant la Loi sur l'évaluation municipale), and that the same be now received and read a first time.

His Honour the Administrator, having been advised of the contents of this bill, recommends it to the House, and I would like to table the message from His Honour.

Madam Speaker: Order, please. I have to determine first if there is leave. That bill is not on our Order Paper.

Does the honourable minister have leave to introduce Bill 47? [agreed]

Motion agreed to.

ORAL QUESTION PERIOD

First Nations People Government Treatment

Mr. Gary Doer (Leader of the Opposition): Madam Speaker, on June 25, 1999, the Minister of Northern and Native Affairs appeared before a group of church volunteers and others at Cross Lake to deal with the issue of the Northern Flood and flooding and the impact on its community. The church group stated that we must not point fingers, but we must narrow the gulf. But they were shocked with the hostility towards them displayed by the government's minister and pointing out the misdeeds of their own churches.

Does the Premier (Mr. Filmon) feel it makes sense to have hostility displayed towards groups that are volunteering to bring us together as a way of dealing with our challenges with First Nations people?

Hon. David Newman (Minister responsible for Native Affairs): Madam Speaker, there, of course, is a reference to words that were used in the newspaper article that the honourable member for Concordia (Mr. Doer) is referring to. One can describe an expression of answers to questions that were raised by the panel or one could describe the presentation made by myself to that panel in whatever way they chose to characterize it. However, the message that I delivered is a message that I felt was very important to deliver on behalf of all of the people of Manitoba, because the unfortunate thing about what is happening in that panel process is that well-meaning people and very respectable people that are sitting there, two

from the province and two from outside, as I understand it, who are clergy leaders in some cases, religious leaders, are sitting, and before they had had the chance even to gather together, they described in a preliminary way what their findings were going to be and the process they were going to use.

I will respond later to other questions. My time is up.

First Nations People Gaming Policy

Mr. Gary Doer (Leader of the Opposition): Madam Speaker, we believe and support the church volunteers, that mutual respect to deal with our differences makes more sense than hostility, hostility displayed towards those volunteers, in their mind, by the minister.

Madam Speaker, I was not surprised but disappointed and shocked that today we found that the Minister of Northern and Native Affairs has stated that politics of the casino debate changed dramatically the decisions the government would make.

I would like to ask the Premier (Mr. Filmon): are decisions made on the basis of socioeconomic fairness for First Nations people and all Manitobans, or are they made on the basis of politics, as quoted by the Minister of Northern and Native Affairs?

Hon. David Newman (Minister responsible for Native Affairs): Madam Speaker, again taking a quotation from a newspaper article which left out a letter from Grand Chief Rod Bushie any reference to it, a letter dated April 8 of 1999, where they rejected the approach which had been discussed about a pilot project relating to casinos and rejected lifting a moratorium on VLTs. In spite of that, the government, which I proudly am part of, opted with a lot of moral conviction and principle to support the lifting of the moratorium on VLTs because that was the equitable thing to do. That was well understood, that this was something the public of Manitoba would take a lot of explaining, a lot of education to understand, because it is not an easy challenge to make, to explain the equities of the situation over a long history.

* (1335)

However, the pilot casino issue is not a principle issue. It is not an issue that is anything other than an issue as to whether or not the public of Manitoba understands and supports for moral reasons, religious reasons, pragmatic reasons, the adding of the number of casinos we have in the province of Manitoba at this time. The onus to educate the public on that is primarily the First Nations people.

Mr. Doer: I notice the public was consulted on the establishment and the expansion of the Regent Avenue casino and McPhillips Avenue casino. The hypocrisy from members opposite is a disgrace, and then to blame a reporter for—well, they think it is funny now, I guess. That is their kind of wedge politics against First Nations people.

Madam Speaker, the report dealing with gaming on October 15, 1997, states, and I quote, that the committee reviewed the morality of using gaming. We believe that good public policy should include a moral perspective. Our position is that First Nations gaming is not immoral. We believe that it will create jobs, deal with disease, deal with poverty in First Nations communities. First Nations gaming can be used as a positive public policy to address the disadvantaged socioeconomic state of First Nations communities, something the government of Saskatchewan is doing for socioeconomic reasons.

I would ask this Premier: why are you doing it for political reasons? Why are you not doing it on the basis of the report that you have received?

Hon. Gary Filmon (Premier): Madam Speaker, in rejecting the matter that was under discussion between our government and the Assembly of First Nations, which was a pilot project, in rejecting that and suggesting that there ought to be no limitations, no involvement of the government, but just simply a total proliferation of casinos run by the First Nations communities, Grand Chief Bushie wrote to me and said: this is a political decision, he said, and it should not involve any discussion or any involvement of the public. It should be just strictly a political decision made by government.

That was his position. We said, no, it was a public policy issue in which we had to consider the concerns and the viewpoints of all Manitobans. If the position of the member opposite is that there should be unlimited casinos, that they should all be turned over to the First Nations community, that there should be no consideration, no review, that may be his political position, Madam Speaker, but it is not the position that is supported by the people of Manitoba.

Mr. Doer: The Premier still has not addressed—

Madam Speaker: Order, please. On a new question?

* (1340)

Mr. Doer: A new question. The gambling revenue under this Premier has gone from \$40 million to \$240 million and counting. Let there be no wiggle on this issue of gambling expansion. The province of Saskatchewan, the NDP government, has introduced limited casinos with First Nations people in partnership. I believe it is four casinos, Madam Speaker. The report the government received, on page 8, I believe, recommends five casinos, a limited number.

Why is the government not implementing or working on the report they received from their own committee for a limited number of casinos with First Nations people to create jobs and economic opportunity, versus the statement made by the Minister of Northern and Native Affairs (Mr. Newman) after he made his hostile statements that it is based on politics and demonstrations, not on socioeconomic opportunity?

Mr. Filmon: Madam Speaker, the only people who make their decisions on politics and demonstrations are the members opposite. We know full well, because it was their member for Interlake (Mr. C. Evans) who booked the room here to create the first demonstration. We know who is behind it. We know who are the ones who do their politics that way.

This government bases its decisions on principle, not like those members opposite.

Mr. Doer: We now see the thin-skinned, arrogant, intolerant, hostile view that extends from the minister to the Premier, Madam Speaker. He is out of gas. He is so thin-skinned, he just keeps pointing fingers instead of solving problems.

Madam Speaker, all governments and all political parties have been subject to demonstrations. All democracies and dictatorships have been subject to demonstrations. It is part of being in government; it is part of the reality of government.

Madam Speaker, there were a few protesters who jostled the federal Minister of Agriculture in Saskatoon. Surely the decisions on the crisis for thousands of people in southeastern and southwestern Manitoba should be based on socioeconomic merit. Should the issue of casinos and the report of the government not be dealt with morality, fairness and socioeconomic opportunity for people who need opportunity, not hostility?

Mr. Filmon: Madam Speaker, that is exactly what this government does. When the member opposite talks about solving problems with respect to the aboriginal people of this province, that is exactly what we have been doing for 11 years. When he wants to talk about revenues and sources of revenue to First Nations people, this is the government that turned over the taxation revenues with respect to fuel and with respect to cigarettes, amounting to \$12 million a year, direct revenues to the First Nations people of this province. This is a government that turns over gaming revenues to the First Nations people. We have over 35 agreements with First Nations communities, and on VLTs alone, they are getting over \$11 million because this government sees that as an issue of fairness, an issue of equity.

This is the government that settled the Northern Flood Agreement. They are the ones who flooded the First Nations community, and we are the ones who gave them the revenues and the settlement, over \$230 million, tens of thousands of acres of land, after they flooded their lands. This is a government that solved that problem. This is a government that settled treaty land entitlement after decades of their

mistreatment and neglect, over a million acres turned over to First Nations communities because it was the right thing to do. They did not do it; they did not have the courage or the honesty to do it. We did it, Madam Speaker.

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please.

*(1345)

First Nations People Gaming Policy

Mr. Oscar Lathlin (The Pas): Madam Speaker, this government's strategy to me is very clear. The strategy is very simple, and that is to play up to the racist attitudes of Tory supporters. And once again, just like in the '95 election, aboriginal people have been chosen to be the pawns.

My question is very simple. Why did this government meet with aboriginal leaders for four years and then at the end to only tell them that there will be no casinos on reserves? Why did he not tell the aboriginal leaders four years ago that no positive decision would take place unless it fit into their election plans?

Hon. Gary Filmon (Premier): Madam Speaker, this government has acted in good faith with the aboriginal people of this province on a whole range of issues. I point out only the first of those issues, being treaty land entitlement, which was an outstanding irritant, an unresolved issue that dated back almost 70 years. Of course, New Democrats were in office for 15 years in the '70s and '80s and gave nothing but hot air towards the settlement of treaty land entitlement. It took this government working in good faith with the aboriginal people to resolve that, to transfer over a million acres of land to the aboriginal people of this province. They were in office for 15 years in the '70s and '80s, flooded the northern lands of the First Nations communities and never were able to even sign, let alone resolve, the issue of Northern Flood Agreement.

This government resolved that issue: \$230 million and tens of thousands of acres of land

transferred in compensation for the flooding that the New Democrats did in that land. This government resolved it in good faith. This government in good faith turned over taxation revenues that amount to \$12 million a year to the First Nations community of this province because it was the right thing to do. This government entered into gaming agreements with 35 First Nations communities, turning over \$12 million a year to those communities because we acted in good faith. This government believes in working with the aboriginal people, and this government has demonstrated by the results that we act in good faith when we deal with those people.

Madam Speaker: Order, please. The honourable member for The Pas, with a supplementary question.

*(1350)

Mr. Lathlin: I would like to ask the First Minister why his government rejected his own government's Lottery Review Committee which pointed out very clearly the economic development potential of casinos on First Nations.

Mr. Filmon: The Assembly of Manitoba Chiefs rejected it. The Assembly of Manitoba Chiefs said that they wanted no strings attached, that they wanted unlimited casinos, and they wanted to be the ones to decide where and when and how many. We said that that is unacceptable to the people of this province, and it should be unacceptable to any government. But if that is the position of the New Democrats, then let them stand up and say that. Let them tell us that they wanted unlimited casinos placed anywhere that the First Nations people want them to be placed. If that is the case, let them have the courage of their convictions and stand up instead of sitting in the foxhole like the member for Concordia (Mr. Doer).

Point of Order

Mr. Dave Chomiak (Kildonan): Madam Speaker, I believe the Premier has been quite out of control this Question Period and certainly on this question. Citation 417 of Beauchesne says answers to questions should be as brief as

possible, deal with the matter raised and not provoke debate.

The Premier at least, of the four or five questions that were asked, in this first part of his answer actually started to respond to the member. Then he turned into the Premier we know that attacked and attacked, and that provokes debate. If the Premier wants, he has an opportunity to stand up and debate this issue at some other point, but he should not waste valuable question time attacking members on this side of the House who ask legitimate questions. In fact, he answered the question. He ought to have sat down and not provoked debate. That is what 417 deals with.

Madam Speaker: The honourable First Minister, on the same point of order.

Mr. Filmon: On the same point of order, I recognize that the member for Kildonan wants to try and cover up for the fact that they have no ideas, that they take no position, and they flip-flop all over the map each and every day they come in here. The people of this province have a right to know where they stand on issues instead of coming here and criticizing, carping, complaining and throwing mud. If they do not have the guts to do that, then they ought to just not show up for Question Period, Madam Speaker.

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please. The honourable member for Thompson, on the same point of order?

Mr. Steve Ashton (Opposition House Leader): On the same point of order, Madam Speaker, we have asked questions in this House on very important issues of public policy, specifically whether this government is victimizing aboriginal people because they do not like certain protests. We asked a very specific question, in this case from the member for The Pas (Mr. Lathlin), about the government's own report.

Madam Speaker, we expect this Premier, instead of getting into a very politically motivated pre-election, campaign-style attempt

to victimize more Manitobans, to answer some very serious questions about why this government has a complete inability to work in partnership with aboriginal people.

Madam Speaker: The honourable government House leader, on the same point of order.

* (1355)

Hon. Darren Praznik (Government House Leader): Madam Speaker, in considering your point of order, I would also ask you to take into consideration the fact that time and time again in this House members opposite have used the points of order to carry on debate, to be able to have other opportunities to pursue and, yes, that does evoke response on this side. I would ask you to call the members opposite to order. If they want to use points of order, let them be legitimate points of order.

Madam Speaker: Order, please. I recognize that this is Thursday, but I would like to please ask for the co-operation of all honourable members, firstly, in picking and choosing your words carefully; secondly, in attempting to keep the disruption and noise level of the House in better decorum.

The honourable member for Kildonan (Mr. Chomiak) did not have a point of order.

* * *

Mr. Ashton: Madam Speaker, I challenge your ruling.

Madam Speaker: The ruling of the Chair has been challenged.

Voice Vote

Madam Speaker: All those in favour of the ruling of the Chair, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

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

Formal Vote

Mr. Ashton: Yeas and Nays.

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

Order, please. The question before the House is shall the ruling of the Chair be sustained. All those in favour of sustaining the ruling of the Chair, please rise.

*(1400)

Division

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

Yeas

Cummings, Derkach, Downey, Driedger (Charleswood), Driedger (Steinbach), Dyck, Enns, Faurichou, Filmon, Findlay, Gilleshammer, Helwer, Laurendeau, McAlpine, McCrae, McIntosh, Mitchelson, Newman, Penner, Pitura, Praznik, Radcliffe, Reimer, Render, Rocan, Stefanson, Sveinson, Toews, Tweed.

Nays

Ashton, Barrett, Cerilli, Chomiak, Dewar, Doer, Evans (Brandon East), Evans (Interlake), Hickes, Jennissen, Kowalski, Lamoureux, Lathlin, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Reid, Robinson, Sale, Santos, Struthers, Wowchuk.

Mr. Clerk (William Remnant): Yeas 29, Nays 24.

Madam Speaker: The ruling of the Chair is accordingly sustained.

* * *

Mr. Lathlin: Madam Speaker, I have one last question here. That is to ask the Premier (Mr. Filmon) whether he agrees with his government's own report that says: "Our position is that First Nations gaming is not immoral. To those who might not agree, we

point out that hunger is immoral, disease is immoral, poverty is immoral, joblessness is immoral. First Nations gaming can be used as a positive public policy to address the disadvantaged socioeconomic state of First Nations communities."

Does the Premier agree or disagree with that statement?

Hon. David Newman (Minister responsible for Native Affairs): In response to that quotation, I believe from the Bostrom report, the quotation describes what the members of the Bostrom task force, chaired by the director of the Native Affairs Secretariat, evaluated and came to conclusions on. But the very important consideration here is what the First Nations community in this province can do by way of educating the general public on this issue so that the general public can either agree or disagree with that issue, knowing that they have to overcome a real distaste for any additional casinos in this province at this time.

This was well known in the discussions. If the pilots that were discussed were put into place, then that kind of proposition would over time be tested. But to put those kinds of pilots in place requires a whole amount of enormous public good will, because the First Nations communities in this province who have the benefit of gaming agreements get 90 percent of the revenue from them. The rest of the population gets 10 percent of the revenue from gaming. So there is a huge affirmative action in the favour of First Nations people in this province, and the other people in this province are very concerned that going too far will be indecent and wrong.

First Nations People Gaming Policy

Mr. Steve Ashton (Thompson): Madam Speaker, you know, aboriginal people in this province have put up with a lot. Aboriginal people were not able to vote provincially until the 1950s, federally until the 1960s, let alone the legacy of residential schools and high unemployment and health care, and the cuts of this government in the Northern Development Agreement, to Access, to New Careers, Youth

Corps. They even cut the swim program in northern aboriginal communities. I will not even get into the vote-splitting issue.

I want to ask the minister who is supposedly in charge of Native Affairs how he can, in good conscience, in an interview that is printed on the front page of the Free Press, indicate to the people of Manitoba that one of the reasons that the casino issue was dealt with in the way it was was because of the demonstrations. Why will they not deal fairly with aboriginal people, instead of this politically motivated effort to silence anyone who disagrees with them?

Hon. David Newman (Minister responsible for Native Affairs): Madam Speaker, that is a self-serving and inappropriate interpretation of an article written by a reporter who came to me to ask, as the First Nations community people that he had interviewed before, whether or not the rejection was because it was a desire to punish them for civil disobedience. I spent about half an hour with that reporter denying that was the fact and pointed out to him in a letter that was written at that period of time where Grand Chief Bushie—the date was April 8, 1999—rejected the propositions that were discussed.

In spite of that, this government went back, because it was the right thing to do, and indicated that they supported and would be prepared to implement applications to lift the moratorium for First Nations people, knowing full well it required a great explanation to educate the public about why that was morally appropriate.

Mr. Ashton: Madam Speaker, my supplementary is to the Premier. I am just wondering if the Premier can explain any sense of morality or fairness on that side when in fact since the report, the 1997 report on gaming, while on the one hand they say that the public needs to be educated in terms of aboriginal gambling, they had no problem going ahead with a \$66-million announced expansion to gambling. Why will he not understand the reason he has such distrust from the aboriginal community, because he says one thing for aboriginal people and he does another thing for his own government.

*(1410)

Hon. Darren Praznik (Minister charged with the administration of The Manitoba Lotteries Corporation Act): Madam Speaker, I find the question from the member for Thompson—given the public statements made by the member for St. James (Ms. Mihychuk), the critic, I think a year ago when the casino expansion projects were announced, where she is reported in the Free Press to be in support of this as a great tourism initiative and it would expand the hotel industry. I would be delighted to find the quote from the paper and which the Free Press supports, of course. Now we have, and we hear from the seat, the New Democrats support further casino expansion in the province. That is their position here today, that the New Democratic Party supports more casinos in the province of Manitoba and further expansion. That is very clear.

Deer Lodge Centre Residents' Council

Mr. Tim Sale (Crescentwood): The Resident and Family Council of Deer Lodge hospital has a constitution, Madam Speaker, and in that constitution it says that decisions will be made by a show of hands, and a majority present will carry the vote and that residents and family members have voting privileges.

I wonder if the Minister of Health could explain to this House why the new president of the Urban Shared Services Corporation, the chair of the board, Mr. Tim Duprey, walked into a meeting of the residents' council last week and announced that he was unilaterally changing the constitution of this group, that there would be no media access to residents or to their family members in the Deer Lodge Centre without his permission. How can he change a constitution of a group unilaterally and deny citizens access, their right of access to media?

Hon. Eric Stefanson (Minister of Health): It is difficult to take very much seriously from the member for Crescentwood when it comes to Deer Lodge, based on his past performance when it comes to the accuracy of information that is brought to this House relative to any issues. His own colleagues know when he

brought the information on patients he was not even correct 10 percent of the time. That is the kind of pattern; that is the kind of accuracy in terms of the information he brings. Usually it is done on innuendos and hearsay and so on; it is not done on facts. It is not done on research; it is not done on quality information.

So having said all of that about the past performance of the member for Crescentwood, particularly with his bias towards Deer Lodge, with his bias towards the quality of care of Deer Lodge, with his bias towards Urban Shared Services Corporation and so on, Madam Speaker, I am certainly prepared to look further into the matter that he did raise here today, and I will again report back to him.

Mr. Sale: Madam Speaker, I will table the constitution so that the Health minister might know what is in it.

Madam Speaker, I want to ask if the minister can possibly defend preventing members of the public, who pay up to \$22,000 a year for their rooms, and all pay at least \$8,000 or \$9,000 for their rooms, from having their right of access to media or to representatives of any organization in their rooms with their family members. What right has he got to dispossess them of a basic human right?

Madam Speaker: Order, please. The question has been put.

Mr. Stefanson: Again, I am not taking any position on this issue. I am responding to information that the member is bringing here today that again, based on his past practice in this area particularly, as I have said, his strong bias against Deer Lodge hospital facility, against the people managing that facility, his pattern of accuracy being very, very weak in that area, I question again the quality of information and the motive in terms of what is being brought here before us today, and I have made that point now on two occasions. I am certainly prepared to look further into this issue.

Mr. Sale: Will the minister tell Monique Ball, who is a representative on the Resident and Family Council from the families of residents,

why it is that they have deprived the residents of their free speech and access to free speech?

Secondly, will he tell them why Princess Anne will be there on July 25 and she will have a special meal cooked for her, and she will have a special meal cooked for the residents? They will not even eat the frozen food. Will he explain that to Monique Ball as well?

Mr. Stefanson: I question the member's comments about anybody trying to restrict free speech and free comments. Again, I have already made my point about the past performance and the strong bias that this member brings towards the management at Deer Lodge facility, towards the whole issue of the Urban Shared Services Corporation even though it is supported by all nine urban hospitals here in the city of Winnipeg. It is administered by the CEOs of those hospitals who have as much of an interest in terms of providing quality, cost-effective, nutritional food to the people who are patients in those health care facilities.

So as I have indicated, I certainly will look into this issue, although I do question the majority if not everything that the member has put on the record here today, Madam Speaker.

Education System Standards Testing Breach

Mr. Kevin Lamoureux (Inkster): Madam Speaker, my question is for the Minister of Education, and it is in regard to the Seven Oaks report that the minister tabled yesterday. What we know for a fact is that there was indeed a breach of the security process on the standards exams. We know that for a fact. In addition to the report, it states that, allegation No. 4, in January a 40S mathematics examination went missing under the same circumstances as in June 1998. "Blank" received a copy of the examination from "blank." The person indicates that he would even be prepared to attest to this in a court of law.

My question to the Minister of Education: given the conclusion, which states there was not nor is there any evidence to suggest that there was a breach or a violation of provincial examination security either in June of '98—

Madam Speaker: Order, please. Would the honourable member please pose his question now.

Mr. Lamoureux: Yes, Madam Speaker.

—at Maples Collegiate and/or subsequent to June of '98, my question to the Minister of Education is: does the minister, given that conclusion, believe that there is any credibility to this report whatsoever?

Hon. James McCrae (Minister of Education and Training): Madam Speaker, I appreciate the tenacity with which the honourable member for Inkster brings this matter forward. Unlike the honourable Leader of the Opposition (Mr. Doer), the honourable member for Inkster understands that there are serious allegations that people's lives and reputations have been hurt by the actions of Mr. Brian O'Leary, the one that, according to today's newspaper, the honourable Leader of the Opposition has let off the hook. You know, that may be, but the people of Manitoba will not let the honourable Leader of the Opposition off the hook for having and maintaining a double standard with respect to these matters.

There are students in the Seven Oaks School Division whose parents need assurances that there is integrity in the standards testing security protocols which were breached by Mr. Brian O'Leary, and it goes way beyond the students of Seven Oaks School Division to all of the students in the province of Manitoba. These are things the Leader of the Opposition chooses to ignore, chooses to trivialize. The people of this province are a lot more important than that to me, and we are reviewing options available to us in the light of a somewhat unsatisfactory report.

Mr. Lamoureux: Madam Speaker, I asked for the Minister of Education to comment on the fact that it states, from the author of the report, that there is no evidence to show the test of security was in fact compromised.

My question to the Minister of Education is: what message is that sending then to our educators and supervisors of the standards exams? Does it now mean that it is okay for a principal to open the exams? Is it now okay that

we do not have to have any security on the marking of exams when we spend millions of dollars every year to protect the integrity of these standards exams?

Mr. McCrae: Madam Speaker, it sends a totally wrong message to the people of Manitoba, a message supported by the honourable Leader of the Opposition (Mr. Doer) but not supported by the overwhelming majority of the people of this province. The people of this province support having standards for their children in our school system. The people of this province support testing against those standards and against that curriculum. The honourable Leader of the Opposition does not; that is his problem. But letting Mr. O'Leary off the hook, a side issue, I admit, but it says a lot more about the Leader of the Opposition than it does even about Mr. O'Leary.

*(1420)

Mr. Lamoureux: Madam Speaker, my question to the Minister of Education is: will the Minister of Education and the Premier (Mr. Filmon) of this province do what is being asked not only by me but also by the Leader of the New Democratic Party and call for an independent investigation? We are more than happy to provide names to the Minister of Education to ensure that the integrity of the standards exams is going to be protected.

Mr. McCrae: I can tell you, Madam Speaker, I take the suggestion of the honourable member for Inkster for an independent examination of this a lot more seriously than I do that of the honourable Leader of the Opposition, who has already made up his mind that this is not an important matter, that Mr. O'Leary has done nothing particularly wrong, and it does not matter anyway because he does not like testing in our school system.

Urban Shared Services Corporation Business Plan

Hon. Eric Stefanson (Minister of Health): Madam Speaker, just in response to some questions taken as notice on my behalf last week, there were some questions relating to a study by the Canadian Centre for Policy

Alternatives having to do with Urban Shared Services Corporation. I think the best way to respond to members opposite is I will provide three copies of a letter sent from Major John A. MacFarlane, the president and CEO of Grace General Hospital. I will just highlight one or two aspects of it.

The major suggests that: "I am disturbed to find that a reputable organization like the Canadian Centre for Policy Alternatives publishes a report that has used such outdated and misleading material." It goes on to say: "Although I have found the number of inaccuracies in this report to be too great to list in entirety, suffice it to say, you are incorrect in your facts as they relate to: the Board membership, interest rates, the numbers you have used to achieve economies of scale, cost to renovate kitchens . . . and the quality of meals." He also refers to the issue of the new quote "provided a competitive rate which is as favourable as that quoted for the government rates during 1997, and not the 10.5 % as you outlined in your report."

Finally, just to paraphrase the final paragraph, and "Further, as an economist with one of our city's universities, I would assume you are interested in actual truths concerning the Urban Shared Services Corporation and that your many errors in this report were accidental and not deliberate in nature."

I will table three copies of that report, Madam Speaker.

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

MEMBERS' STATEMENTS

Strawberry Festival

Mr. David Faurschou (Portage la Prairie): It is really a pleasure for me to rise in the House today and invite all the honourable members of the Chamber to partake of the strawberries at their place this afternoon. It is a pleasure for me to offer them to all honourable members, in cooperation with the former member of the Chamber, the Honourable Ed Connery.

Madam Speaker, early in the 1970s, when grains were abundant and bins were full, farmers were encouraged to diversify. The farmers in Portage la Prairie took up that challenge and went into the production of strawberries. Within a very few years, dozens of farms in Portage la Prairie had strawberry patches. The strawberries that were produced in Portage la Prairie were so abundant that nowhere else in Canada was there such an abundance of strawberries. It was then known that Portage la Prairie was the strawberry capital of Canada. In fact, in 1988, during one of the celebrations, Portage la Prairie entered the Guinness Book of World Records with a giant bowl of strawberries 1,511 kilograms in size. That feat still stands today in the Book of World Records.

Although this year, because of the Pan American Games and the Portage la Prairie hosting of the athletes' and coaches' village, the volunteers are scarce and the Strawberry Festival has been partially cancelled, this weekend I invite all honourable members to come to Portage la Prairie where a number of events will celebrate the strawberry at the 127th edition of the Portage Ex where in fact Portage la Prairie and area celebrates and takes very much pride in the agriculture in and around Portage la Prairie.

Simplot Plant—Brandon

Mr. Leonard Evans (Brandon East): The minister responsible for Workplace Safety and Health on July 5 provided us with some information respecting the problem of explosions at the Simplot ammonia plant in Brandon, and I thank the minister for that information. He, having reported that his branch, the Workplace Safety and Health and Mechanical Engineering branches jointly reviewed the situation and confirmed that various repairs and modifications of processing equipment had been made and that his staff seemed to be satisfied with the situation, although I understand from his statement, this is not a final report. His staff is in the process of finalizing the report.

So I would trust that the minister will table that report, certainly make it available to the community when it is ready, because there is still a lot of concern and apprehension. Whether

it is founded or not, the minister may argue, but nevertheless there is still a lot of apprehension. I understand the City of Brandon is looking at doing some kind of an independent review. At least they were exploring it at one time. This was public information, and I would think that it would be responsible on the minister's part if he would consult with the city administration to ensure or to see just where that stands and perhaps, if the city does want to proceed, to cooperate with them in some kind of an outside review because I believe this is what is required and this is a suggestion meant in the public interest. It is not anti-Simplot. Simplot should not discourage any kind of an outside review. It is in their interests; it is in everyone's interests. So I urge the minister that he should seriously consider an outside study using the appropriate expertise wherever it may be and perhaps do this jointly with the City of Brandon.

Neil Bardal

Mr. Edward Helwer (Gimli): Madam Speaker, I would like to take this opportunity to congratulate Mr. Neil Bardal who recently received an appointment, official recognition and accreditation as the honorary consul general of Iceland in Gimli.

Madam Speaker: Order, please. I would like to remind all honourable members this is members' statements, and I am experiencing great difficulty hearing the members. Could those having private meetings please do so outside the Chamber.

Mr. Helwer: Thank you, again, Madam Speaker. Mr. Bardal has served as an honorary consul general for Iceland in our province since 1994. However, with the opening earlier this year of an Icelandic consulate in Winnipeg and the appointment of consul general, Svavar Gestsson, Mr. Bardal was given this honorary position in Gimli. He is now responsible for representing the government of Iceland in Gimli, the main centre of the New Iceland region here in Manitoba.

Mr. Bardal has been a very active member of the Icelandic community here in North America. He has been a board member of the Canada Iceland Foundation and president of the

Icelandic National League of North America. I would like to ask all of the members of this Assembly to join me in offering congratulations to Mr. Bardal on this appointment. It will no doubt serve to further strengthen the ties between Iceland and the New Icelanders of Gimli. Thank you, Madam Speaker.

* (1430)

First Nations People

Ms. Rosann Wowchuk (Swan River): Aboriginal people across this province are suffering from high unemployment and in many cases very poor living conditions, and most of this lies at the feet of this government for their lack of understanding and lack of support for aboriginal communities. If you look at the record of this government, Madam Speaker, they have cut many programs that were advantageous for aboriginal people: an Access program, a 14-year program that helped disadvantaged people get into school; BUNTEP, a Brandon University teachers' program; New Careers, a successful training program. The most successful training program in the country with a 93 percent job success rate was terminated.

The Conservative government ended funding to friendship centres, and this year finally recognized the importance of friendship centres and put some of that funding back into place. This government reduced the payments to foster parents who look after many children, many children who are aboriginal who end up in foster homes. In 1993 this government cut funding to the Northern Fishermen's Freight Assistance. This government in 1996 cut welfare rates by 21 percent for single adults and other programs.

When aboriginal people try to come forward with ideas that will help them create jobs, this government plays along with them and pretends that they are going to help them and then, for political purposes, changes their mind. Earlier this year a committee of provincial cabinet ministers and Manitoba chiefs recommended licensing two First Nations casinos, one in the North and one in the south, and to expand the numbers of VLTs available to northern communities.

However, after two major protests here at the Legislature, the government has decided to punish these people and take away the promise that they made for them, take away their hope that they might create some jobs, they might offer some opportunity for their people. It is very disappointing, Madam Speaker, that the government would, on one hand, offer a hand and say they are going to help them and then, for political purposes, pull that hope away from these people, hope that they might raise some funds to help their people.

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

Loewen Windows/Roseau River

Mr. Gary Kowalski (The Maples): Madam Speaker, I rise to mention a news story I saw on the noon news on CKY, and it is sort of a good news story. I have nothing to do with the area; it is just that we hear so much bad news that it is nice to hear some good news.

It is a story about Roseau River Reserve and Loewen Windows. Loewen Windows has been begging for 100 workers that they could not find in the city of Winnipeg. I could say: the same as Willmar Windows and Western Glove and a number of places that are looking for workers; they cannot find workers. Well, Loewen Windows has gone out to Roseau Reserve and they have hired 45 people from the reserve. Together with the employment counsellor from Roseau River, they bought a bus.

It is a one-hour ride from the reserve to Loewen Windows, a reserve where the service station has closed down, the food store has closed down, where unemployment was extraordinarily high, people now are happy. People are going to have jobs. It is going to bring money into that reserve, and probably the best social programs that they could have got on that reserve, are the jobs, the dignity that will come from that work at Loewen Windows. I want to congratulate the people responsible, the employment counsellor at Roseau Reserve, Loewen Windows, and I hope that this possibly will lead to more employment for those jobs that are begging for workers in Winnipeg.

ORDERS OF THE DAY

House Business

Hon. Darren Praznik (Government House Leader): Madam Speaker, a number of announcements to make. First of all, the Committee on Industrial Relations which I understand still has some significant work to be done, I would like to call that committee to meet on Monday at 10 a.m. to complete its work. I also would like to announce today that the Committee on Law Amendments, currently hearing presenters with respect to Bill 40, which did not complete its hearing of presenters, I am calling, with leave, to sit concurrently with the House on Monday afternoon beginning at 3 p.m., so I believe leave may be required. Let us make that—I look to the opposition House leader. He suggested the Law Amendments committee could begin its work at 2:30 on Monday. So I would like that announcement to be made. There are more presenters to be notified so that they can plan their day.

Madam Speaker: The Standing Committee on Industrial Relations will meet on Monday, July 12 at 10 a.m. The Standing Committee on Law Amendments will meet on Monday at 2:30 p.m., concurrently while the House is sitting, to continue to work on Bill 40.

Mr. Praznik: Madam Speaker, additionally to the work that the Committee on Industrial Relations has to complete, I would like to refer as well to that standing committee meeting on Monday morning, the bills that we pass through today. I believe they are Bills 35, 43 and 44, plus I believe we referred the medical amendment.

Madam Speaker, can I just look to the Clerks for clarification, whether or not the medical amendment bill was referred to the Industrial Relations committee already? I believe it has been; I am just looking for confirmation. If it has not, then I would announce it is referred to that committee, as well.

Madam Speaker: So Bills 35, 43 and 45 will be considered in the Industrial Relations

committee scheduled for Monday, July 12 at 10 a.m., in addition to Bill 39.

Mr. Praznik: Madam Speaker, I would also ask if you could please canvass the House to ascertain if there is unanimous consent for the following with respect to House business to apply for today only, for the Committee of Supply to sit in one section in Room 255 while the House continues to consider the business of the day and for the Estimates of the Children and Youth Secretariat to be considered in Room 255. I believe that resolution is the one remaining from the other committee.

Madam Speaker: Is there unanimous consent of the House for the Committee of Supply to sit in one section in Room 255, while the House continues to consider business of the day, to consider the resolutions for the Estimates of the department of Children and Youth Secretariat. Agreed? [agreed]

Mr. Praznik: Madam Speaker, I would move, seconded by the—

Madam Speaker: Order, please. Just for the record, we have not had a resolution to waive private members' hour for this afternoon.

Mr. Praznik: For the record, I have not asked for that.

Madam Speaker: Okay.

* (1440)

Mr. Praznik: Madam Speaker, the reason I have not asked for that is, depending on how the day advances, we may in fact want to be dealing with one particular private member's resolution, and the opposition House leader (Mr. Ashton) and I are still discussing that. So, if that is to be waived, we will waive it at another occasion.

I would move, seconded by the honourable Minister of Finance (Mr. Gilleshammer), that this House, as agreed, now resolve itself into a section of the Committee of Supply to meet outside the Chamber to consider of the Supply to be granted to Her Most Gracious Majesty, with the understanding that House business will continue in this Chamber.

Motion agreed to.

House Business

Mr. Praznik: Madam Speaker, those members, of course, who must complete committee work, I imagine now will wish to depart. If they wish to leave their strawberries here for the House leaders, I think they would find that— [interjection] I look to the opposition House leader.

COMMITTEE OF SUPPLY

CHILDREN AND YOUTH SECRETARIAT

Mr. Chairperson (Ben Sveinson): Order, please. Will this section of the Committee of Supply please come to order. Given that time for Estimates consideration has expired according to Rule 71(1) and Rule 71(3), I will now put the remaining resolutions to the committee.

These resolutions are to be decided without debate, amendment or adjournment. These particular Estimates are the Children and Youth Secretariat.

Resolution 34.2: RESOLVED that there be granted to Her Majesty a sum not exceeding \$5,388,000 for Children and Youth Secretariat, ChildrenFirst Initiatives, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution 34.3, and indeed the last one in this committee: RESOLVED that there be granted to Her Majesty a sum not exceeding \$37,000 for Children and Youth Secretariat, Amortization of Capital Assets, for the fiscal year ending the 31st day of March, 2000. [passed]

That concludes our business. Committee rise.

IN SESSION

House Business

Hon. Darren Praznik (Government House Leader): We have had some discussion about providing leave to introduce for second reading

Bill 47, The Municipal Assessment Amendment Act (2) which arose out of difficulties around an out-of-scope amendment. I ask now if there be leave of the House to give this second reading today.

Madam Speaker: Is there unanimous consent of the House now to proceed to give Bill 47 second reading? [agreed]

Mr. Praznik: Madam Speaker, then I would ask, if I could get the attention of the Minister of Rural Development (Mr. Derkach), if you could please call his Bill 47 for second reading.

SECOND READINGS

Bill 47—The Municipal Assessment Amendment Act (2)

Hon. Leonard Derkach (Minister of Rural Development): I would like to move, seconded by my colleague, the Minister of Highways and Transportation (Mr. Praznik), that Bill 47, The Municipal Assessment Amendment Act (2) (Loi no 2 modifiant la Loi sur l'évaluation municipale), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Derkach: I am pleased this afternoon to rise to introduce Bill 47, The Municipal Assessment Amendment Act (2), for second reading. The purpose of this bill is to provide an exemption for utility distribution systems from being taxed through municipal by-law.

Historically, the authority to tax was never intended to apply to electric or telecommunication distribution systems. Despite the fact that both Manitoba Hydro and Manitoba Telecom Services currently pay business taxes to municipalities on their offices, their storage facilities, and realty taxes on all lands and buildings, two Manitoba municipalities have passed by-laws directing that an assessment be made of all electric and telecommunications personal property within their municipalities.

Issues concerning how utilities are currently taxed are very complex. Because of the significant changes within the various utility

industries, especially telecommunications, there are important public and private issues at stake, and we have to ensure fairness for both consumers and the industry.

The application of the current assessment and taxation provisions would produce inequities, especially within the telecommunications industry. For example, service providers using wireless technologies and competing directly with MTS would escape personal property taxation, thereby giving them a competitive advantage. Removing the discretionary authority of municipalities to impose taxation on utility distribution systems allows for comprehensive investigation of relevant taxation policy and other important questions surrounding the issue.

In the interim, this new legislation is designed to safeguard the integrity of our utility distribution system and assure Manitobans, regardless of where they live, that they can continue to rely on the best and most economical utility services possible.

Madam Speaker, the Department of Rural Development is intending to release the details of a review of this issue as soon as it possibly can. I look forward to the support of all members of this House in passing this bill. Thank you.

Mr. Steve Ashton (Thompson): I want to indicate that the introduction of this bill is creating a rather sticky situation for me here, sorry, Madam Speaker, but a sticky situation indeed for this government, because it is very much the result of a situation that rises out of the privatization of MTS in 1996. The fact is that this government ignored this and many other issues that were raised at committee. We raised this issue specifically in the committee. I point to the fact that many people traditionally had seen the tax exemption arising out of telephone poles or hydro poles as being very much a part of the trade-off. Indeed, rather than having that assessment, obviously you had two public utilities dealing with the whole issue. We know that the minister had attempted to bring this in in a committee, and we felt, my opinion was fairly clear as House leader at the time that it would have been out of scope. I am glad that the

minister has recognized that as being the case, because obviously we are only in a minority in that situation. But the bottom line is we feel this should have been dealt with in 1996.

The situation the minister has dealt with could have been dealt with at that point in time. We are prepared, as we have shown, to give leave. This bill will be referred to a committee by agreement on Monday afternoon because, while there may be some discussion and debate about some of the principles involved, that sort of discussion should not happen on a random basis. Clearly, here, you have a couple of municipalities who have done what is appropriate, I mean, for their own municipalities, but it is a broader policy issue. It does raise the possible situation of significant rate increases for both Manitoba Hydro and for MTS.

I just cannot resist in saying that I think everyone will understand that we have seen enough in terms of rate increases because of the privatization. We have seen further applications now related to MTS as a private company attempting to have the ratepayers cover not only its rate of return but its taxation. We are concerned that the government set this situation up. Indeed, if there was municipal assessment, the people that would pay, once again, would be the ratepayers of Manitoba and not the private company, which, by the way, is 80 percent owned outside of Manitoba—80 percent owned outside of Manitoba.

There has been indication in the past that some of these types of costs will be passed on by the CRTC. I have spoken out, by the way, on the issue of the corporate taxation that MTS is subject to, one of the issues we raised, once again, consistently in 1995. The bottom line is, we said it would happen and it happened. I cannot resist the opportunity on second reading to point to the government and show that this is one more example, when it came to the privatization of MTS, of the degree to which they put blinkers on, they would not even consider the legitimate points that we raised as an opposition party in the committee.

*(1450)

You know, what really frustrated me, and I go back to 1996, what frustrated me is, even if

one accepts the difference on the principle of the bill, I mean, obviously we were fundamentally opposed to what the government did, the government obviously was committed to the privatization of MTS, what really frustrates me is on this issue and many other issues, the government, in its ideological haste to privatize MTS, proceeded in an incompetent manner.

They did not even listen to us and presenters at the committee when the concerns were raised. There were legitimate concerns. I mean, the issue was raised by presenters. I remember a presentation from the member for The Maples' (Mr. Kowalski) father, I believe it was, and there were others. People actually raised the issue of telephone poles and whether they were going to be subject to taxation.

I want to say to the government this is one more example of the degree to which this government was fundamentally incompetent, even with the principle of privatization, which we disagreed with. This government ended up with the incompetent result that we now have a privatization that was supposed to build up a Manitoba private company that has now, due to the incompetence of this government, ended up with 80 percent of the shares owned out of this province.

I would love to use other more stronger words, but, you know, they helped finance the purchase by Manitobans. Then they allowed Manitobans to immediately flip the shares, setting up this immediate takeover. It is sad; it is just so sad to see now, as I do, the MTS employees on the lockout fighting for their job security, fighting to prevent the same kind of thing we have seen in Ontario with Bell Canada where jobs have been contracted out to Phoenix, Arizona. Phoenix, Arizona. You know, Madam Speaker, once again this is the kind of thing we said would happen under privatization.

So I want to put on the record that even now that it is less than three years since the privatization debate in Manitoba, this is one more example of how incompetent the government was. Even notwithstanding our fundamental disagreement with what they did, here is a classic case where they have to come in to this Legislature in the dying days of their

mandate, and we are obviously nearing the end of the session. I mean, it is always hard to predict. We may be here for a while yet.

An Honourable Member: At the threshold of our new mandate.

Mr. Ashton: I know the member for Lakeside (Mr. Enns) is the eternal optimist. I just say to the member for Lakeside, he needs to be an optimist right now, believe you me. I appreciate his comments because the fact is they are asking us to give leave, and we are having to give leave to deal with a situation that could have been dealt with two and a half years ago if they had listened to us in committee. Two and a half years ago we predicted this. I say to this government: incompetence is an understatement when it comes to their mishandling of MTS, their mishandling.

They are not even competent privatizers, Madam Speaker; it may be an oxymoron. But here we have a situation of 80 percent ownership; we have had rate increases; we have got job security at risk for Manitobans; and the people who benefited the most, I might add, have been the chair of the board, board members, the million-dollar stock option group, the brokers. I might add the Conservative Party because it is interesting that, if one runs through their contribution list, I calculated at least \$28,000 that comes directly from people who were direct beneficiaries of the sale by being the brokers, let alone the ultimate insult that MTS itself donated, included the mobility section, \$8,000 to the Conservative Party. I mean, talk about kickbacks. And do you know what is ironic? This government has no problem with that. They will take that money, their just reward.

Do you know what amazes me? They are concerned about rates on this issue, but no concern about the fact that the ratepayers of Manitoba are paying \$8,000 out of their money to subsidize this political party as a reward for them doing something that has only benefited a very wealthy few in this province and has hurt average Manitobans with rate increases, with losses of jobs. Through the incompetence of the government, we almost saw a situation where there was another dramatic rate increase because

this government was too tuned into its ideology and tuned out to the facts.

I just want to finish off on this because there are members of the House that will indeed remember other debates. [interjection]

I realize the member for Assiniboia (Mrs. McIntosh) as being somewhat frustrated recently, but I believe sort of singing to herself while a member is speaking—I have been heckled before, but I must say that if the member for Assiniboia might show some courtesy on this, I do think she might want to listen. I realize— [interjection]

Madam Speaker: Order, please.

Mr. Ashton: Madam Speaker, I was hoping the member for Assiniboia might show some courtesy to this House by not singing from her seat. I know she is toning down her comments for the last several days. She has been yelling "shut up" to various members across this way, and I think it shows the fact that members on this side—on the one hand, they are asking for leave to deal with this bill, but then they have a member who—

An Honourable Member: A cabinet minister.

Mr. Ashton: A cabinet minister who, quite frankly, is an embarrassment to this Chamber when she sits there and deals with this. I am quite prepared to give leave to this government to deal with its degree of incompetence. But I do wish members opposite would at least recognize and listen to why we are so concerned about their inability to deal with the situation before. I appreciate the fact that the Minister for Rural Development (Mr. Derkach) knows this. It was dumped on his desk, and I do not envy him. This minister did not create the problem other than being a part of the collective group, the Conservatives. I just say that I hope the Minister of Rural Development will go back to his colleagues and perhaps look at some of the other areas that still remain unresolved in terms of that. There are so many aspects of the incompetence of that privatization. I mean, for example, this government still has not dealt with the fact that there is only one body that is prohibited from buying shares in MTS, our

colleagues in Saskatchewan. SaskTel is the only phone company in Canada that cannot purchase shares in MTS. They allow Bell Canada to do it but not SaskTel, because they prohibited any Crown entity from purchasing shares. If they are on a roll now, in terms of dealing with this stuff, I would suggest they look at that.

Bottom line, Madam Speaker—

An Honourable Member: She is singing, Madam Speaker.

Madam Speaker: I apologize, but I cannot hear.

An Honourable Member: The member for Thompson has raised this issue at least twice, Madam Speaker.

Madam Speaker: And I called the House to order previously on more than one occasion. But I apologize; I cannot hear the honourable member for Assiniboia's singing from this vantage point. I would hope that members of the House would recognize that when you sit here, you cannot pick, thank goodness, up all of the comments that are being made off the record, but I would ask that all honourable members please come to order.

The honourable member for Thompson has the floor to debate Bill 47.

Mr. Ashton: Thank you, Madam Speaker, and I do think it is important that the government members recognize and listen to the fact that there are other issues that need to be dealt with.

I want to complete my remarks on this by just appealing to the government, now that we are two and a half years into the privatization, to recognize this is one area that needed to be dealt with. There are many other areas. They can have their principle, right or wrong as it is, but I would urge them to consider, even now at this late point in time, some of the situations that are in place that are going to lead to a very difficult situation.

By December of next year, we will lose virtually all control in this province over our phone system, and I did not agree with the

privatization. I would have been a lot happier, I think most Manitobans would have been, if there had been a real attempt to have a Manitoba company, a Manitoba-owned company, controlled by Manitobans. Perhaps if there had been some joint venturing with other jurisdictions like Saskatchewan, some building up of that, because I think it does make a difference. I think it makes a real difference where decisions are made.

* (1500)

You know, members opposite may not realize this, but at the recent board meeting of MTS, the public meeting, the annual meeting, the majority of the nominees for the board of directors made by the company itself, not the government members, the majority of them are living in Toronto, Ontario. The majority of them are working on Bay Street. We now have a company, MTS. We have come full circle. I just want to remind people we started off with Bell Canada. I think we are going to end up with Bell Canada or perhaps even worse, an American-owned company, and I just want to say the government still has time to fix that.

They do not have to take it back under public ownership; I realize they are not going to do that. If they are going to be fixing this problem, if they need leave at any point in time to fix some of the other significant problems that we raised, that I raised in the committee, that the member for Crescentwood raised—in fact, the member for Crescentwood sent an excellent letter to the Free Press. Even the Free Press was asking what the government was doing. In fact, I think, it took a Free Press editorial, two and a half years after the member for Crescentwood asked the question for them to wake up and say, oh, we got a problem here.

I just want to put on the record that despite everything, despite the temptation one might have in a political context to see this government pay the political price for its own incompetence, by giving leave and passing this through to committee, we have decided to do the responsible thing to allow this bill to go through to completion, subject to whatever review might take place of this issue in the broader context. But we are acting responsibly rather than

embarrass this government, and embarrassed they should be. We are doing the responsible thing and protecting the ratepayers of Manitoba.

We will send this to committee, but I think the government owes a real apology to the people of Manitoba for putting them at risk for the last two and a half years because of their incompetence. Thank you, Madam Speaker.

Mr. Kevin Lamoureux (Inkster): Madam Speaker, I too want to put a few words on the record before seeing this Bill 47 pass into the committee stage. It is, indeed, as the member for Thompson (Mr. Ashton) indicates, a bill that does merit the support of all people inside the Chamber. I appreciate the explanation that was given by the minister in regard to its needs.

The issue first came to my attention, I was over at my colleague for the Maples' (Mr. Kowalski) father's home. He had taken me into his backyard, and he starts pointing to these poles and explaining the potential impact of the sale of MTS and private poles. What I do find somewhat amazing is why it is that the government was not able to take quicker action. In fact, it almost even squeezed by us going through this session. I know there was at least some thought in terms of bringing it in under another bill, but it was decided that it would in fact be out of scope, and justifiably so, and that ultimately led to this bill being introduced today. But there were a lot of people who were out there that were very much aware of this particular problem. We are glad to see the government has finally taken some action on what most of us have known and perceived as a problem.

So I have no problem in terms of it going to the committee. Thank you, Madam Speaker.

Madam Speaker: Is the House ready for the question? The question before the House is second reading, Bill 47, The Municipal Assessment Amendment Act (2). Is it the will of the House to adopt the motion?

Some Honourable Members: Agreed.

Madam Speaker: Agreed? Agreed and so ordered.

Committee Changes

Mr. Edward Helwer (Gimli): Madam Speaker, I move, seconded by the member for St. Norbert (Mr. Laurendeau), that the composition of the Standing Committee on Industrial Relations for 10 a.m., Monday, July 12, be amended as follows: the member for St. Vital (Mrs. Render) for the member for Niakwa (Mr. Reimer); the member for Rossmere (Mr. Toews) for the member for Brandon West (Mr. McCrae); the member for Sturgeon Creek (Mr. McAlpine) for the member for Pembina (Mr. Dyck); and the member for Arthur-Virden (Mr. Downey) for the member for Roblin-Russell (Mr. Derkach).

Motion agreed to.

House Business

Hon. Darren Praznik (Government House Leader): Madam Speaker, I look to the Clerk's table whether Bills 41 and 42 had yet been referred to committee. If they have not yet been referred to committee, I would refer them to the Standing Committee on Industrial Relations that is sitting on Monday at 10 a.m., Bills 41 and 42.

I would also announce that the Standing Committee on Municipal Affairs will be called for 2:30 p.m. on Monday afternoon to sit concurrently with the House for the continuation of the consideration of the municipal bills that were put before them as well as to this bill that we just passed through the House here, I believe it is Bill 47, will also be referred to that committee, and it will be called for 2:30 p.m. for Monday next.

Madam Speaker: The Standing Committee on Municipal Affairs will meet Monday, July 12 at 2:30 p.m., concurrently with the House, to consider the municipal bills, as well as Bill 47.

Order, please. Is there leave for the Standing Committee of Municipal Affairs to meet concurrently with the House and the other standing committee on Monday?

An Honourable Member: Leave.

Madam Speaker: Leave? Leave has been granted.

Hon. Darren Praznik (Government House Leader): I would ask if you could now call for third reading the bills as they appear on the Order Paper.

THIRD READINGS

Bill 3—The Fatality Inquiries Amendment Act

Hon. David Newman (Deputy Government House Leader): Madam Speaker, I would like to move, seconded by the honourable Minister of Finance (Mr. Gilleshammer), that Bill 3, The Fatality Inquiries Amendment Act; Loi modifiant la Loi sur les enquêtes médico-légales, be now read a third time and passed.

Motion presented.

Ms. Becky Barrett (Wellington): Madam Speaker, Bill 3 is just three sections long. It very basically allows for the Chief Medical Examiner to provide a report, a summary of recommendations, every year on information as a result of the Chief Medical Examiner conducting inquests and other forensic audits of children's fatalities.

This is a bill that we are prepared to support. I would however like to share with the House, and by extension the people of Manitoba, the fact that this very simple, very short, very easy to understand piece of legislation has been asked for by the Chief Medical Examiner and the official opposition for at least four years.

I have correspondence from the member for Burrows (Mr. Martindale), the Family Services critic, to the member for River East, the Minister of Family Services (Mrs. Mitchelson), going back as far as May 1995, asking for the recommendations of the Chief Medical Examiner when it comes to infant and children's deaths to be part of The Fatality Inquiries Act.

* (1510)

Madam Speaker, it is important for the Chief Medical Examiner to have this right for The Fatality Inquiries Act to be amended, to allow the Chief Medical Examiner to make this summary of recommendations annually on his

findings, because we need to know. It is critical for us as a society to know what the Chief Medical Examiner has found out about infant and children's deaths.

Mr. Kevin Lamoureux (Inkster): Madam Speaker, can we have a quorum count, please? [interjection] There are committees?

An Honourable Member: I do not think so.

Mr. Lamoureux: If they are in committees, then it is okay.

An Honourable Member: Better check.

Madam Speaker: Order, please. The honourable member for Inkster, I am not certain if the committees are still sitting or not. I have not been advised that they are not. I assume they are. [interjection]

Order, please. The honourable member for Inkster had been up on his feet and requested a quorum count. It was being determined whether indeed there was a committee sitting concurrently or not. Subsequent to that, numerous members have now entered the Chamber, so now I ask the honourable member for Inkster to clarify whether he wants the Speaker to put the motion or not.

Mr. Lamoureux: Madam Speaker, I think not. That would be fine.

Madam Speaker: Okay. The honourable member for Wellington is speaking at third reading on Bill 3.

Ms. Barrett: Thank you, Madam Speaker. As I was saying before I was interrupted, the importance of this piece of legislation, although it is short in the number of sections that it contains and very simple actually, it is a very important piece of legislation because it is critically important that we, as legislators, that the medical community, that Child and Family Services agencies, that all Manitobans know what the results are of the recommendations of the Chief Medical Examiner. It is important for us all to know what the recommendations are of the Chief Medical Examiner, who is charged with doing investigations into deaths of infants

and children. The reason it is important for us all to know what the Chief Medical Examiner's recommendations are is so that we can, as legislators, as agencies that deal with children, as parents, as citizens, take advantage of those recommendations and put into effect laws and policies and programs that will hopefully reduce if not eliminate children's deaths in this province.

We are not talking just about deaths of children as a response to abuse or neglect or murder, although those are terrible things to have happened. We are also talking about children's deaths that may occur in the home accidentally, that may occur on farms, in rural areas, in northern areas, children's deaths that occur in any way, from anything, any cause, which are of great concern to us all, because we are parents, we are members of families, because we have a responsibility as part of the state to ensure that children are healthy, happy, safe and secure. The Chief Medical Examiner, Madam Speaker, unfortunately has information at his or her disposal that we need in order to pass laws and put in place programs to help children.

As I stated, Madam Speaker, the Minister of Family Services (Mrs. Mitchelson) was asked as long ago as May 1995 to put in place rules and regulations and laws that would allow for the Chief Medical Examiner to issue a public summary of his or her recommendations while maintaining the confidentiality of the system and the situations that are being spoken of. In April of 1996, in Question Period, again the member for Burrows (Mr. Martindale), the Family Services critic, asked the Minister of Family Services (Mrs. Mitchelson) to put in place their amendments. The Minister of Family Services said, and I quote, that we will be going out to the public with a comprehensive review of The Child and Family Services Act, and the specific question that he is asking today will be addressed through that process. That was three years ago, 1996.

Finally, Madam Speaker, in 1997, the minister says that they are working on a format to be finalized, so that the Chief Medical Examiner can issue such a report and such recommendations. It is, I would say, verging on—well, I will not say what I was going to say,

because I probably would be ruled out of order. But I think it is very unfortunate and shows the lack of commitment on the part of the current government to children, and the safety of children, that they have been asked for more than five years, more than four years now, four and a half years now at least, to put in place legislation that would allow the Chief Medical Examiner to give recommendations annually based on his or her findings in the cases of children's deaths. The Children's Advocate has also made representation to the government on several occasions in the past in this regard.

Finally, in the dying days of this government, after more than 11 years in power, the government is putting in place Bill 3, which, as I have said, we are planning to support. But it really is incomprehensible that it has taken this government so long to put this simple piece of legislation before the people of Manitoba.

The other concern that I have with Bill 3, and I would welcome discussion or an explanation from the government on this, is that the bill is permissive. It says that the Chief Medical Examiner may prepare a summary of recommendations for inclusion in the chief Medical Examiner's annual report. Now it seems to me, Madam Speaker, that if there are no recommendations coming forward from the Chief Medical Examiner, which I find hard to believe that there would not be even a submission of recommendations that had been made before that perhaps had not been dealt with, but perhaps there were no fatalities in that calendar year that the Chief Medical Examiner had to investigate in the case of children's deaths. Now perhaps that is an outcome devoutly to be wished.

* (1520)

But even in the case where there were no recommendations outstanding and there were no fatalities that the Chief Medical Examiner had to report on, it seems to me that the Chief Medical Examiner in his or her annual report could simply say there were no recommendations outstanding and there were no fatalities that he or she wished to report on at that time. But I believe that this legislation should not be permissive, that it should be required that the

Chief Medical Examiner respond to this issue to state either that there are no recommendations, or that there are recommendations and that the recommendations follow. I do not understand, and I am hoping that the government can satisfy me in that regard.

I cannot know for sure, but it would appear to me that one of the reasons that the government has been so lax and has delayed for so long in bringing this piece of legislation to the fore is because they do not want to be held accountable, because there are numerous cases still where this government has not been held accountable or responsible for the actions or inactions of government agencies that have resulted in deaths that will be looked at under this legislation.

Children are still dying. They are still dying in the care of government agencies. They are still dying in their family's homes. They are still dying as a result of accidents and of misadventures. It is incumbent upon us all as legislators and as responsible people in this province to know what the Chief Medical Examiner has to say about these situations. Why would we not want to know? Why has this government taken almost five years at least to bring forward this piece of legislation? It certainly cannot be because there was a lot of legal mumbo jumbo to be dealt with.

The minister kept responding that it was confidentiality that needed to be protected. Well, that is very simple. You just state in the legislation as it states in Bill 3 that confidentiality must be protected, that it is a summary of recommendations. That is what we need. We need the recommendations of the Chief Medical Examiner based on his or her actions in the last year. We do not need to know the specifics of every case, but we do need to know what the Chief Medical Examiner's best recommendations are. I think it is very wrong of this government to have delayed this small but important piece of legislation to the dying days of their mandate.

With those few words, I am prepared on behalf of our caucus to finish our debate on third reading on Bill 3, again reiterating that this government has to take a look at its inaction over

the past number of years. I just wonder, Madam Speaker, how many children's lives could have been saved had this legislation been enacted in 1995 instead of 1999.

Mr. Lamoureux: As the member for Wellington pointed out, this is something in which the Chief Medical Examiner and others, whether it is political parties or individuals or Manitobans, were wanting to see brought in quite a while back. In essence, what it is going to be doing is it enables our Chief Medical Examiner to prepare summaries for annual reports and also puts a deadline on it in terms of the report by the December 31st in any given fiscal year, from what I understand.

We think it is a positive bill all in all, albeit a long time in coming. With those few words, we are quite prepared to pass it through third reading.

Madam Speaker: Is the House ready for the question?

An Honourable Member: Question.

Madam Speaker: The question before the House is third reading Bill 3, The Fatality Inquiries Amendment Act. Is it the will of the House to adopt the motion?

Some Honourable Members: Agreed.

Madam Speaker: Agreed and so ordered.

Committee Report

Mr. Marcel Laurendeau (Chairperson of Committee of Supply): Madam Speaker, I wonder if I might seek leave to report from Committee of Supply.

Madam Speaker: Does the honourable member have leave to report? [agreed]

Mr. Laurendeau: This section of the Committee of Supply meeting in Room 255 has adopted certain resolutions, directs me to report the same and asks leave to sit again.

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

Motion agreed to.

Bill 4—The Law Fees Amendment and Consequential Amendments Act

Hon. David Newman (Deputy Government House Leader): Madam Speaker, I move, seconded by the honourable Minister of Finance (Mr. Gilleshammer), that Bill 4, The Law Fees Amendment and Consequential Amendments Act; Loi modifiant la Loi sur les frais judiciaires et modifications corrélatives, be now read a third time and passed.

Motion presented.

Madam Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Speaker: The question before the House is third reading, Bill 4. Is it the will of the House to adopt the motion?

Some Honourable Members: Agreed.

Madam Speaker: Agreed and so ordered.

Bill 5—The Highway Traffic Amendment, Off-Road Vehicles Amendment and Consequential Amendments Act

Hon. David Newman (Deputy Government House Leader): Madam Speaker, I move, seconded by the honourable Minister of Agriculture (Mr. Enns), that Bill 5, The Highway Traffic Amendment Act, Off-Road Vehicles Amendment and Consequential Amendments Act; Loi modifiant le Code de la route et la Loi sur les véhicules à caractère non routier et modifications corrélatives, be now read a third time and passed.

Motion agreed to.

Bill 6—The Highway Traffic Amendment Act

Hon. David Newman (Deputy Government House Leader): Madam Speaker, I move, seconded by the honourable Minister of Rural Development (Mr. Derkach), that Bill 6, The Highway Traffic Amendment Act; Loi modifiant

le Code de la route, be now read a third time and passed.

Motion agreed to.

Bill 7—The Public Schools Amendment Act

Hon. David Newman (Deputy Government House Leader): Madam Speaker, I move, seconded by the honourable Minister of Agriculture (Mr. Enns), that Bill 7, The Public Schools Amendment Act; Loi modifiant la Loi sur les écoles publiques, be now read a third time and passed.

Motion agreed to.

Bill 8—The Ozone Depleting Substances Amendment Act

Hon. David Newman (Deputy Government House Leader): Madam Speaker, I move, seconded by the honourable Minister of Environment (Mrs. McIntosh), that Bill 8, The Ozone Depleting Substances Amendment Act; Loi modifiant la Loi sur les substances appauvrissant la couche d'ozone, be now read a third time and passed.

Motion agreed to.

Bill 9—The Securities Amendment and Commodity Futures and Consequential Amendments Amendment Act

Hon. David Newman (Deputy Government House Leader): Madam Speaker, I move, seconded by the honourable Minister of Finance (Mr. Gilleshammer), that Bill 9, The Securities Amendment and Commodity Futures and Consequential Amendments Amendment Act; Loi modifiant la Loi sur les valeurs mobilières et la Loi sur les contrats à terme de marchandises et apportant des modifications corrélatives, be now read a third time and passed.

Motion agreed to.

* (1530)

Bill 11—The Statute Law Amendment (Nunavut) Act, 1999

Hon. David Newman (Deputy Government House Leader): Madam Speaker, I move,

seconded by the honourable Minister of Rural Development (Mr. Derkach), that Bill 11, The Statute Law Amendment (Nunavut) Act, 1999; Loi de 1999 modifiant diverses dispositions législatives (Nunavut), be now read a third time and passed.

Motion presented.

Hon. Leonard Derkach (Minister of Rural Development): I would like to just place some comments on the record as it relates to the new territory of Nunavut. I am sure that members of the House here would join me in welcoming this new territory to this great country.

Madam Speaker, I, along with my colleague the member for Pembina (Mr. Dyck), and also the member for Charleswood (Mrs. Driedger), and also the Minister of Northern and Native Affairs (Mr. Newman), had a very unique opportunity in the history of this country to be able to be in Iqaluit on the very day just a few hours after the first premier of Nunavut was appointed along with the new cabinet from the territory of Nunavut.

The evening of the day that they were appointed, we had the privilege of hosting the new premier-elect at that time and the new cabinet ministers to a reception. Indeed it was an important mark in history on my part and also on my colleagues' part because this was the first government of a new territory, the first premier of a new territory. Indeed, they did welcome us with open arms and showed us some tremendous hospitality in the city of Iqaluit.

Madam Speaker, the territory of Nunavut has always been an important part to Manitoba, and the new Kivalliq region, which used to be the old Keewatin region, has certainly been an important trading component to the people of this province, and especially to the city of Winnipeg, because many of the products that are produced here that are shipped from Winnipeg do make their way into the territory of the Kivalliq region. For years and years we have had the benefit of being a trading partner with the Keewatin region. However, in recent years, there have been others who have looked at this as a lucrative market and have taken away some of the market share from Manitoba. It was for

that reason that the Premier of our province did realize that we had to give more importance to the region and pay a little more attention to the region.

So, as minister responsible for the memorandum of understanding between Manitoba and Nunavut, I have had the privilege of leading two trade delegations to Nunavut. In addition, I received a trade delegation from Nunavut. Also, the people from Nunavut did attend a rural forum now on two occasions. So the relationships have been re-established in a very positive way. People from the territory have told us directly that they like doing business with Manitoba, that they want to do business with Manitoba, but indeed we have to do business in a commercial way where it is competitive and where there is a two-way benefit, a benefit for us as a province, but also there is something in it for them as a territory.

Madam Speaker, I also want to say that this morning we had a debriefing with the private-sector people who joined us in the trade delegation who reported to us this morning that, in every aspect, they have increased their activities with the territory of Nunavut. It is not just with the city of Winnipeg now. Indeed, communities outside of the city are also doing business with the territory of Nunavut.

The one area where we need to enhance our relationship with Nunavut is in the area of education, because today post-secondary education by the people of Nunavut is being obtained in places like Alberta and also in the eastern provinces, in Quebec, but very little of that comes our way. Madam Speaker, we have to form strategic alliances with the people in the territory to ensure that students from that territory have an opportunity to gain their educational post-secondary training in our province as well.

Madam Speaker, I hope later this year that I will have an opportunity once again to travel back to Iqaluit where I will be able to meet with my counterpart in Iqaluit and also the Premier of their territory to further the relationships between our province and the new territory.

So Madam Speaker, on behalf of this side of the House, on behalf of our government, I once again want to say congratulations to the new territory and the people of the Nunavut area and the Nunavut territory on gaining their independence. We want to wish them well as they begin the process of building a government, building a territory, one that can eventually stand on its own two feet, because there are tremendous resources in that area that need to be harvested for the benefit, developed for the benefit of the people of that territory. So with those few remarks I just wanted to ensure that we welcome the territory in an appropriate way.

Madam Speaker: Is the House ready for the question? The question before the House is third reading Bill 11, The Statute Law Amendment (Nunavut) Act. Is it the will of the House to adopt the motion?

Some Honourable Members: Agreed.

Madam Speaker: Agreed? Agreed and so ordered.

Bill 12—The Statute Law Amendment Act, 1999

Hon. David Newman (Deputy Government House Leader): Madam Speaker, I move, seconded by the honourable Minister of Environment (Mrs. McIntosh), that Bill 12, The Statute Law Amendment Act, 1999; Loi de 1999 modifiant diverses dispositions législatives, be now read a third time and passed.

Motion agreed to.

Bill 13—The University of Manitoba Amendment Act

Hon. David Newman (Deputy Government House Leader): Madam Speaker, I move, seconded by the honourable Minister of Environment (Mrs. McIntosh), that Bill 13, The University of Manitoba Amendment Act; Loi modifiant la Loi sur l'Université du Manitoba, be now read a third time and passed.

Motion agreed to.

Bill 15—The Cemeteries Amendment Act

Hon. David Newman (Deputy Government House Leader): Madam Speaker, I move, seconded by the honourable Minister of Rural Development (Mr. Derkach), that Bill 15, The Cemeteries Amendment Act; Loi modifiant la Loi sur les cimetières, be now read a third time and passed.

Motion agreed to.

* (1540)

Bill 16—The Court of Queen's Bench Small Claims Practices Amendment and Parental Responsibility Amendment Act

Hon. David Newman (Deputy Government House Leader): Madam Speaker, I move, seconded by the honourable Minister of Environment (Mrs. McIntosh) that Bill 16, The Court of Queen's Bench Small Claims Practices Amendment and Parental Responsibility Amendment Act; Loi modifiant la Loi sur le recouvrement des petites créances à la Cour du Banc de la Reine et la Loi sur la responsabilité parentale, be now read a third time and passed.

Motion presented.

Mr. Gord Mackintosh (St. Johns): We are pleased to support this bill, but we are displeased on two other counts. First of all, I think it was unfortunate that the minister, when he introduced this legislation, did not recognize the good efforts of the Law Reform Commission of Manitoba when it did a review of the Small Claims Court last year. That report, I would believe, was largely behind these amendments, and those people on that commission have been through a lot under this government, having lost almost all their funding support. and yet have continued in the fact of that to try and bring forward progressive change to the laws. The report on small claims was an excellent one, Madam Speaker. I think it speaks volumes that the minister would fail to acknowledge their work generally and fail to acknowledge their work specifically in this area.

The other area about which we are displeased is that this legislation reflects really

the lack of vigour and energy that remains on the other side of this Chamber. I look at the reports that have considered small claims, whether it is the Law Reform Commission report of last March, whether it is the report of the Canadian Bar Association, entitled Systems of Civil Justice task force report, from 1996, whether it be the government's own Civil Justice Review Task Force report of September '96, chaired by the now Minister of Northern and Native Affairs (Mr. Newman). In those reports, individually and cumulatively in particular, are some very significant recommendations to make the Small Claims Court system accessible and much more useful to the ordinary citizen of Manitoba.

The Law Reform Commission, in its report, identified what it called the hallmarks of a small claims system. It said that it comprised simplicity, accessibility and effectiveness. The original Law Reform Commission report from 1983 that led to The Court of Queen's Bench Small Claims Practices Act stated: the object and purpose of that act is to provide for the determination of claims in a simple matter as expeditious and formal and inexpensive as possible, commensurate with the matters at issue in each claim.

Madam Speaker, we all know of how the litigation system in this province and indeed elsewhere is becoming more complex, more costly. It is becoming inaccessible. Changes to the small claims system are imperative, and it is amazing that, in the face of all that assistance from those three reports and in the face of the reality and the needs of Manitobans, this government can only bring in this legislation to raise the jurisdiction of the court from 5,000 to 7,500 and a nominal change to the limit for general damages.

It is interesting that the minister never even so much as explained why he was rejecting the recommendations from those reports. Why did the government reject the Law Reform Commission's recommendation on the limit for general damages, for example? Why did the government not move to a limit of \$10,000 as recommended by the Canadian Bar Association and as is in place in British Columbia?

I just want to look at the Law Reform Commission recommendations. They wanted to

increase the amount for general damages up to \$3,000. They wanted the court to hear interpleader applications. They wanted a mediation program set up, and I believe that is dealt with in the government's own task force on civil law reform. They wanted to increase the role of default judgment when the defendants do not file a notice of intention to appear.

I was particularly attracted by the recommendation to better allow for the collection of court awards through payment schedules and the ability to subject the debtor to proceedings for contempt of court. There were other recommendations, for example, regarding expert reports, but why this government would be so weak-kneed, so played-out, that it could not bring in comprehensive change is very disappointing.

With those remarks, Madam Speaker, we will take what we can, and we support this legislation for as far as it goes. Thank you.

Mr. Kevin Lamoureux (Inkster): Madam Speaker, just very, very quickly, and the member for The Maples had already spoken to this particular bill, but I was listening to the member for St. Johns (Mr. Mackintosh). One of the things that I think is very beneficial for the Small Claims Court is the fact that you do not get, generally speaking, people going out and hiring lawyers in order to represent them.

The more that you raise that fee, like, if you could possibly get \$20,000, for example, out of a Small Claims Court, there is going to be that much more pressure on individuals to get lawyers more involved. It is not necessarily to discredit lawyers, but it is a question of ensuring that there is a bit of balance to the small claims. I am very sympathetic in terms of having due compensation for violations of whatever nature that it might be, but I see \$7,500. Should it be more than that?

Well, I do not necessarily have the expertise that the member for St. Johns (Mr. Mackintosh) or even the member for The Maples (Mr. Kowalski) has on this particular issue, but I just want to put that on the record in terms of it is important, as much as possible, that we recognize the primary purpose of the Small

Claims Court is for the little guy and that little guy being able to go in there without fear of having to go and hire a lawyer.

Madam Speaker, with those few words, I am prepared to see the bill get Royal Assent. Thank you.

Madam Speaker: Is the House ready for the question? The question before the House is third reading Bill 16. Is it the will of the House to adopt the motion? Agreed?

Some Honourable Members: Agreed.

Madam Speaker: Agreed and so ordered.

* (1550)

Bill 18—The Correctional Services Amendment Act

Hon. David Newman (Deputy Government House Leader): Madam Speaker, I move, seconded by the honourable Minister of Environment (Mrs. McIntosh), that Bill 18, The Correctional Services Amendment Act; Loi modifiant la Loi sur les services correctionnels, be now read a third time and passed.

Motion agreed to.

Bill 19—The Agricultural Credit Corporation Act

Hon. David Newman (Deputy Government House Leader): Madam Speaker, I move, seconded by the honourable Minister of Finance (Mr. Gilleshammer), that Bill 19, The Agricultural Credit Corporation Act; Loi sur la Société du crédit agricole, be now read a third time and passed.

Motion presented.

Mr. Kevin Lamoureux (Inkster): Madam Speaker, very quickly. We understand that the legislation as it stands—and it will be receiving third reading with our support—does provide or give more strength to our Agricultural Credit Corporation, which is a very positive thing. Added to value of farming and the impact on agriculture in Manitoba, it could not be any

where near where it is today if we did not have an aggressive Agricultural Credit Corporation. It has done and been there for us in many different ways in the past, the Red River flood, for example, the role that it played in terms of assisting farmers. In fact, there was a resolution from the southwest that farmers, at least in part, acknowledged the need to have a delay on interest and principal in order to assist those farmers who were hard hit. We trust and hope that the Agricultural Credit Corporation will, in fact, be able to assist these farmers.

With those few words, as I say, it is a bill that we believe gives more strength which is a positive thing, given the positive impact that this corporation has on our farmers or for our farmers. Thank you.

Mr. David Faurschou (Portage la Prairie): Madam Speaker, I, too, would like to put a couple of words on the record in regard to Bill 19, The Agricultural Credit Corporation Act. In fact, for this act, I ask the full support of the House in third reading. It is in fact a document which updates the corporation and its operation, and it will allow for it more flexibility to address the demands of financing in the agricultural sector.

I am one of that agricultural sector in my past involvement prior to joining as a member of this Legislative Assembly. I am very proud to say that the agriculture community is one that is a sector that perhaps does not ever want to provide a lot of fanfare. It is a very modest occupation by nature. In fact, that modest upbringing—and I grew up in a home with no running water and a one-room schoolhouse—I think it is a character builder in coming from the agricultural sector and the farm.

I truly believe, though, that everyone should take a moment at times when they are partaking of the bounty of the land and at mealtime to recognize the true contribution of the agricultural sector not just here in Manitoba but worldwide and how very fortunate we are to have a plentiful food supply because it is, in fact, the very foundation of all that we are and all that we are able to accomplish.

Madam Speaker, last week we discussed here a resolution which involved a report submitted by Justice Estey, and I did not have at that time an opportunity to address that. But again that particular discussion was very much involved at the time, and many arguments were made in support of the Justice Estey report, as well as there was critical analysis made during that discussion.

All that I want to say in regard to all members present and for the record is that in fact the farmers of Manitoba, of which I am very proud to say I am one, are those that are going to be in competition with all other sectors of agriculture insofar as the supply sector and the diversified processing of agricultural products, the distribution of those products and most certainly the transportation. It is not competition between two railways or between trucking and railways or custom haulers and farmers themselves, but in fact we, as farmers, will take up the challenge of competition in diversification and modification of our processing of our production.

Madam Speaker, no one need be afraid that there is not competition or will there be competition from agricultural sectors in Canada and in Manitoba specifically. We will persevere, and we will provide that competition. It need not be left to the large corporate sector because we, as farmers, will adapt. In fact we will provide for ourselves and for future generations of farmers here in the province of Manitoba because we will in fact modify what we are doing so that we can still remain viable and profitable so that our children and their children can continue the legacy of which I am proud to say that I am third-generation farmer. I hope that our farming operations will continue into the next generation and the generation thereafter.

Madam Speaker, with that short address, I very much request all members to support Bill 19, The Agricultural Credit Corporation Act, so that this corporation can continue its support of agriculture here in Manitoba and the producers of which I am very proud to say I am one.

Madam Speaker: Is the House ready for the question? The question before the House is third reading, Bill 19, The Agricultural Credit

Corporation Act. Is it the will of the House to adopt the motion?

Some Honourable Members: Agreed.

Madam Speaker: Agreed. Agreed and so ordered.

Committee Changes

Mr. Edward Helwer (Gimli): Madam Speaker, I move, seconded by the member for Pembina (Mr. Dyck), that the composition of the Standing Committee on Municipal Affairs for Monday afternoon, July 12, be amended as follows: the member for Gimli (Mr. Helwer) for the member for Pembina (Mr. Dyck).

I move, seconded by the member for Pembina (Mr. Dyck), that the composition of the Standing Committee on Law Amendments for Monday, July 12, be amended as follows: the member for LaVerendrye (Mr. Sveinsson) for the member for Ste. Rose (Mr. Cummings); the member for Assiniboia (Mrs. McIntosh) for the member for Arthur-Virden (Mr. Downey); the member for St. Norbert (Mr. Laurendeau) for the member for Gimli (Mr. Helwer).

Motions agreed to.

* (1600)

House Business

Hon. David Newman (Deputy Government House Leader): Madam Speaker, I have two matters. First, I understand there is leave of the House to waive private members' hour today.

Madam Speaker: No, we have not done it yet. Is there leave of the House to waive private members' hour? [agreed]

Mr. Newman: Madam Speaker, I understand there is agreement that the Industrial Relations Committee will sit 7 p.m., Monday, July 12, to hear Bills 29, The Victims' Rights Amendment Act, and Bill 34, The Court of Queen's Bench Amendment and Consequential Amendments Act.

Madam Speaker: The Standing Committee on Industrial Relations will meet also Monday evening at 7 p.m. to consider Bills 29 and 34.

Mr. Newman: Madam Speaker, in case in the morning they do not complete consideration of the bills being heard by the committee in the morning, perhaps there would also be agreement that the Industrial Relations committee consider such bills not finally considered in the morning of July 12.

Madam Speaker: The Industrial Relations Committee scheduled for Monday evening will also consider those bills not completed at the Industrial Relations Committee scheduled for Monday morning.

Mr. Newman: Madam Speaker, I think the Minister of Finance (Mr. Gilleshammer) has a motion.

Mr. Steve Ashton (Opposition House Leader): If I might be of assistance, we did have agreement to get 203 called even though we waived private members' hour to call it. Also, we had general agreement to get to report stage, a call by leave, from the bills that have already been reported by the committee.

Mr. Newman: My understanding is that we are prepared to agree unanimously that Bill 203, The Graffiti Control and Consequential Amendments Act; Loi sur la lutte contre les graffitis et modifications corrélatives, proposed by the honourable member for St. Johns (Mr. Mackintosh) be given second reading and remain standing.

Madam Speaker: No. Order, please. We are now moving to Private Members' Business, public bills. Is there leave to move to Private Members' Business, public bills? [agreed]

PRIVATE MEMBERS' BUSINESS

DEBATE ON SECOND READINGS—PUBLIC BILLS

Bill 203—The Graffiti Control and Consequential Amendments Act

Madam Speaker: To resume adjourned debate on Bill 203, The Graffiti Control and Consequential Amendment Act, standing in the name of the honourable member for Gimli (Mr.

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

Ms. Becky Barrett (Wellington): Madam Speaker, it is not as though the government has this enormous legislative agenda that we have to rush through bills and spend hours and hours on legislation. They have 47 bills. This is a very important piece of legislation. The member whose name this is—

An Honourable Member: Take your time; we have lots of time.

Madam Speaker: Order, please.

Ms. Barrett: I would like to—[interjection]

Madam Speaker: Order, please.

Ms. Barrett: Madam Speaker, would you please call the Minister of Environment to order?

Madam Speaker: Order, please.

Ms. Barrett: This piece of legislation that was brought forward by the member for St. Johns (Mr. Mackintosh) has a great deal of positive elements in it. Material, information, programs, and giving the government the ability to deal with a very important issue, with a critical issue facing particularly the residents of the city of Winnipeg. That deals with the whole issue of graffiti. It is an issue that has been facing us for a long time. It is an issue that has ramifications for the gang situation in the city of Winnipeg and throughout the province of Manitoba. It has ramifications for how we as citizens see our city and our province. It is a very good piece of legislation.

For the government to stand here today and say they do not want to discuss this piece of legislation just is another indication of how little care and concern this government has for the citizens of Winnipeg, for the citizens of Manitoba. They do not care about passing a piece of legislation or, at the very least, debating this legislation so we know what the government's position is on this piece of legislation. But they are too chicken, if I could use that word. [interjection]

Yes. Oh, the member for Arthur-Virden (Mr. Downey) is unhappy with that word, is he? Well, then, maybe the member for Arthur-Virden would like to put his government's position on the record on this very important piece of legislation instead of just sitting on it—

Madam Speaker: Order, please.

Point of Order

Mr. Marcel Laurendeau (St. Norbert): Madam Speaker, the honourable member for Wellington knows quite well that all questions and comments should be put through the Chair. She is directing her comments directly at a member on this side of the House. Could you bring the honourable member to order, Madam Speaker?

Madam Speaker: Order, please. The honourable member for St. Norbert indeed does have a point of order. I would remind the honourable member for Wellington that when speaking she should be speaking through the Speaker or the Chair.

* * *

Ms. Barrett: Madam Speaker, I take full responsibility for the fact that I did not follow the rules of the House, unlike some members of the government benches who, No. 1, are not called to order, and, when they are called to order, do not choose to follow the rules of the House.

I will say through the Speaker to the member for Arthur-Virden that if he has some problems with my comments on this piece of legislation or my concerns shared by my caucus colleagues that this very important piece of legislation is not being debated by the members of the government, then that is too bad for him, because it is incumbent on all of us as legislators, whether we are debating a government bill or a private member's bill brought forward by the opposition, that the people of Manitoba, as represented by us, know what our position is on pieces of legislation. We have an opportunity this afternoon because of the paucity of meaningful legislation brought forward in this session by the House.

Madam Speaker, I think that we all know why there are not very many pieces of legislation on the Order Paper this year. It is because the government expected, as did the people of Manitoba, that by the middle of the month of May this House would have risen and we would have been into a provincial election campaign. We know why that did not happen. We know that the Premier stuck his toe into the water and it was cold. It was very, very cold.

An Honourable Member: Is this relevant to the topic?

* (1610)

Ms. Barrett: Madam Speaker, I believe this is very relevant to the concern that I am raising, that we have a very small legislative agenda, we have a very important piece of legislative business before us on the table. The member for Gimli (Mr. Helwer) in whose name this piece of legislation is standing, is choosing not to participate in the legislative process. The government members are choosing not to allow the bill to go forward. They want the bill to remain standing.

Madam Speaker, if they had any intestinal fortitude, they would put on the record what their position is on this piece of legislation. If they do not put it on the record, they run the risk of having the people of Winnipeg and the people of Manitoba saying, ah, ha, they were not prepared to deal with this legislation; therefore they do not support it. It is a logical conclusion to make. So I would suggest to the members opposite that they take advantage of the fact that we have virtually a total wasteland of legislation in this session and deal with Bill 203.

Point of Order

Hon. Glen Cummings (Minister of Natural Resources): Madam Speaker, this government was anxious to get in here and debate the important items that the opposition was crying for, and this is it? This is all they bring forward? Where are the points of interest that they wanted this government to sit and debate all summer? We are waiting for some input.

Madam Speaker: Order, please. The honourable Minister of Natural Resources did not have a point of order.

* * *

Ms. Barrett: Madam Speaker, the member for Ste. Rose (Mr. Cummings) asked where our agenda was. We have the lightest government legislative agenda in the 11 years of this government's reign, the lightest. I have given one reason why I believe that that is so, and that is because this government thought they would be in the middle of—well, would have completed their election campaign by now but also because they have been in power for over 11 years. They are tired. They have no new ideas. Bill 203 that we wanted to debate this afternoon and wanted the government's position on on the record is only one part of a very extensive program of justice initiatives that we have raised over the last few years.

In the last year, just in the earlier parts of this year, we have the graffiti law that we are attempting to debate, and the government is refusing to put their position on the record. We have had a youth crime package that was announced in February and again in June, a five-point plan dealing with auto theft that was announced on April 14, a maintenance enforcement plan that was announced on May 7, and an antigraffiti plan reminder on June 9. So in response to—

Point of Order

Mr. Laurendeau: Madam Speaker, on a point of order, the honourable member for Wellington (Ms. Barrett), again, knows the rules quite well. At this time, we are debating Bill 203 which is The Graffiti Act which the honourable member for St. Johns (Mr. Mackintosh) has brought forth, not all these other bills which the honourable member is talking about.

I would like to hear about the relevancy on Bill 203. Thank you.

Madam Speaker: The honourable member for Thompson, on the same point of order.

Mr. Steve Ashton (Opposition House Leader): Madam Speaker, I believe the Deputy Speaker

might have benefited from a little bit of patience, because what the member did was outline our agenda in terms of issues, not other bills. These are all specific plans brought in, and the moment he stood the member was pointing out that not only have we brought in this bill, but we made an announcement on this particular issue in terms of graffiti.

So, in fact, what the member is doing is pointing out that while we have outlined an agenda, this government has brought in the lightest legislative agenda in 11 years.

So if anybody has run out of gas, I would suggest that the government go look in a mirror. It is this government that has run out of gas.

Madam Speaker: Order, please. The honourable member for St. Norbert did indeed have a point of order, and I would ask the honourable member for Wellington to keep her comments—this is second reading of Bill 203—relevant to the bill.

* * *

Ms. Barrett: Madam Speaker, I am going to close my remarks on Bill 203 and again to reiterate the distress and the disgust—I use that word—that I have for this government's unwillingness to debate the issues that are of importance to the people of Manitoba, the lightest legislative agenda in 11 years. Here we have a piece of legislation that actually discusses an issue of importance to people in Manitoba, a piece of legislation that can help make our city, in particular Winnipeg where the largest problem of graffiti resides, a bill that, if it were passed, would go a long way towards alleviating a very difficult problem facing the people in Manitoba and Winnipeg, and this government refuses to debate it. That is just another sign of this government's tiredness, unwillingness to discuss issues of concern to people in Manitoba and their disdain for the legislative process. Shame on them, Madam Speaker, shame on them.

Mr. Laurendeau: Madam Speaker, the honourable member has challenged me to speak to Bill 203. Let me tell the honourable member that it gives me great pleasure to rise today and

speak to said bill that the honourable member is speaking about.

Madam Speaker, we as a government do not bring forth legislation, such as the NDP do, just for the sake of bringing forward legislation. We, today, have in place laws that make it illegal for people to do this graffiti. Within my community alone, I can show you 15 times where we have had kids, the children who have made these mistakes, go and have to correct those inequities. We did it as a community. We did it with the existing laws that are on the books today.

So, Madam Speaker, for this member to bring forward legislation that is already on the books today, to try and say that this is the way to go—there might have to be some adjustments to the laws we have, but there is no necessity for what the member is bringing forward today. The legislation that we have today is in place. The legislation is there. We as a community must work—[interjection] You got my position right, Gord.

So the legislation that this member is bringing forward would need a lot of work. This is something—

Point of Order

Mr. Tim Sale (Crescentwood): The member for St. Norbert very recently spoke about addressing members by their names. He just finished doing that, Madam Speaker. I wonder if you would call him to order.

Mr. Laurendeau: Madam Speaker, I would like to apologize.

Madam Speaker: Order, please. The honourable member for Crescentwood did have a point of order, but the honourable member for St. Norbert indeed has admitted and apologized to the violation of the rule.

* * *

Mr. Laurendeau: When one lives in a glass house, Madam Speaker, he should not throw rocks, and I guess that is what I have been doing today a little bit. The honourable member for St. Johns (Mr. Mackintosh) is correct. The

honourable member for St. Johns brings forward an issue that, yes, we have a lot of concern within the city of Winnipeg. We see a lot of what is happening throughout the city with some of these graffiti artists, as they call themselves, but dealing with the issue is not as simple as legislation. With some of the people who are doing this so-said art out there, we are running into more problems of education for some of these certain groups of people, these gangs, as they tag buildings, as they tag certain objects. That is the area that this government is working on, correcting some of the gang problems that we have within the city, and that will correct some of the inequities we have within this so-called tagging practice that some of these juveniles and, in some cases, adults have been doing.

So, Madam Speaker, do I see the necessity for this law? No. We have in place laws in Manitoba that—

Point of Order

Ms. Barrett: Madam Speaker, I believe that the member for St. Norbert is straying from the discussion of Bill 203, and I would like you to call him to order and ask him to speak to the specifics of Bill 203—most particularly, is he in support of what is in Bill 203?

* (1620)

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

* * *

Mr. Laurendeau: Madam Speaker, I am sorry, I thought I was speaking about the graffiti, which was exactly what this bill was about. If the honourable member did not hear those comments, I apologize, but I am attempting to put forth on the record my position. The honourable member asked for that position, and I am attempting to do that. Why she does not seem to be getting the drift of it, I am not aware.

But, Madam Speaker, the graffiti problem has been a concern of mine in my area, but we put together teams that have gone out and

cleaned up some of those areas. We, as a community, have used the existing laws today. There are some adjustments that will have to be made on the laws in the future, but I believe that we have to work with the community to see that the laws that are put in place are workable. That is what I am not sure about with this law, that it is workable. Until such time that I know it is workable, I cannot support this type of legislation. Thank you.

Ms. Diane McGifford (Osborne): Madam Speaker, I am pleased to rise today and put a few remarks on the record, and I would like to begin by agreeing with the member for Wellington (Ms. Barrett). I was certainly shocked when the member for Gimli (Mr. Helwer) did not rise and speak to the bill. I thought he had a little bit more gumption and moral fibre, so I am quite disappointed in his refusal to address this extremely serious issue. However, he made his choice. I was also extremely disappointed in the member for Ste. Rose (Mr. Cummings), who I believe said that this was a nothing bill. The issue of graffiti may be nothing in Ste. Rose, but I can assure the member that it is a very serious issue in the community that I represent, the community of Osborne.

If anybody from this Legislature drives through Osborne Village, and I am sure we all at some time do, and especially takes any of the by-ways, you will notice that graffiti is a problem. It is one that the Osborne Village business owners have struggled to deal with but certainly would be in a better position to deal with if there was some legislation that had a little clout which would help them to do their work.

I know that the member for St. Johns (Mr. Mackintosh) brought this matter to the Legislature last year, brought in a bill last year, and I know that last year we had a similar reaction from the members opposite, the same kind of cowardice and refusal to speak, other than I do recall very clearly the member for St. Norbert (Mr. Laurendeau) did rise and I think made much the same speech as he did today. Whilst we are speaking about the member for St. Norbert, I would like to say that I am very happy that the community is able to mobilize and do the work in St. Norbert, but St. Norbert is not typical of all communities. Osborne Village, for

example, is much more an apartment-based community. There are many seniors. There are a lot of transient people living there, and the community organizes itself differently.

To do the work that perhaps can be done in St. Norbert through community people cannot necessarily be done in Osborne Village or in other areas of our city, which is why we need some legislation. I really think that the refusal of this government to speak on this matter is probably indicative of the fact that they do not have a position. If they supported graffiti control, they would endorse the bill put forward by the member for St. Johns or put forward something of their own, and they have failed to do so quite miserably.

Graffiti, as I think we would all acknowledge, is particularly or can be particularly a problem in downtown communities, so maybe this is one of the reasons that this government is not interested, because they have not shown much interest in Winnipeg; they have not shown much interest in urban affairs. I know that the Minister of Urban Affairs (Mr. Reimer) popped up and suddenly listened. Maybe he should get on his feet and address this important issue of graffiti control, actually come to terms with this very serious issue.

I do not think that graffiti, Madam Speaker, in itself destroys a neighbourhood, but it creates a climate, sometimes creates a climate of fear and unease. It certainly is not esthetic. It does not make people comfortable in their communities. It can also, I think, be the beginnings of a kind of wave of decay. It has to be, I think, nipped in the bud.

It is a social problem as much as anything, and we have to deal with it. Now, the member for St. Johns (Mr. Mackintosh) has proposed a number of crime fighting measures. I think it is interesting that this government, which does not have enough courage to address this particular issue, accuses the opposition of having no new ideas, but the member for St. Johns has a raft of new ideas. He proposed a youth crime package earlier this year. He has proposed a maintenance enforcement package. I was pleased to work with him on that package. He has proposed an

auto theft plan, and now we have the graffiti control plan. There are four very solid ideas, all ideas that would work to create community, that would work to create safer communities, healthier communities, and alleviate some of the poverty and disruption that characterizes some parts of our city.

The Graffiti Control bill is very specific. It is a serious bill that proposes serious deterrents. The Graffiti Control bill addresses the issue of cover-up, immediate cover-up or as soon as possible. It proposes a minimum fine. It proposes community service. It also proposes the suspension of driver's privileges for those who indulge in graffiti. I think it is very interesting that the member for St. Johns has included community services, because it seems to be a tit for tat. Those who interfere with the smooth and healthy runnings of the community by defacing the community will be in a position where they can come to terms with the real meaning of community by performing community service. So it is not retributive. The measures proposed are educative as well as deterrent.

I think I will draw to a close here, but I do want to make the point that this particular legislation is very specific, very concrete. It is an excellent idea. I am disappointed that the government has not chosen to address this very serious issue.

Mr. Gary Kowalski (The Maples): I would like to make a few comments about this bill. I think that for a number of years, when I worked as a community constable, at first graffiti on first blush to me and my thinking did not seem to be an important issue. But I came to realize that graffiti by some is considered a form of violence, violence on the community. More and more people reported to me how it made them feel about their community, elderly people in the community of Lord Selkirk when they saw hateful things written. When they saw gang graffiti it made them frightened and want to stay in their homes. So it is a very important issue.

I remember as far back as 10 years ago, people were starting to do graffiti cover-up campaigns. A lot of them were community based. I have to respectfully disagree with the

member for Osborne (Ms. McGifford). I think with the right organization any community could be mobilized to do a graffiti cover-up. I have seen it done in every part of the city. And if we examine what is being done right now about the graffiti program, there are some fantastic things that are happening. Number one, Take Pride Winnipeg has been doing some fantastic work with graffiti. I have seen it. At times their response is not as quick as it is at other times, depending on the volume that they have. A lot of times they look for community groups.

* (1630)

I know they have invited me as an MLA to organize a community group in my area. If I do they would come out and assist me, so any area of the city that wants a cover-up graffiti campaign, we as MLAs can show leadership and find volunteers in our community and Take Pride Winnipeg will gladly assist us in that.

Constable Shawn Matthews, a community constable with the Winnipeg Police right now, has become one of the department's experts in graffiti. He has gone to conferences and that, and now he is heading a cover-up graffiti ongoing community work service program. On our justice committee, the Maples Youth Justice Committee and other justice committees, we are invited to contact Constable Shawn Matthews who will pick up the youth at their home—it could be during the school year, it could be after school, it could be on weekends—and will take them and have them do as many hours as possible on a Saturday, the entire day, or in an evening, working on covering up graffiti. So there are positive things that are happening

Madam Speaker, I remember back when we had the Maples Youth Service Canada project funded by the federal government for two summers in The Maples, and in the first year Colleen Dell, our co-ordinator, developed a graffiti cover-up handbook. She developed it as a prototype, and it was a handbook to tell other community groups how to run a graffiti cover-up program. I know on several occasions the member for Burrows (Mr. Martindale) came out with Youth Service Canada, and we did cover up graffiti campaigns in the north end together. It was very good.

So right now there are a number of things. Besides cover-up graffiti there are a lot of preventative programs going about graffiti. I know working with the Seven Oaks School Division, the Province of Manitoba through the Urban Green Team, the Government of Canada through HRDC. We have received funding for the Maples youth activity centre which will employ a number of young adults, who live in The Maples, to operate activity centres every day of the week, in different schools in The Maples area.

And you say, what does that have to do with graffiti? Everything, because from two in the afternoon until 10 every night there is a safe place, safe from gangs, safe from violence, where youth in The Maples area could have activities. It is not just sports; it is everything from crafts to music to sports and other activities, and that is the type of program that will keep youth busy, active, happy, responsible, so they will not do graffiti.

The other thing is what I am trying to develop in The Maples is pride in the community. As youth feel part of their community, why would they want to damage their own community if that community belongs to them? Just today I dropped off my last constituency report to The Maples, and it is titled Maples Pride, Proud to be from The Maples, and in fact, I have printed up T-shirts that I am selling as a fundraiser for the Maples youth activity centre that says Proud to be from The Maples, and we are selling them to youth in The Maples. As we develop a community pride and if they are proud of their community, why would they want to deface it? I think others can do that type of thing.

So I have to admit that I have not studied the member for St. Johns' bill as well as I should, but if I know the member for St. Johns, he has been active in youth justice committees, and he is very interested. I know he is active in Neighbourhood Watch, and I am sure his intent is good. Whether or not this legislation will help, I am not 100 percent certain, but anything that will help is welcome and we would support.

Thank you, Madam Speaker.

Committee Change

Mr. George Hickes (Point Douglas): Madam Speaker, I move, seconded by the member for Broadway (Mr. Santos), that the composition of the Standing Committee on Industrial Relations for Monday, July 12, 1999, for 10 a.m., be amended as follows: St. Johns (Mr. Mackintosh) for Transcona (Mr. Reid).

Motion agreed to.

* * *

Mr. Jack Penner (Emerson): Madam Speaker, I really had not intended to rise on this bill. However, after having listened to members of the NDP party address this bill on graffiti control and after having listened to the member for The Maples (Mr. Kowalski), I just was compelled to get up and say a few comments on, first of all, the bill; and secondly, some philosophical differences that I think are appearing. I think that the member for The Maples quite clearly enunciated it.

It has become very apparent that the NDP party in this province clearly wants to distinguish itself as the welfare party. There is no question about that. Everything that we have heard so far, presentations at committee, questioning at committees, on all sides of these issues, it is clearly becoming evident that the NDP's main platform in the next provincial election, in my view, will be ensuring that welfare will be retained as we know it and enhanced. Secondly, I believe it is important to note that these people are supporting bills and legislation that does away with a significant amount of programming that our government has put in place in areas such as Bill 203.

The bill that was passed a couple of years ago, I believe, that we put forward on graffiti and how to deal with the elimination of the graffiti on buildings and ensuring that there would be community involvement and community support by actions instead of just throwing money at it is, I think, again a significant one. The bill here, 203, I think addresses mainly fines. Again, that is the authoritative-control approach of the NDP party.

When I heard the member for The Maples (Mr. Kowalski) address this issue, I think it was one of the most responsible speeches that I have heard in some time, and the member for the Maples lives this sort of situation on a daily basis. I have a great deal of admiration and appreciation for somebody like the member for The Maples standing in this House indicating to us what should happen instead of, and the kind of actions that he has taken as a member. I think that is admirable. The kind of community involvement that he is showing, and is not only showing, but demonstrating in his own community, I think is what true political involvement is all about and should be.

So, therefore, Madam Speaker, I had to rise and recognize some of the comments that the member for The Maples (Mr. Kowalski) put on record because I do not think he put them on record frivolously. I do not think that he frivolously put forward an act or spoke against an act frivolously. I think he wanted to clearly indicate what the needs of the young people in the downtown core area really are.

I will never forget the meeting that we had on the Young Offenders Act in the core area when Reverend Lehotsky came and spoke to the meeting on the Young Offenders Act. I know that the honourable members opposite, the NDP party laugh at religious leaders. They do this continually. They ridicule the religious leaders of this province, as they ridiculed Mr. Lehotsky. Mr. Lehotsky, quite frankly, in my view—and I did not know him before I heard him speak to the Young Offenders Act, I had never met the man before—but this man again truly demonstrated to me an involvement and a willingness to get involved on the ground floor with young people. This man truly took the church to the people, did not have to build a huge monument as the NDP party continuously wants to do in its proponents of budgeting and budget changes. It appears to me that the ground-floor involvement, as the member for The Maples (Mr. Kowalski) has indicated, is the only way that we are ever really going to see change.

*(1640)

Many of the pieces of legislation that we have put forward during the 10 years that I have

been in this House have clearly been that kind of legislation—community involvement, empowerment of people kind of legislation. This bill, in my view, does exactly the opposite. It is time that we in this House said to the people of Manitoba, we believe in you. We believe in the people of Manitoba. We believe in our young people. We believe in empowering our young people to make decisions for themselves, and that we would encourage them to become upstanding, solid, working citizens, instead of throwing welfare at them, throwing money at them continually as is being proposed by our opposition members.

Young people have a great deal of pride in themselves, but young people also have a great deal of energy. This bill does nothing to support that energy. This bill only does what this bill clearly states out that it should do, and that is take away empowerment of young people and institutionalize them for energies that they exude. It is high time that we as politicians had better start recognizing that those young people want to be able to harness their energies. They want to be productive young citizens of our province.

If we encourage them, direct them, work with them on the ground floor, as the member for The Maples has said that he has done through community clubs, through organizations, through the churches, as Mr. Lehotsky has done and is doing. Many other church leaders and community leaders in this city are truly getting involved. They do not need restrictive legislation; they need empowering legislation. We need to as legislators far more focus on the ability of getting the rights and focusing on the ability of the people to encourage the young people to become the kind of citizens that we want them to be.

Thank you very much for giving me the opportunity.

Ms. Marianne Cerilli (Radisson): Madam Speaker, I wanted to put some comments on the record related to Bill 203 as it has been introduced by the member for St. Johns (Mr. Mackintosh).

You know, I listened to the members opposite, and it never ceases to amaze me the

lengths they go to become partisan on an issue that I think all sides of the House can agree on has become increasingly a problem across the province. I know in the area that I represent, it has been difficult to deal with. There are some programs. They are on-again, off-again programs. I know that residents have called in concern about the response time when they call the graffiti reporting line, that there is a waiting list to have graffiti removed in the East Kildonan-Transcona community, that programs that have been set up for short periods of time on different grants are no longer available.

So I fail to see why members opposite, such as the Minister of Housing and Urban Affairs (Mr. Reimer), would not be on their feet supporting a bill that is going to enable communities to start doing what this government says they want to do. They have had ads on TV. They have had ads on TV about cracking down on crime. Here we talk about having some type of restitution program put in place so that the young people who are seen to express their artistic abilities in this way are going to have to repair the damage that they are doing to private property, are going to have to take some responsibility, another thing this government claims that they are trying to do also, but just because we are introducing it, Madam Speaker, on this of the House, they are silent.

The Minister of Urban Affairs and Housing—I do not know if he is reading the file I have been waiting to get for the last month and a half. He is busily reading something, Madam Speaker, but he is not speaking on the bill, and he is certainly not responding to a proposal that would go to assist a problem that has increased by far, far and away a greater amount since they have been in government, since they have reigned over the increase in gangs in our province, in our city. The Minister of Urban Affairs is sitting there and reading a report, and I would hope that he would support the bill, that he would rise and certainly at least put his position on the bill on the record, would certainly put some comments on the record about why they are not going to support the bill and would explain to us some reason why they would not want to see an order in place to have to perform 50 hours of community service for those who are caught defacing private property.

We know that there is a serious problem in the urban area of Winnipeg, that when the new assessment comes in in terms of taxes, that property values are going to be reassessed, and many areas are going to suffer and the revenue line of the city is going to suffer. There are going to be serious consequences even at the provincial level, because we have such a decline in property values in the city of Winnipeg.

It has been another problem that has gone completely unaddressed by this government. It is compounded by problems such as graffiti, and, again, we have the minister across the way sitting silently. The other day I asked questions about why this minister is hiding. Why is this minister not providing information he promised more than a month and a half ago, more than two months ago? Perhaps he is waiting for the session to be over, so we cannot ask him further questions. Why is the minister hiding on issues related to graffiti? Why is the minister hiding from tenants who want to meet with him? There are many, many issues, and the Minister of Housing and Urban Affairs (Mr. Reimer) does not deal with the fact that there are serious problems in urban areas in this province, and this government, all that they have done is cut programs. They have not instituted the kinds of programs that are going to add to the property values in Winnipeg and other urban areas. [interjection]

I am explaining to the members opposite that this is another example of where the Minister of Urban Affairs and Housing has been silent, and we want to hear from the Minister of Urban Affairs and Housing what their position is on this bill.

I think that any bill that talks about, wherever possible, having community service hours required in dealing with a problem like this would be supported, but we have to remember, I think it was under this government that they got rid of the fine option program. That was another program they emasculated, I guess I could say, because the program is there, but it is not there I think in the same way for people who had different violations, parking tickets and the like, where they could do community service to work off those offences. In trying to create a program that would deal

with graffiti, those are the kinds of community-based solutions, the kind of restitution, alternative measures programs that we are talking about in this bill.

I was just reading the section of the bill that makes reference to the Young Offenders Act of Canada. I mean, this is another issue that the government has touted itself on, where it has taken out ads. It has gone to Ottawa. It has made recommendations. It has chosen this as one of the issues that it wants to deal with, so it is difficult for us to understand when we bring in legislation in a way that we thought would be supported by all parties, I listened to the member for The Maples (Mr. Kowalski) speak, he was in support of the legislation. The member for Inkster (Mr. Lamoureux) as well, I believe, spoke on the bill. We are waiting to hear particularly from the Minister of Housing and Urban Affairs (Mr. Reimer) what the government's reasons are for not supporting the bill.

I know that the Minister of Housing must be aware that graffiti is a problem on a number of the properties that are owned by his department and through the Manitoba Housing Authority. I think that a number of the tenant groups that are involved in those properties have tried to address the problems, not only of gangs but of graffiti as well.

I basically wanted just to put those comments on the record and encourage the Minister of Urban Affairs and Housing to respond. I look forward to hearing his comments.

* (1650)

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

Messages

Hon. Harold Gilleshammer (Minister of Finance): I have a message from His Honour the Lieutenant Governor, the honourable administrator, of the government of the Province of Manitoba.

Madam Speaker: Would all members please rise.

The Lieutenant Governor transmits to the Legislative Assembly of Manitoba revised estimates of sums required for the services of the province for Capital Expenditures and recommends these revised estimates to the Legislative Assembly.

Mr. Gilleshammer: I move, seconded by the Minister of Industry, Trade and Tourism (Mr. Tweed), that the said message, together with the Estimates accompanying the same, be referred to the Committee of Supply for consideration and report.

Motion agreed to.

Hon. David Newman (Deputy Government House Leader): Madam Speaker, I move, seconded by the honourable Minister of Finance, that Madam Speaker do now leave the Chair and the House resolve into a Committee of Supply to consider the resolution respecting the Capital Supply bill.

Motion agreed to.

COMMITTEE OF SUPPLY

Capital Supply

Mr. Chairperson (Marcel Laurendeau): The committee will come to order. We have before us for our consideration the resolution respecting Capital Supply. The resolution reads as follows:

RESOLVED that there be granted to Her Majesty a sum not exceeding \$1,106,900,000 for Capital Supply for the fiscal year ending the 31st day of March, 2000.

Is it the will of the House to adopt the resolution?

Some Honourable Members: Agreed.

Mr. Chairperson: This is the nondebatable one. Is it the will of the House to adopt the resolution? [agreed]

Concurrence Motion

Hon. David Newman (Deputy Government House Leader): Mr. Chairperson, I move,

seconded by the honourable Minister of Finance (Mr. Gilleshammer), that the Committee of Supply concur in all Supply resolutions relating to the Estimates of Expenditure for the fiscal year ending March 31, 2000, which have been adopted at this session by the three sections of the Committee of Supply sitting separately and by the full committee.

Motion presented.

Mr. Chairperson: Is it the will of the House—is this debatable?

Mr. Leonard Evans (Brandon East): Which number are we on, Mr. Chair?

Mr. Chairperson: We are at No. 8, which is not debatable according to my—

Mr. L. Evans: It is a debatable motion.

Mr. Chairperson: Okay, this one is debatable. This is No. 8. This is the debatable one.

Mr. L. Evans: Mr. Chairman, does the minister have or does the government have any list of supply of capital expenditures? I know we have had them in the past, but do we have any to present here at this time?

Mr. Chairperson: Yes, we do and here it is.

Mr. Kevin Lamoureux (Inkster): Mr. Chairperson, I did have a number of questions. I understand this is the line in which I can pose questions to different departments.

Mr. Chairperson: This is the place where you would ask the questions of the different departments, yes.

Mr. Lamoureux: Thank you, Mr. Chairperson. It demonstrates that one can learn by experience. Having said that, I did have some follow-up in terms of Question Period, which I do not think is to any great surprise. I express a little bit of disappointment in terms of, we have consistently articulated inside the Chamber as to the importance of having an independent investigation in terms of what took place at Maples Collegiate between the principal and

teacher and now one could even possibly extend it to the administration.

What I wanted to do was to have some dialogue with the Minister of Education in regard to that. I have not completely digested the entire report. I have had the opportunity over the last 24 hours to get a bit better understanding of it. I will tell you one thing, and that is there sure are a lot of blanks, which does even make it that much more challenging. Fortunately, for me, I am somewhat familiar with a lot of the details, so some of the blanks I can actually fill in.

But in Question Period I brought up a couple of issues, and I want to further explore them at this point because maybe I can explain it a little bit better so that the Minister of Education is aware of where it is that we are coming from in dealing with this. Unfortunately, I kind of mixed up my papers after Question Period, so I am somewhat looking at the same time. I know I have a fresh report also, which is not mixed up, but if you will bear with me here momentarily.

* (1700)

What really caused some concern, if you look at the conclusion in Part 5, which is on page 21 which really is—one might think that it is somewhat humorous—but given the nature of the violation, we take it quite serious. What I found quite surprising was 1 and 2. In 1, it is very short because the vast majority of it is whited out. It is: there was a contravention of examination protocol.

Well, I do not necessarily know— [interjection] The member for Osborne (Ms. McGifford) is showing something that no other New Democratic MLA has shown thus far and starts questioning some of the things that I have been questioning. After I am done questioning on this, I trust and hope that the member for Osborne will be more than happy to continue on with some of the discussions.

Mr. Chairperson: Could I ask the honourable member, if you are going to put a question to the minister, that he should put it through me, No. 1, and not debate the members of the opposition or the other members individually at this time.

The honourable member for Inkster, to pose his question. Thank you.

Mr. Lamoureux: Thank you, Mr. Chairperson, I guess I got a little bit overeager in some of the background noises that I was hearing to the right of me.

Having said that, what I found really interesting was the second conclusion, and that was that there was not, nor is there any evidence to suggest that there was, a breach or violation of provincial examination security in either June of '98 at the Maples Collegiate or prior, subsequent to June 1998. Then it also makes the quip there that this conclusion is supported by the actions of the Assessment Branch of Manitoba Education and Training. It would be interesting to hear the minister's comments in terms of his own branch, if in fact that is an accurate conclusion in terms of that particular comment. But what I find amazing is the fact that what we have and what we know is that there was a breach, there was a principal, Mr. Brian O'Leary, that did open the sealed box. There was a directive that was sent by this government saying that you cannot unseal these boxes, and we know that that took place. We know that because in this particular incident the minister or the principal said, yes, that he did it. I did not hear any sort of a repercussion for his breaching. One might even go as far to imply that it is almost as if he is mocking the need for security. I do not believe, at least to the best of my knowledge, that there was any sort of a reprimand of any sort.

Well, that is something that we know did occur. There are other allegations that were made, Mr. Chairperson. Another specific allegation, No. 4, and if I may to read that allegation: In January, a 40S mathematics examination went missing under the same circumstances as in June 1998. "Blank" received a copy of the examination from—and then we go into more whiteout. But it indicated, and I quote from the report, page 12: "Blank" indicated that he would be prepared to attest to this in a court of law.

Well, Mr. Chairperson, again the author of this report does not substantiate either way

whether or not it actually occurred. This is part of the reason why it is that I think that, if anything, this report substantiates the need to have an independent investigation, because if you read the conclusion that I just read into the record where it is stated that there was not, nor is there any evidence to suggest that there was a breach or violation, we have one that is very clear—the principal has admitted to it—we have a very serious allegation that there were others. We do not know in terms of if it was the same individual. I do not know because of the blanking out and so forth, but I find it hard to give the report credibility when the author of the report seems to be of the opinion that there is no breach. That is what it says in the conclusion. I have a very difficult time accepting that.

I would have expected the Minister of Education (Mr. McCrae) to have had a difficult time in accepting that and that the minister should have been looking at having that independent investigation virtually upon reading the report. That is something that surprises me, and that is why I said at the beginning why is it the government would not have acted quicker.

There is a reason why I say that. I have consistently argued and articulated the importance of the integrity of the standard exams. Consistently I have done that, and I am disappointed in terms of the lack of action to protect that integrity. I say that because what message—especially if you read the report, what message are you sending out? The report implies that, look, we do not have any problem if you unseal these boxes in advance; it is not a problem at all. That is what one could interpret very easily out of it. Other potential interpretations could then be extended in terms of the whole security of the exams. If it is okay to open the exams, does it really matter in terms of the marking of the exams who is actually doing the marking?

We spend millions of dollars annually to protect the integrity of these standard exams, and we are sending a message, I believe, that says that it does not really matter, and the reason why it does not really matter is you have to take a look at the actions that have been taken to date with regard to the initial violation of that breach. It is depressing, the lack of action and then only

to find out yesterday that this might not have been the only breach, that we might have seen a number of breaches at the same facility.

Well, I indicated to the minister previously that it took a great deal of courage for Mr. Treller, and I have no hesitation in using his name, in reporting the breach to the Department of Education. If you are a teacher in whatever school division—and there are a number of individuals who are teachers who sit inside this Chamber. The minister argued to me that, look, it is your duty; you have a duty and responsibility to report the breach. Well, let us look at the perception of Mr. Treller when he reported the breach. The perception is, amongst many of his peers, that he was demoted as a result of it, and the person who committed the breach absolutely nothing, no reprimand, no slap on the wrist, absolutely nothing happened, Mr. Chairperson. I look at that, and if you add a few more days to the initial breach, you will find that this individual was, in fact, promoted.

Well, I look at that as something in which it is very hard for me to tell a teacher that, look, you have a duty and a responsibility to report when someone violates or breaches the security, when in fact they could say, well, look what happened to Mr. Treller when he did this. Who stood up for Mr. Treller, the individual teacher? There are thousands of teachers who, I believe, could be aware of what has taken place, and, quite frankly, one has to really question the duty or responsibility versus what happened in this particular incident. We all like to think that people are going to do what is right—and Mr. Treller did what was right—but you have to assess the perception of what happened to him as a direct result.

* (1710)

That is the reason why we believe very firmly that this is serious. I disagree with the member for Brandon East (Mr. L. Evans) when he says it has a lot to do with nothing, because I believe that this is, indeed, a very serious issue. [interjection] It would be interesting to hear the Minister of Finance (Mr. Gillshammer). You know, the member for Brandon East is suggesting the former principal, the Minister of Finance, comment on this action.

I would expect that, had it been the current Minister of Finance and he was the principal, and he had opened up the package and no actions were taken against the Minister of Finance in a capacity as the principal, you would have had the opposition benches, not only the Liberals but also the New Democrats, standing on their feet yelling and screaming cover-up and demanding immediate action if he was even tied in as a Tory in any way, let alone a campaign manager.

In fact, I would even go further to imply that we would have had the critic of the NDP opposition stand up and question the government if this happened to a principal that was really and truly apolitical. It is something that goes beyond party politics. The party politics is what gives it, no doubt, a lot of flavour inside the Chamber, and that is the reason why we suggest, given the political nature of the incident, that the government should not be conducting an internal—within the Department of Education—review, nor do I have any confidence in the school division conducting a review or a so-called independent review of this nature. I think that what is necessary is that we have an independent review, and I am disappointed that the Minister of Education (Mr. McCrae) to date has not agreed to call for an independent review.

What my intention is to do is to continue to talk to this at least till six o'clock, and if the opportunity is there on Monday, to continue to talk about this issue as much as possible until the Minister of Education (Mr. McCrae) either says one of two things, the government will not have an independent investigation or the government will have an independent investigation, Mr. Chairperson.

I say that because I am not going to give up on my constituent, who I indicated that I would fight for this on this particular issue, nor am I going to give up on the issue of a provincial directive that this government issued and someone followed. The perception is because that individual followed that directive that he was demoted and everyone was so happy and content just to override the initial breach. Whether you agree or disagree with the competence of the teacher that ratted on Mr. O'Leary—[interjection] Yes. Whether one

disagrees with the competency of the teacher that ended up reporting to the Ministry of Education is the secondary issue here. The major issue is, of course, the breach and this government's inability to protect the integrity of the standard exams.

I might stand alone in aggressively challenging the government on this particular issue, but because this individual happens to be the chair of the New Democratic campaign or one of the chairs of the New Democratic campaign, the government seems to be willing to have some dialogue on it. I appreciate that dialogue, but I do want to let the Minister of Education (Mr. McCrae) know just how serious I am on the issue by indicating unless somehow it is manipulated out of the concurrence and I am not made aware of it, my intentions are to continue questioning this Minister of Education on this issue, if it means going page by page through the report asking for opinions, until the Minister of Education does one of two things, either agrees to an independent investigation or agrees to the report as submitted. I think that is a responsible thing for me to be doing and I plan on doing that.

I would like to see the Minister of Education (Mr. McCrae) call for it immediately upon my sitting down after posing what I would like to leave with the minister as my question, that is, there is definitely a very clear breach that has occurred on the standard exams. This report concludes that there is no, and I am going to quote it specifically, because I do not want to misquote it. If you ignore all of the whiteout, this report concludes, in part, that there was not, nor is there any, evidence to suggest that there was a breach or violation of the provincial examination security either in June '98 at Maples Collegiate or prior, subsequent to June '98.

I disagree with that claim. I would like for the Minister of Education to agree with me and immediately upon my sitting down acknowledge the need for the independent investigation. Upon doing that, then maybe we can enter into some discussion as to how that independent committee could, in fact, be struck.

Hon. James McCrae (Minister of Education and Training): Mr. Chairman, I would like to

respond directly to certainly one part of the question placed by the honourable member near the end of his comments. He said that there are two options here, and there may be more, but there are certainly two that the honourable member has referred to. One of them is that there be a further investigation, but he wants me to state whether or not I agree with the report.

I have made no secret, Mr. Chairman, that the report is troubling. Certainly, on a lot of reflection, I simply cannot agree with the suggestion that the breach of the protocol by one Mr. O'Leary—that breach happened. That breach has been acknowledged by Mr. O'Leary, which is the topic of a whole other debate, because New Democrats suggest that, if you have admitted you did wrong, that should end the matter, and everything is okay. If you carry that thinking through to its logical conclusion, you can get some pretty horrific kinds of situations existing.

Having said that, I do not agree with certainly that aspect, while I agree with the aspect of the report and the acknowledgment by Mr. O'Leary. What I do not agree with is that that action, that wrongdoing on the part of Mr. O'Leary, did not compromise test security in the province.

Every day in this House the honourable member for St. Johns (Mr. Mackintosh) and others talk about justice and about how justice should not only be done but be seen to be done. The concern that I have, there are a lot of concerns here, but a major one I have in my present position is the perception on the part of every Manitoba parent and every Manitoba child involved with the public education system that somehow the rules do not necessarily apply, that some children may be given some kind of an advantage over other children in our school system, that maybe teachers can open and principals can open tests, have a look at it, discuss it amongst their colleagues, and maybe students are being told what is in the test.

* (1720)

All of these things, I am not saying they are happening, but I am saying that if we take the position of the honourable member for Brandon

East that we are making mountains out of mole hills here or that this is much ado about nothing, if that is the cavalier approach that we are going to take to something so important as the education of our children and this is what is being preached by members of the New Democratic Party, and if that sermon is believed, Mr. Chairman, we do have a serious problem. In that regard, I have serious trouble with the report prepared by Mr. John Wiens, superintendent of Seven Oaks School Division.

I have to take honourable members back about a year. At that time, one of the very hot topics in education debate was that of standards testing. This year it has changed significantly. There is significant support for standards exams in our province. We even have New Democrats who today are probably grudgingly admitting that, in certain circumstances, standards tests are the way to go. It took them a while to see the light, but, again, they have come around, and they have seen that light. But a year ago today it was a hot topic out there in the field of education.

Mr. Gerry McAlpine, Acting Chairperson, in the Chair

Packages arrive at schools so that these examinations can be administered. On the package, clearly noted: not to be opened until it is time to administer the test, for obvious reasons. This is to protect the security of the exam, to keep anybody from having advance notice of what might be in the exam so that they can bone up on that particular matter. There are all kinds of good security reasons involved.

An Honourable Member: If you only knew what you were talking about.

Mr. McCrae: The honourable member for Dauphin (Mr. Struthers), I invite him to get involved in the discussion. He says: if only you knew what you were talking about.

Mr. Chairperson, the honourable member for Dauphin, I understand, has a background in education. I commend him for that because I think that is an honourable profession, one that I do not have. I have been through this before.

When I was appointed Attorney General in this province, the honourable member for

Concordia (Mr. Doer) said it is like asking the passenger to pilot the plane, when I, as a nonlegal person, was asked to be the Attorney General of this province. Today, from his arrogant heights at the back over there, the honourable member for Dauphin now ridicules me because I do not have an education background. Mr. Chairman, does that make me any less committed to the education of our children than the honourable member for Dauphin, who smugly and arrogantly from his seat suggests I know nothing about education?

The New Democrats are simply dripping with arrogance around this issue. You know, it does not become the honourable member for Dauphin, who normally behaves himself as an honourable member in this place, ought to behave himself, but for some reason he is all exercised about this O'Leary matter that is being raised by the honourable member for Inkster. Why is it the honourable member for Dauphin is all of a sudden so sensitive about the issues being raised by the honourable member for Inkster? [interjection] I do not know if anybody else wants to hear me, Mr. Chairman, but I would like to hear myself.

The Acting Chairperson (Mr. McAlpine): Order, please.

Mr. McCrae: The honourable member for Inkster has obviously hit on a very sensitive nerve on the part of honourable members in the New Democratic Party, and it shows. [interjection] Are we back to order, Mr. Chairman?

Going back, as I began before a number of other matters intervened, to June of last year and previous, there was a different environment in education than there is today where there is a very, very significant support for the New Directions in education brought in by this government through my predecessors in this particular portfolio. Today there is a much higher level of acceptance. I know that a principal in a given school may very well have had misgivings or disagreement about the whole concept of standards testing.

In this case, Mr. Brian O'Leary has acknowledged that he did the wrong thing and

he has expressed regret about that. Unfortunately, if that is all it was I guess we could say that is all it was. But you see, the honourable member for Inkster, who is quite familiar I think with the events that transpired, has raised suggestions that other people besides the initial wrongdoer, Mr. O'Leary, have suffered considerably as a result of the actions of Mr. O'Leary. This is the much ado about nothing referred to by the honourable member for Brandon East (Mr. L. Evans). This is the mountains out of molehills that the honourable member for Dauphin (Mr. Struthers) seems to want to laugh and giggle about this afternoon and ridicule, that real human beings, people who are involved in the education system— [interjection]

The Acting Chairperson (Mr. McAlpine): Order, please.

Mr. McCrae: Mr. Chairman, going back, the department, having been advised of this breach or this alleged breach, later acknowledged by Mr. O'Leary, I think as the department has traditionally done, has tried to show that school divisions are led by elected people. They enjoy a certain level of autonomy within the constitutional framework of the way we do education in our province—I think quite rightly asked the school division to investigate this allegation with a view to giving the department some kind of understanding about what has been done as a result of this wrongdoing, this breach of security, to ensure that it does not happen again. I do not think you see anywhere in the report that there is any reference to what this Seven Oaks School Division has done or intends to do to address this problem at The Maples school or anywhere else. [interjection]

Now the honourable member for Kildonan (Mr. Chomiak) wants to get into the act and throw up a little smoke screen by raising another matter he has been raising in the House.

* (1730)

Mr. Chairperson in the Chair

Just while we are on that topic, I should point out, because he did not ask me today about it, that in response to his inquiries in this House,

the honourable member for Kildonan, I asked the deputy minister of the training part of the Education department to ensure that a review is conducted. That review is underway. I was asked about this several weeks ago by the honourable member for Kildonan. As a matter of fact, the matter was reported to the vocational schools branch back at the time the motor vehicle accident happened, which is in compliance with the rules.

In any event, what I am trying to say is that the honourable member yesterday made reference to the students, and I wanted to be sure that the students were contacted as part of this investigation. I have passed that on to the deputy minister, and that is what is happening. So the honourable member for Kildonan keeps raising this issue about this unfortunate motor vehicle collision in which people were severely injured and somehow in the same context as the other matter, and one has to say, well, now, why is he doing it? Each time the O'Leary matter arises, the matter of the so-called We Care school accident happened. One kind of wonders why that matter comes up from the honourable member for Kildonan only when the Brian O'Leary issue is being discussed. I ask the question simply, it is one of those questions that does not require an answer because the answer is very clear to everyone that the question is asked of.

In any event, I am a little disappointed to hear my friend and neighbour and colleague, the honourable member for Brandon East (Mr. L. Evans), saying things like this is much ado about nothing. [interjection] Now he says it is only about very little, so we have come some distance here. [interjection] The report does not exonerate anybody. The honourable member for Brandon East has not read this report—

Mr. Chairperson: Order, please. Could I ask the honourable Minister—

Mr. McCrae: Or he would know that that is not true.

Some Honourable Members: Oh, oh.

Mr. Chairperson: Order, please. Could I ask honourable members wanting to pose questions

to wait until such time as it is appropriate. At this time, the honourable minister is attempting to answer the question of the honourable member for Inkster (Mr. Lamoureux). The honourable minister, to continue in his response.

Mr. McCrae: The problem I have is that what the honourable member for Brandon East (Mr. L. Evans) said, and I have a lot of respect for him, as he knows, reflects what we have been hearing from the Leader of the Opposition (Mr. Doer), and that is that these standards that we hold so dear really only apply to other people.

That is what I am having a problem with as a politician. I will be quite open and up front about that. I am having a problem with it as a politician, okay? As the Minister of Education, I have others issues to address, and they are serious ones. Some people are suggesting this is not a serious matter. People who feel that way have no attachment to the New Directions in education. That is understandable. New Democrats argued against New Directions in education, argued against standards tests, argued against almost everything that this government has tried to do in terms of improving our education system. [interjection]

Well, you know, it is not good enough just to say, as the honourable member for Brandon East is saying, it happens. This is not like Forrest Gump's "it happens." There are other kinds of "it happens." It is the kind of "it happens" that the honourable member for Brandon East says—these test packages, he suggests, are opened routinely. Well, if this is true, this is a problem, because it leads to all kinds of questions about, okay, if they are being opened before they are supposed to be opened, we have a problem.

Now, Mr. O'Leary did that. He acknowledges it. Other people have allegedly suffered as a result of that. Is that something New Democrats are saying is not important? [interjection] Mr. Chairman, the honourable member for Brandon East (Mr. L. Evans) was complaining just the other day about the honourable member for Assiniboia (Mrs. McIntosh) needling him from her seat. Here I am trying my best to answer the question that has been raised in all seriousness by the

honourable member for Inkster (Mr. Lamoureux), because there are people in his constituency who are hurting, I am told, as a result of the actions of Mr. Brian O'Leary. That is one part of it. And it is not clear that there has been no compromise of test security in our province. That is not clear whatsoever.

We are being ridiculed by members of the New Democratic Party, the arrogance of it. I ask them to look in the mirror. These honourable members who have been so high and mighty and righteously indignant in these last few months, I ask them to look in the mirror and apply the same standards to themselves that they apply to everyone else. You cannot have it that way. You cannot be believed if you apply one standard on the whole world and fail to accept that standard for yourself. You cannot be taken seriously if that is the way you conduct yourself.

I should not be preaching to the honourable member for Brandon East, but it is the honourable member for Brandon East who says that this problem that is being raised by the honourable member for Inkster is much ado about nothing, and he says that we are making mountains out of molehills.

Mr. Chairman, that is not an acceptable reaction. Is the honourable member, who now says it is being blown out of proportion, is he trying to say that everyday that we hear honourable members opposite tell us, oh, there is a horrible crisis going on here and there is another crisis going on over there, is he saying it is okay for us to blow everything out of proportion but do not let anybody else tackle a matter that is a serious matter?

Honourable members opposite today are using all their best attempts at humour, and in doing so they really do say to me that have at work a clear double standard on the part of members of the New Democrats. It is a very human thing. I understand how it happens. Honourable members opposite have failed to take seriously something that Mr. O'Leary himself has taken seriously by acknowledging that he did wrong and expressing regret for doing so, but there is no regret on the part of members of the New Democratic Party, because by shouting me down hope to cover up this

matter further. I do not think it becomes people who have been so self-righteous about issues of late.

So now they say call the inquiry knowing full well their minds are made up whatever happens. The honourable Leader of the Opposition says he intends to take no action relating to Mr. O'Leary. Of course, we know where the honourable member for Crescentwood (Mr. Sale) stands, because he waxed eloquently all afternoon yesterday about the wonderful virtues of one Brian O'Leary. We know exactly where the member for Crescentwood stands on this matter.

Mr. Chairperson: Order, please. Could I ask honourable members to just tone it down about three notches. Hansard is having a great difficulty hearing all your words, and I know that they would like to record this for everybody here or read in the future. So could I ask honourable members who want to put these statements on the record to do so when they are recognized. At this time, the honourable minister has the floor. The honourable minister, to continue.

* (1740)

Mr. McCrae: I do not know how much time I have, but I should wrap up. Mr. Chairman, I simply find it hard to understand how honourable members who have taken such great umbrage at the wrongdoings of people who are not closely associated with the New Democratic Party, how that is somehow a pretty serious matter.

I recognize there are differences. There is no question about that. We have recognized the shortcomings in the actions of our people, but we do not see that happening when there is a shortcoming on the other side. We do not see that test that they apply to us being applied to themselves. This is something that I think does bear having some attention brought to it, but that is a separate matter from what is being raised by the honourable member for Inkster (Mr. Lamoureux). It disappoints me that I cannot get support from honourable members opposite to the whole issue of the security of examinations in a provincial scheme.

The honourable member for Crescentwood (Mr. Sale) formerly was with the Education department. Surely he should, I would have thought, have some kind of respect for a province-wide system that requires levels of security. When somebody makes a mistake other people get hurt. That is what I am hearing by way of allegation here. I cannot see the kindness in people who suggest that that is much ado about nothing. I cannot see a kind spirit in people who suggest that to ask questions about this is making mountains out of molehills.

Mr. Chairperson: I hate to interrupt the honourable minister, but at this time I have the member for Dauphin (Mr. Struthers) and the Minister of Urban Affairs (Mr. Reimer) having a discussion, I think, because I am hearing them very clearly in stereo. If you want to carry on that conversation, could you do so in the loge, so you will not interrupt the proceedings? Thank you. The honourable minister, to continue.

Mr. McCrae: To conclude this answer, Mr. Chairman, the honourable member wants a certain line of action to be taken, either agree to the report, which I have said I cannot do, or to have something else happen. Now, the honourable member needs to understand, I think he does, or let us say to be reminded, and the member for Crescentwood certainly knows this. The Department of Education has very significant powers under the Constitution of our country with respect to education in our province. There are sanctions, very, very serious ones available to deal with issues when they arise. I do not want to be doing something that would be inappropriate to the—[interjection] That is right.

I would not want to be doing something inappropriate to what actually happened, because I know there will be members on the opposition side of the House who would have comments to make about that. But that means, again, here they are just coming to the defence of a wrongdoer, and I do not see how there is anything to be gained by New Democrats for the way they have been handling themselves today in this House, by rushing to the defence of someone who is an acknowledged wrongdoer. Well, that wrongdoer has acknowledged and expressed regret about it, and so honourable

members opposite, oh, it is okay then. Oh, he said he is sorry, or whatever it was that was done. I have to be concerned. [interjection] I think there is something for lots of us to do, here, Mr. Chairman.

I accept my responsibility to do something about this and will indeed do. I remind honourable members I have had this report only a very brief period of time, and it is reasonable to suggest an appropriate level of caution be exercised in moving forward and taking other action. It is pretty clear to me that there is certain action to be taken by members of the New Democratic Party as well, and they have not recognized or accepted their own responsibility here. That is something they will have to answer for. I just say, look in the mirror. That is all I suggest in that regard, but the honourable member knows school divisions actually exist because the Department of Education allows that to happen.

An Honourable Member: Big Brother.

Mr. McCrae: Big Brother, as the honourable member for Transcona (Mr. Reid) points out. Indeed, we are being asked daily in this House to take actions which would show less respect for the autonomy that school divisions do have. That is why the school division was asked to do this in the first place. A year ago my predecessor could have taken some pretty draconian measures if she had been so disposed. No, she felt that it would be appropriate to ask the school division to investigate and to give a report as to what the school division was going to do to preserve the security and integrity of the standards testing system.

An Honourable Member: What are you going to do?

Mr. McCrae: I hear honourable members opposite saying: what are you going to do? Well, I am sure they are very interested in what I am going to do, but I can say to them as well what are you going to do, what are you going to do, except it is inappropriate to use the second person in this House. So I will not do that again.

I will say to the honourable member, through you, Mr. Chairman, for Inkster, that I

am indeed looking very carefully at what is the appropriate thing to do. Keeping in mind, my issue is not about Brian O'Leary. My issue is not about the New Democratic Party and their lack of integrity on this matter. Those are not my issues. My issues are the children of this province. I will not sit in my seat and laugh myself silly and act like a buffoon all afternoon in the light of my own campaign manager's wrongdoing. I will not do that.

I will put the interests of the children of this province first and report to the honourable member just as soon as I can about what I do propose to do.

Mr. Lamoureux: I think it is in part you need to at least set the stage. There are really two issues that we are talking about. The first one is the integrity of the exams. The second one is the individual that was involved and the perception that took place, so that members have a little bit of an idea of actually what has taken place. There was a meeting last June. I believe it was in which I was at a breakfast meeting, and, upon leaving Garden City, I was approached by an individual who was a former teacher at the school, at the Maples school, I understand. He brought me over to a breakfast meeting in which there were a number of teachers that sat around this breakfast table, and they made me aware that there was this breach in the security for the standards exams.

This Mr. Treller was, in fact, demoted from teaching math, and I am talking about the perception. This is the perception that the teachers, his peers, had on the teacher, that he was demoted into teaching computer lab, keyboard. If you think he has agreed to moving, you are on a different planet. He did not agree. He did not. He wanted to be able to say—he perceived it as a demotion. His peers there perceived it as a demotion. You should not attempt to defend Brian O'Leary on this particular point. I am talking about the perception. This is the individual, and this is the human story. The human story of this is that you have someone amongst his peers believing that he was demoted because he in fact ratted, if I can use the word "ratted" on the principal. Those teachers were intimidated, and there was a group of them that I sat around with. Now that

particular teacher has taken—from what I understand because he has been banned to talk to me. The teacher cannot talk to me; he has been instructed that it would be wrong for him to even have any sort of conversation with me. Having said that, I understand that the teacher even had to take sick—[interjection]

Well, I know that I placed phone calls to the individual. Then I had a New Democrat give me a call saying that he has been banned to talk to you from the administration.

Mr. Chairperson: Order, please. Let me remind the honourable member for Inkster, as I have in the past, that his questions should be put through the Chair to the minister. He should not be entering debate with members of the opposition at this time or having discussions with them.

The honourable member for Inkster, to continue.

Mr. Lamoureux: Thank you, Mr. Chairperson. The emphasis is because here you have a teacher that did what he was supposed to do. He had a duty and a responsibility to do it. As a result of that, look what has resulted on that human side. What message does that send to other teachers? I can tell you the message it sent to the teachers who sat around that breakfast table, and there must have been at least a dozen of them, was that Mr. Treller should not have ratted or should not have told the Department of Education about the breach. That was the message that was sent.

So there is the human side of the story, which is being, in my opinion, easily forgotten. Then there is the side that causes a great deal of concern, I believe, on the broader issue, and that broader issue is the long-term impact on the standard exams.

* (1750)

You have three political parties inside this Chamber that supposedly support standard exams. If you support the concept of standard exams, a part of that concept is there has to be a security component to it, otherwise these standard exams are nothing but a joke. That is why we believe in order to improve the quality

of public education, the standard exams are important. So if you believe that that is to be the case, then you have to be able to stand up for the security of those exams. That is why it is an important issue and warrants the attention given inside this Chamber. After all, on average we sit 91 days a year; we are only into day 62.

We have only had a few hours of debate in this Chamber on this particular issue. In my opinion, until this minister acknowledges the need to have that independent investigation, the debate should continue on this particular issue, because what we are talking about is an important component to public education. You talk to Manitobans and they will tell you that a quality public education is something that they want and something that they are demanding. That is why I am quite disappointed in the Minister of Education (Mr. McCrae) in not being able to protect the integrity of those standard exams.

If we reread the report, a great deal of it has been whited out, if you read the report, what we have found out is that this is not the first time. Allegedly, it has happened before. In one of those allegations, the individual says, I am prepared to swear it in court. That is a pretty serious allegation. Do we have a school division, do we have a principal, do we have a superintendent that just mocks the whole standard exams? What about professionalism? That is important.

You can have your own personal opinions on government policy, but we expect a certain amount of professionalism that is out there. You follow provincial directives. If there would have been some sort of a reprimand or some sort of an action taken against Mr. O'Leary, and you did not have the perception problem with Mr. Treller, well, then, it would not necessarily be the issue that it is today. I tell you something, you know there is something rotten here, and I think it goes even deeper than the standard exams, but I am going to stay away from that component because I believe very firmly that the Minister of Education, if he does not take some form of action, given now that I know that you are talking about multiple breaches, I think he is doing a disservice to the standard exams.

If you do not take that action, then why even have the standard exams? Wait until there is an administration that is in government that is prepared to protect the integrity of those exams. The minister's response to my first question is, well, if you admit that you did a wrong, then it is okay. Well, Mr. Chairperson, that is a cop-out.

An Honourable Member: I did not say that.

Mr. Lamoureux: No, no, no, that is what he is inferring that the principal or the New Democrats are saying. Well, I will tell you something, Mr. Chairperson, think about what this report implies. That is that any teacher in the province who wants to be able to open up an exam, well, we will leave it up to the administrator or we will leave it up to the principal and they will determine it. You know, as long as you did not hand out, I guess, the exams the night before to all the students, then it is okay, it is not a breach, and we will leave it strictly on trust and faith that that is going to be the case.

Well, if you are prepared to accept that, then what about the other end in terms of the marking of the exams? Remember the money that we put aside to make sure that no one even knows where the exams are being marked from. Well, again, all of these things are a part of a package to ensure that the integrity of the standard of the exams is there.

So when people try to imply that we are trying to make a mountain out of a molehill, well, I think that they are doing a disservice to public education and the importance that Manitobans put on public education, because I believe the standard exams are here today because the public sees the merit of those standard exams. That is the reason why, Mr. Chairperson, I believe that this is a very important issue, the broader issue of standard exams.

That is not to comment on Mr. Treller. As I say, the human side of that is something which I would welcome, and maybe we will go into a bit of dialogue on that human side.

An Honourable Member: Next week?

Mr. Lamoureux: It might be next week in which we do that. Having said that, we have to

look at the report and what the report says. The Minister of Education (Mr. McCrae) has a bit of an advantage over me in the sense that even though I did approach the Minister of Education the other day and I had asked him if I would be able to take a look at the report and I would keep it strictly in confidence, not share it with anyone and so forth, the Minister of Education denied me that opportunity, but he has seen the entire report. I have not seen the entire report. So he has an advantage that I do not have.

What I do have, and if you try to digest what is there, I am not—I know a number of weeks ago I was calling for an independent report, but I cannot accept this report that has been tabled by the Minister of Education. I believe that we have to take the next step. I said it at the beginning, and it is even referred to inside the report: This report has been prepared by me as superintendent of the Seven Oaks School Division No. 10, on behalf of the board of trustees. Then following that—I am not too sure if it is on page 4—yes: finally, I submit this report believing it to be factual, objective and impartial.

These are words from the superintendent who is the educational advisor for the New Democrats, whose individual principal happens to co-chair the campaign. So that is the reason why weeks ago I was calling for an independent investigation, and because of the political nature of that dynamic, the Minister of Education should not be doing it internally within the department, that in fact it is warranted to have that independent investigation. This report, from what I can read of it, does a disservice to the standard exams, does a disservice to Mr. Treller. That is why I ask, and leave a moment for the Minister of Education, will he today make a commitment to an independent investigation?

Mr. McCrae: I can tell the honourable member that I will not treat this matter so cavalierly as we have seen done today by the member for Dauphin (Mr. Struthers), the member for Brandon East (Mr. L. Evans), the honourable member for Crescentwood (Mr. Sale), the honourable member for Wellington (Ms. Barrett), and as has been made so abundantly clear by the Leader of the Opposition, that the double standard is so apparent here, so clear, that we will simply not allow our education system

to be threatened by attitudes like the ones we are seeing here in this House today.

Mr. Chairperson: Order, please. The hour now being six o'clock, committee rise. Call in the Speaker.

IN SESSION

Mr. Deputy Speaker (Marcel Laurendeau): The hour now being six o'clock, this House is now adjourned and stands adjourned until Monday next, 1:30 p.m.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, July 8, 1999

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