



**Second Session - Thirty-Sixth Legislature**

**of the**

**Legislative Assembly of Manitoba**

**DEBATES  
and  
PROCEEDINGS**

**(Hansard)**

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Speaker*



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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Sixth Legislature**

**Members, Constituencies and Political Affiliation**

<b>Name</b>	<b>Constituency</b>	<b>Party</b>
ASHTON, Steve	Thompson	N.D.P.
BARRETT, Becky	Wellington	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave	Kildonan	N.D.P.
CUMMINGS, Glen, Hon.	Ste. Rose	P.C.
DACQUAY, Louise, Hon.	Seine River	P.C.
DERKACH, Leonard, Hon.	Roblin-Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary	Concordia	N.D.P.
DOWNEY, James, Hon.	Arthur-Virden	P.C.
DRIEDGER, Albert, Hon.	Steinbach	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry, Hon.	Lakeside	P.C.
ERNST, Jim, Hon.	Charleswood	P.C.
EVANS, Clif	Interlake	N.D.P.
EVANS, Leonard S.	Brandon East	N.D.P.
FILMON, Gary, Hon.	Tuxedo	P.C.
FINDLAY, Glen, Hon.	Springfield	P.C.
FRIESEN, Jean	Wolseley	N.D.P.
GAUDRY, Neil	St. Boniface	Lib.
GILLESHAMMER, Harold, Hon.	Minnedosa	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
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	Riel	P.C.
PALLISTER, Brian, Hon.	Portage la Prairie	P.C.
PENNER, Jack	Emerson	P.C.
PITURA, Frank	Morris	P.C.
PRAZNIK, Darren, Hon.	Lac du Bonnet	P.C.
RADCLIFFE, Mike	River Heights	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack, Hon.	Niakwa	P.C.
RENDER, Shirley	St. Vital	P.C.
ROBINSON, Eric	Rupertsland	N.D.P.
ROCAN, Denis	Gladstone	P.C.
SALE, Tim	Crescentwood	N.D.P.
SANTOS, Conrad	Broadway	N.D.P.
STEFANSON, Eric, Hon.	Kirkfield Park	P.C.
STRUTHERS, Stan	Dauphin	N.D.P.
SVEINSON, Ben	La Verendrye	P.C.
TOEWS, Vic, Hon.	Rossmere	P.C.
TWEED, Mervin	Turtle Mountain	P.C.
VODREY, Rosemary, Hon.	Fort Garry	P.C.
WOWCHUK, Rosann	Swan River	N.D.P.

## LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, September 30, 1996

The House met at 1:30 p.m.

## PRAYERS

## ROUTINE PROCEEDINGS

## READING AND RECEIVING PETITIONS

## Rail Line Abandonment

**Madam Speaker:** I have reviewed the petition of the honourable member for Swan River (Ms. Wowchuk). It complies with the rules and practices of the House. Is it the will of the House to have the petition read?

**An Honourable Member:** Dispense.

**Madam Speaker:** Dispense.

*WHEREAS rail access is vital for the shipment of grain and other farm commodities in rural communities; and*

*WHEREAS the proclamation of the Canada Transportation Act on July 1, 1996, gives railways the ability to abandon lines throughout Canada with minimum notice; and*

*WHEREAS on July 2, 1996, Canadian National announced that it plans to abandon four rail lines in Manitoba including the lines from Dauphin to Minitonas and Swan River to Birch River; and*

*WHEREAS the abandonment of these lines would put the future of grain elevators at Birch River, Bowsman, Ethelbert and Fork River amongst others at great risk; and*

*WHEREAS the federal government sold CN without any conditions other than the headquarters of CN remain in Montreal; and*

*WHEREAS the loss of these rail lines will have a major negative effect upon the overall provincial economy; and*

*WHEREAS the provincial government has not made any plans to cover the costs of upgrading roads in the areas where rail lines are threatened with abandonment; and*

*WHEREAS the federal government has not committed any money from the Western Grain Transportation Adjustment Fund to upgrading roads in communities where rail lines are being abandoned.*

*WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba may be pleased to request the Minister of Transportation and the federal Minister of Transport to ensure that the communities currently using the Cowan Sub and the Erwood Sub are able to continue shipping their grain to markets.*

PRESENTING REPORTS BY  
STANDING AND SPECIAL COMMITTEESStanding Committee on Municipal Affairs  
First Report

**Mr. Mervin Tweed (Chairperson of the Standing Committee on Municipal Affairs):** Madam Speaker, I beg to present the First Report of the Standing Committee on Municipal Affairs.

**Mr. Clerk (William Remnant):** Your Standing Committee on Municipal Affairs presents the following as its First Report.

**Madam Speaker:** Dispense.

*Your committee met on Wednesday, September 25, 1996, at 7 p.m. in Room 255 of the Legislative Building to consider bills referred.*

*Your committee heard representation on bills as follows:*

*Bill 2—The Municipal Assessment Amendment and Assessment Validation Act; Loi modifiant la Loi sur l'évaluation municipale et validant certaines évaluations*

*David Sanders - Colliers Pratt McGarry  
Deputy Mayor Jae Eadie & Councillor Garth Steek -  
City of Winnipeg  
Charles Chappell - Private Citizen  
Guy Whitehill - Centra Gas*

*Lance Norman - Manitoba Chamber of Commerce  
Dr. Barry Prentice - University of Manitoba Transport  
Institute*

*Written Submission*

*John Nicol - Union of Manitoba Municipalities*

*Bill 43—The Municipal Assessment Amendment, City of  
Winnipeg Amendment and Assessment Validation Act;  
Loi modifiant la Loi sur l'évaluation municipale et la  
Loi sur la Ville de Winnipeg et validant certaines  
évaluations*

*Rhine Olynick - Canadian National Railways  
John Nicol - Union of Manitoba Municipalities  
David Sanders - Colliers Pratt McGarry  
Henry Dupont - Rickard Realty  
M.S. Khan - Westcan Property Tax Consultants  
Jack Nelson - Professional Property Managers  
Association  
Paul Moist & Richard Weind - CUPE, Local 500 and  
Regional Technical Operations Unit  
Michael Mercury - Private Citizen  
Deputy Mayor Jae Eadie & Councillor Garth Steek -  
City of Winnipeg  
Charles Chappell - Private Citizen  
O. William Steele - Private Citizen  
Dr. Barry Prentice - University of Manitoba Transport  
Institute  
Dan Kelly - Canadian Federation of Independent  
Business  
Ken Wong - Hong Kong-Canada Business Association  
Lance Norman - Manitoba Chamber of Commerce  
Ike Zacharopolous - Canadian Pacific Railway  
Thomas Frohlinger - Private Citizen  
Don Smith - Private Citizen  
Joe Diner - Private Citizen  
Warren Baldwin - Private Citizen*

*Written Submission*

*Ian Ford - City of Brandon*

*Your committee has considered:*

*Bill 3—The Surface Rights Amendment Act; Loi  
modifiant la Loi sur les droits de surface*

*and has agreed to report the same without amendment.*

*Your committee has also considered:*

*Bill 2—The Municipal Assessment Amendment and  
Assessment Validation Act; Loi modifiant la Loi sur  
l'évaluation municipale et validant certaines  
évaluations*

*and has agreed to report the same with the following  
amendments:*

**MOTION:**

*THAT subsection 6(1) of the Bill be amended by  
striking out "1994, 1995 and 1996" and substituting  
"1994 to 1997."*

**MOTION:**

*THAT subsection 6(2) of the Bill be amended by  
striking out "1994, 1995 and 1996" and substituting  
"1994 to 1997."*

*Your committee agreed to not proceed with the clause-  
by-clause consideration of:*

*Bill 43—The Municipal Assessment Amendment, City of  
Winnipeg Amendment and Assessment Validation Act;  
Loi modifiant la Loi sur l'évaluation municipale et la  
Loi sur la Ville de Winnipeg et validant certaines  
évaluations*

*at this meeting of the committee, but to defer such  
consideration to a future meeting of the committee.*

**Mr. Tweed:** Madam Speaker, I move, seconded by the  
honourable member for Sturgeon Creek (Mr. McAlpine),  
that the report of the committee be received.

**Motion agreed to.**

**Standing Committee on Public Utilities  
and Natural Resources  
First Report**

**Mr. Frank Pitura (Chairperson of the Standing  
Committee on Public Utilities and Natural  
Resources):** Madam Speaker, I beg to present the First  
Report of the Standing Committee on Public Utilities and  
Natural Resources.

**Mr. Clerk (William Remnant):** Your Standing Committee on Public Utilities and Natural Resources presents the following as its First Report.

**Madam Speaker:** Dispense.

*Your committee met on Wednesday, September 25, 1996, at 7 p.m. in Room 254 of the Legislative Building to consider bills referred.*

*Your committee heard representation on bills as follows:*

*Bill 16—The Charleswood Bridge Facilitation Act; Loi facilitant l'application de l'entente sur le pont Charleswood*

*Paul Moist - CUPE Local 500*

*Bill 19—The Dangerous Goods Handling and Transportation Amendment Act; Loi modifiant la Loi sur la manutention et le transport des marchandises dangereuses*

*Written Submission*

*John Nicol - Union of Manitoba Municipalities*

*Bill 34—The Contaminated Sites Remediation and Consequential Amendments Act; Loi concernant l'assainissement des lieux contaminés et apportant des modifications corrélatives*

*John Stefaniuk - Canadian Bankers Association  
Bill Ryall - Union of Manitoba Municipalities  
Lance Norman - Manitoba Chamber of Commerce*

*Bill 44—The City of Winnipeg Amendment and Consequential Amendments Act; Loi modifiant la Loi sur la Ville de Winnipeg et apportant des modifications corrélatives*

*Councillor John Angus - City of Winnipeg*

*Written Submission*

*Valinda Morris - Provincial Council of Women of Manitoba and The Council of Women of Winnipeg*

*Bill 56—The Manitoba Investment Pool Authority Act; Loi sur l'Office manitobain de mise en commun des placements*

*Rochelle Zimberg - Manitoba Association of Urban Municipalities*

*Jerome Mauws - Union of Manitoba Municipalities*

*Your committee has considered:*

*Bill 16—The Charleswood Bridge Facilitation Act; Loi facilitant l'application de l'entente sur le pont Charleswood*

*Bill 19—The Dangerous Goods Handling and Transportation Amendment Act; Loi modifiant la Loi sur la manutention et le transport des marchandises dangereuses*

*Bill 44—The City of Winnipeg Amendment and Consequential Amendments Act; Loi modifiant la Loi sur la Ville de Winnipeg et apportant des modifications corrélatives*

*and has agreed to report the same without amendment.*

*Your committee has also considered:*

*Bill 34—The Contaminated Sites Remediation and Consequential Amendments Act; Loi concernant l'assainissement des lieux contaminés et apportant des modifications corrélatives*

*and has agreed to report the same with the following amendments:*

**MOTION:**

*THAT section 3 be amended*

*(a) in subsection (1), by striking out "This Act" and substituting "Subject to subsection (3), this Act"; and*

*(b) by renumbering subsection (3) as subsection (5) and adding the following after subsection (2):*

*Application to sites under Oil and Gas Act and Mines and Minerals Act*

**3(3)** *Except as otherwise provided in the regulations, this Act does not apply to a site to which the provisions of The Oil and Gas Act or The Mines and Minerals Act respecting the rehabilitation of land apply.*

**Obligations under Oil and Gas Act and Mines and Minerals Act**

**3(4)** *Where this Act applies to a site because of a regulation referred to in subsection (3), a person who satisfies all of his or her obligations under this Act and the regulations in respect of the site is deemed to have satisfied every obligation he or she has in respect of the rehabilitation of the site under The Oil and Gas Act, The Mines and Minerals Act and the regulations under those Acts.*

**MOTION:**

*THAT subsection 60(1) be amended by adding the following after clause (j):*

*(j.1) respecting the application of this Act or the regulations to one or more sites or classes of sites to which The Oil and Gas Act or The Mines and Minerals Act applies;*

**MOTION:**

*THAT clause 60(2)(b) be amended by striking out “, and the fee payable for,”.*

**MOTION:**

*THAT clause 60(2)(d) be amended by striking out “on other potentially responsible persons” and substituting “or 12(1)”.*

**MOTION:**

*THAT Legislative Counsel be authorized to change all section numbers and internal references necessary to carry out the amendments adopted by this committee.*

*Your committee has also considered:*

*Bill 56—The Manitoba Investment Pool Authority Act; Loi sur l'Office manitobain de mise en commun des placements*

*and has agreed to report the same with the following amendment:*

**MOTION:**

*That section 22 be struck out and the following substituted:*

**Coming into force**

*22 This Act comes into force on the day it receives royal assent.*

**Mr. Pitura:** I move, seconded by the honourable member for Sturgeon Creek (Mr. McAlpine), that the report of the committee be received.

**Motion agreed to.**

**TABLING OF REPORTS**

**Hon. James Downey (Minister of Industry, Trade and Tourism):** Madam Speaker, I have several reports to table: Manitoba Industry, Trade and Tourism for 1995-96; Manitoba Trading Corporation Annual Report for 1995-96; Manitoba Development Corporation, March 31, 1996; the Cooperative Promotion Board for 1995-96; and the Co-operative Loans and Loans Guarantee Board for 1995-96. Thank you.

\* (1335)

**Hon. James McCrae (Minister of Health):** Madam Speaker, I am tabling today the Annual Report for 1995-96 of the Addictions Foundation of Manitoba; the Annual Report of the Health Information Services of Manitoba for the fiscal period ending March 31, 1996; the Annual Report for 1995-96 of Manitoba Health; and the Annual Report for 1995-96 of the Manitoba Health Research Council.

**Hon. Eric Stefanson (Minister of Finance):** Madam Speaker, I have several reports to table. The first one is the Annual Report for 1995-96 for the Department of Finance. The second one is the Annual Report for 1995-96 for the Canada-Manitoba Infrastructure Works. The next one is the Annual Report for 1995-96 for the Community Support Programs. The next one is the Annual Report for 1995-96 for Other Appropriations. The next one is the Annual Report for 1995-96 for the

**Special Operating Agencies Financing Authority.** I also have the Annual Report for the Manitoba Lotteries Corporation. I also have the First Quarter Report for the Manitoba Lotteries Corporation. I also have the Financial Report, first quarter, for the Province of Manitoba for April to June 1996. I also have the Public Accounts for 1995-96, Volumes 1 and 2.

**Hon. Harry Enns (Minister of Agriculture):** Madam Speaker, I have the pleasure of tabling the Annual Report for the year '96-96 of the Manitoba Agricultural Credit Corporation.

**Hon. Jim Ernst (Minister responsible for Sport):** Madam Speaker, I have the report of the Fitness and Sport Directorates for '95-96 to table, and also, on behalf of my colleague the Minister of Rural Development (Mr. Derkach), the Annual Report of the Conservation Districts of Manitoba.

**Hon. Harold Gilleshammer (Minister of Culture, Heritage and Citizenship):** Madam Speaker, I am pleased to table the Annual Report 1995-96 for the Manitoba Centennial Centre Corporation.

**Hon. Jack Reimer (Minister of Urban Affairs):** Madam Speaker, I would like to table the reports for the Department of Housing; Manitoba Housing and Renewal Corporation; the Manitoba Housing Authority; the Department of Urban Affairs; the Manitoba Seniors Directorate; North Portage Development Corporation 1994 Annual Report; also the North Portage Development Corporation Consolidated Financial Statements for the fiscal year ending March 31, 1996; also The Forks Renewal Corporation Financial Statement for March 31, 1995.

**Hon. Glen Cummings (Minister of Environment):** Madam Speaker, I would like to table the Annual Report for 1995-96 for the Department of Environment.

**Hon. Darren Praznik (Minister of Energy and Mines)** Madam Speaker, I would like to table today the 1995-96 Annual Report for the Department of Energy and Mines; as well, the 1995-96 report for the Department of Northern Affairs; as well, and finally, the 45th Annual Report of the Manitoba Hydro-Electric Board for the year ended March 31, 1996.

### Introduction of Guests

**Madam Speaker:** Prior to Oral Questions, I would like to draw the attention of all honourable members to the public gallery, where we have this afternoon twenty-five Grade 9 students from Elm Creek School under the direction of Mr. Dave McGill. This school is located in the constituency of the honourable Minister of Agriculture (Mr. Enns).

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

### ORAL QUESTION PERIOD

#### Canadian Wheat Board Marketing System—Legal Challenge

**Mr. Gary Doer (Leader of the Opposition):** Madam Speaker, my question is to the First Minister.

Last week, on Thursday, the government announced that it was intervening on the registration case before the courts. This is not the first time Manitoba has intervened on issues of interest to all Manitobans. It has intervened on the Canada Assistance Program in the past; it has intervened on environmental decisions that affect the jurisdiction of the environment. We have been asking the Premier for the last couple of weeks why he will not take a stand and intervene against the Alberta cases that would effectively eliminate the Wheat Board.

I would like to ask the Premier today a very simple question. Why has the Premier refused to defend Manitoba's interest and to intervene in the court case initiated by Alberta that will effectively eliminate the Canadian Wheat Board?

\* (1340)

**Hon. Gary Filmon (Premier):** Madam Speaker, our government has from time to time intervened on cases and from time to time has not. We make the decision on an individual basis. We evaluate the issues involved and we make a judgment as to whether or not it is appropriate and productive for us to make an intervention.

I would take issue, very strongly, with the suggestion that the loss of the case would eliminate the Canadian

Wheat Board. That is absolute nonsense. It is so different than the recent case involving Mr. Andy McMechan in which the Canadian Wheat Board lost the case and the government went to the table, passed a regulation that overcame the essence of the decision and it was restored back to the circumstances and the powers that the Wheat Board had said that it enjoyed. No difference here.

If the federal government were in some way to lose this case, they would make a political judgment and their political judgment would be to preserve the Canadian Wheat Board and there would be no court that would disallow them from maintaining the powers that they chose to have with the Canadian Wheat Board. What is important for the long term is that we have a Canadian Wheat Board that serves the best interests of all the producers and indeed the farm economy of Manitoba and western Canada, and that means that the Wheat Board has to be flexible enough to ensure that we attract investment, job creation and agribusiness here.

We were in a situation prior to the Canadian Wheat Board, in which I believe it was 60 percent of the wheat that was processed in Canada was processed in western Canada. We are now down to less than 3 percent since the circumstances that have prevailed. I mention but one instance, last week, in which for almost a year we were in a situation in which a processor who wanted to have a flour mill or a pasta plant here in Manitoba would have had to pay more for their wheat than they would in Alberta. That situation prevailed from the time we contacted the Wheat Board in September of '95 until September 11 of '96. It took them one year to change that circumstance which was obviously detrimental to our having wheat milled here or pasta manufactured here, and because they have not been able to make those adjustments, there are many things that are preventing us from having investment and jobs for Manitobans here. We will continue to speak out to ensure that we have flexibility in the Wheat Board here in Manitoba.

**Mr. Doer:** Madam Speaker, the Premier has indicated that he is not worried about the Alberta court case and he does not feel it will eliminate the single-desk concept and the value of the Canadian Wheat Board. We believe the two court challenges will in fact eliminate the Canadian Wheat Board as we know it, and we are backed up by other opinion that says the same thing.

I would like to ask the Premier why he does not believe it is in the public interest to stand up and put Manitoba's case clearly before the board as an intervener in the Canadian Wheat Board. Is it because he is afraid to take on Ralph Klein, or he silently supports the ideology of Alberta? Who is he the Premier of? Is he the Premier of Alberta or is he the Premier of Manitoba? If he is the Premier of Manitoba, why will he not intervene on behalf of producers and jobs here in this economy and this province of Manitoba?

**Mr. Filmon:** Madam Speaker, I just want to correct—I knew I had the information at my disposal—it was 20 percent of the wheat that was grown in the West that was processed in western Canada. Now it is down to less than 3 percent since the time that the Wheat Board has been in operation. This is not a matter of wanting to create politics either for or against or with or against particular Premiers. I get along well with my colleague Premiers, and on many issues I work co-operatively with them. On other issues, obviously, we agree to disagree.

The issue here is a desire to have more economic activity, more investment, more jobs and more returns to the farmers of Manitoba. That is our whole purpose in being, to try and maximize the economic impact of all of the agricultural production that goes on here.

Members opposite suggested that by instituting dual marketing for our hogs in Manitoba that there would be chaos, that there would be destruction of family farms, that there would be a destruction of Manitoba Pork. It could not be further from the truth. What we have is new hog processing taking place here, more investment than ever before in our history in hog production in the province, and economic activity for the benefit of our hog farmers and the benefit of our producers and processors and for the benefit of all Manitobans.

That is what we have. So to suggest that by not intervening that there is going to be some dire dramatic chaos occur is absolute nonsense.

**Mr. Doer:** With the Premier's answer today, we have finally discovered the actual position of the provincial government and the Premier of this province. The Premier is now saying to the people of this province, he does not care if the Alberta government is successful in the two court cases challenging the jurisdiction of the



Canadian Wheat Board. He does not care if those cases are successful. That is why he will not take a position.

Is that now not the position of the provincial government? This is totally against the interests of the majority of producers in this province, and it is totally against the economic well-being of our province and our communities.

**Mr. Filmon:** Madam Speaker, the Leader of the Opposition is wrong, wrong, wrong. He chooses not to listen when I give him answers that tell him unequivocally that we support the recommendations of the blue ribbon panel, the Western Grain Marketing Panel that was commissioned by Minister Goodale, with representation from all the various interest groups in western farming and agriculture in our country. They came up with a comprehensive set of recommendations to institute more flexibility, to introduce more opportunity for the—

**Madam Speaker:** Order, please. The honourable Leader of the official opposition, on a point of order.

#### Point of Order

**Mr. Doer:** Madam Speaker, this is the fifth occasion where I have asked the Premier questions about why we will not intervene in the Alberta court case, and the Premier has answered back on the Canadian Wheat Board panel, the Goodale commission.

It is important that the Premier not provoke debate. He has the choice of not answering the question. That was not the question I posed to him. We want him to get off the fence on the Alberta court case. I did not ask him a question about the recommendations and the Goodale panel.

\* (1345)

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

**Mr. Filmon:** With all due respect, on the same point of order, the member opposite said my position was that I was for the destruction of the Canadian Wheat Board. I have told him unequivocally my position is to support the

recommendations of the Western Grain Marketing Panel. He ought not to misrepresent it, and he ought not to get up on a phoney point of order that does not exist.

**Madam Speaker:** Order, please. The honourable Leader of the official opposition did not have a point of order. It is clearly a dispute over the facts.

#### Canadian Wheat Board Marketing System

**Ms. Rosann Wowchuk (Swan River):** Madam Speaker, the Minister of Agriculture (Mr. Enns) in his submission to the panel said that harmonization of the U.S. and the Canadian grain system has advantages.

When we compare the systems, we see that Canada under single-desk selling captures 22 percent of the world market though we only produce 6 percent of the product. The U.S. market system gives advantages to the large corporations, to grain trade and the food monopolies. I would like to ask the Minister of Agriculture, what kind of harmonization is he proposing? Is he proposing single-desk selling or is he proposing an open-market system?

**Hon. Harry Enns (Minister of Agriculture):** Madam Speaker, allow me to take this opportunity in responding to the member for Swan River, to also respond to the Leader of the Opposition (Mr. Doer), who continues to refer to my Premier's (Mr. Filmon) position on the matter of the Wheat Board as being that of Premier Klein's. His position is simply not that of Mrs. Nettie Wiebe, who I am sure is a very capable and competent person, who refuses to understand that things are changing in agriculture as elsewhere and who represents the National Farmers Union who speaks for about 2 percent of the Canadian farm families across this country.

**Harmonization:** Of course, there is value to harmonization, particularly in this post-Crow era where our producers and eastern Saskatchewan producers are facing particularly onerous freight bills of up to 250 to 300 percent. Harmonization north-south for our grains for export grade on the continental market is of tremendous value to any producer to the extent of \$25 or \$30 a tonne that the Canadian taxpayer now no longer supports. Those are some of the reasons why my submission to the panel talks about harmonization.

**Ms. Wowchuk:** Madam Speaker, given that the minister's own staff has told him that accepting these recommendations could be more problematic for our international reputation as an exporter of high-quality grain, the recommendations that this government says they support—

**Madam Speaker:** Order, please.

**Ms. Wowchuk:** Who is this Minister of Agriculture speaking up for? Is he speaking up for the big grain companies or is he speaking up for the grain producers of Manitoba?

**Mr. Enns:** Unequivocally for the grain producers of Manitoba whom I attempt to speak for, equally important for the well-being, the economic opportunities and growth for the province of Manitoba, which is a more inclusive issue to take note of.

Madam Speaker, the comments that you would expect from senior staff officials, with respect to providing advice to myself as minister, take in all appropriate cautionary notes. One of them is the recommendation of the grain panel with respect to the sale of unlicensed varieties. Last week, I had the Grains Commission in my office to further explain the position to me. The panel itself makes that recommendation only if proper identification issues can be resolved. So my staff appropriately notes that in their briefing notes to myself as minister. I would expect nothing less from my staff.

\* (1350)

**Madam Speaker:** The honourable member for Swan River, with a final supplementary question.

**Ms. Wowchuk:** Given that we now know that this government supports the dual marketing of grain, I want to ask the Minister of Agriculture, what kind of long-term advantages does he see for Manitoba producers under a harmonized system of Canada and the U.S.? What are the great advantages that he sees for our producers under that system?

**Mr. Enns:** It is so easy when one is careless with language to—I do not say deliberately but to do all of us, in particularly the debate on the grains issue, a disservice.

The position that has been enunciated by myself and by our First Minister (Mr. Filmon) with respect to accepting the panel's recommendations does not talk about a dual system for wheat—not at all. It does not even talk about that Wheat Board's own request that perhaps up to 20 to 25 percent sales are to take place under the spot market but still under the control of the Canadian Wheat Board. There is no dual marketing with respect to wheat, which is the major crop that the Canadian Wheat Board handles. You have heard my First Minister talk about supporting the panel's recommendation, you hear me talk about it, so we are not talking about accepting the dual-marketing system.

We are accepting another panel recommendation with respect to barley, of which the Canadian Wheat Board only handles 22, 23 percent of our barley crop. Besides that, we have had a track record. We had dual marketing of barley for a period of time under the previous Minister of Agriculture, and it did not upset the world. The sky did not fall, and our producers probably received some benefit.

So we stick with our recommendations. The panel report is a first step towards making the Canadian Wheat Board more responsive and flexible to today's market needs.

#### **Health Sciences Centre Dr. Odim-Buy-Out Package**

**Mr. Dave Chomiak (Kildonan):** Madam Speaker, in July 1986, when the Premier (Mr. Filmon) was in opposition in this House, he stated that when publicly funded institutions use publicly funded dollars and a publicly funded board enters into an agreement with an employee, then that agreement should be made public. The Minister of Health, then in opposition, stated the same thing in June and July of 1986.

I am asking the minister today, in follow-up to my question last week, whether or not he will reveal to the House whether an agreement was entered into between Health Sciences Centre and Dr. Jonah Odim, the former surgeon at the Health Sciences Centre.

\* (1355)

**Hon. James McCrae (Minister of Health):** I understand the Health Sciences Centre and the University

of Manitoba have agreed with the physician referred to by the honourable member and that there is an agreement in place. If the honourable member wants to have a look at such an agreement, he could direct his inquiry to the university or the Health Sciences Centre.

**Mr. Chomiak:** Madam Speaker, I thank the minister for that information.

I wonder if the minister will advise this House whether (a) he will table the agreement and, (b) whether or not he will indicate whether any members of the Department of Health were aware of this agreement prior to the execution of this agreement between the university, the Health Sciences Centre and Dr. Odim.

**Mr. McCrae:** They would not have been, but they have since—of course, since the honourable member has raised the matter—become aware of it.

**Mr. Chomiak:** Madam Speaker, my final supplementary: Is the minister not concerned that the arrangement with Dr. Odim to go to Atlanta and the ongoing inquest, that that information was not communicated to the official bodies in Atlanta, and does that not cause concern for the minister concerning perhaps other physicians who may want to practise in Manitoba and our not being made aware of other kinds of circumstances like that affecting physicians outside of Manitoba who subsequently come to Manitoba? Is the minister prepared to review that and come back to this House with his concerns and perhaps recommendations?

**Mr. McCrae:** Madam Speaker, the honourable member does have a legal background and understands the processes involved. It would be my concern if there was some suggestion that due process was not part of all of this, and that is not the suggestion the honourable member is making. If he is suggesting something other than the appropriate processes that are in place to deal with situations like this, let him say so and we will consider it.

#### **Social Assistance Housing—Brandon, Manitoba**

**Mr. Leonard Evans (Brandon East):** Madam Speaker, I have a question for the Minister of Family Services.

On Wednesday, October 2, two apartment blocks, 1202 and 1280 Rosser Avenue in Brandon, housing over 25 people will be shut down because public health officials have condemned them as being unfit for human habitation. Most of the tenants are on welfare, including several mentally ill persons. The local Canadian Mental Health Association is desperately trying to find safe, decent alternative housing for these people but is having great difficulty because the social allowance program only provides for \$285 per month for both rent and utilities. The minister's department has refused to provide additional assistance even on an emergency basis to help the displaced persons.

Will the minister, out of compassion for these mentally ill persons and others depending on social assistance, personally look into this problem to ensure that they obtain safe and decent housing and do not simply transfer to other substandard and deplorable accommodations?

**Hon. Bonnie Mitchelson (Minister of Family Services):** Madam Speaker, I thank my honourable friend for that question. I indeed will look into the situation personally, but I also understand from my colleague the Minister of Health (Mr. McCrae) that he has directed his department to deal expeditiously with those with mental illness.

\* (1400)

**Madam Speaker:** The honourable member for Brandon East, with a supplementary question.

**Mr. Leonard Evans:** I thank the minister for the answer.

Supplementary: Would the minister conduct a survey or check her departmental files to find out just how many of her social assistance recipients are living in slum conditions in the city of Brandon and how many of these suffer from mental illness?

**Mrs. Mitchelson:** I take the question from my honourable friend very seriously, and I will work very closely with my colleague the Minister of Health, with my colleague the Minister of Housing (Mr. Reimer) to ensure that appropriate accommodation is there for those with mental illness in the city of Brandon.

### **Mental Health Care System Housing—Brandon, Manitoba**

**Mr. Leonard Evans (Brandon East):** I would like to ask the supplementary question of the Minister of Health.

I appreciate what the Minister of Family Services just said about the minister's interest, but would the minister, who has often boasted about his mental health reform program and deinstitutionalization, ask his staff to determine how many mentally ill persons are living in slum housing in the city of Brandon, and would he take action to ensure that all mentally ill patients are provided with decent and safe accommodation?

**Hon. James McCrae (Minister of Health):** Madam Speaker, the fact that the Health department is involved with declaring 1280 and 1202 Rosser Avenue unfit for occupancy, to me that says that the system is working the way it is supposed to, that when standards fall below the level that is acceptable, the Department of Health takes action, and as my colleague has said, the Health department is taking a specific interest in the mental health clients who are resident at those addresses to ensure that they are properly housed in future. This is why we have regulations. The question is how far or how low do standards go before they breach those requirements, and I suggest that housing standards and other standards have been in existence for a very long time, including the time when the honourable member for Brandon East was responsible for significant matters here in the province of Manitoba, and virtually the same rules apply today.

### **Manitoba Public Insurance Corporation Call Centres**

**Mr. Kevin Lamoureux (Inkster):** Madam Speaker, my question is for the Minister responsible for MPIC (Mr. Cummings).

It would appear that MPIC is somewhat on the move and we are concerned greatly in terms of the direction that this government is suggesting that it take. Now I understand that call centres are in fact, at least I believe, being looked into in terms of delivering a service as opposed to the Autopac brokers. I am asking if the minister can come clean with Manitobans and tell us, what is MPIC doing with respect to call centres and the whole distribution of insurance through brokers?

**Hon. Glen Cummings (Minister charged with the administration of The Manitoba Public Insurance Corporation Act):** Madam Speaker, I think the member received the corporate information last week. The fact is the corporation is, not in any clandestine way but in a very public way and through communications to its brokers and to its customers, saying that it has an obligation to review how it delivers its services and make sure that they are done in the most appropriate manner, but I think it does no one a service to raise allegations or fears that somehow there is a hidden agenda to deal in an inappropriate way or to change the way services are being delivered without first taking a look at what is an appropriate and functional delivery system. We have a very good delivery system today, one that involves a good partnership between the public and the private sectors of this province and there is no reason to change that except to provide greater efficiency.

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

**Mr. Lamoureux:** Madam Speaker, I wonder if the Minister responsible for MPIC can make it very clear to Manitobans, is MPIC today looking into the possibility of including call centres in the delivery of automobile insurance? Yes or no?

**Mr. Cummings:** The answer would be no.

**Mr. Lamoureux:** Madam Speaker, I am wondering then if the Minister responsible for MPIC could tell us why then there is a study that is being conducted, in a memo that I tabled the other day, which was signed off by the president and general manager of MPIC, indicating that there is a study that is ongoing, and he is saying that study has nothing to do with the call centres.

**Mr. Cummings:** Madam Speaker, I think the member is probably doing the best he can, given the limited information that is probably available to him at this point, but the fact is that the corporation has a call centre for taking in calls on windshields and service to brokers and all sorts of information that needs to be distributed to the existing broker service, among other things.

If he is taking an advocacy position that there should be no changes made in the present brokerage system, that is fine. The corporation is communicating regularly with

the brokers and has indicated to them that they are looking at methods of improvement. I think the member would have to acknowledge that there is a body of the public that is asking, how can the corporation continue to improve services to them, and they would be remiss in not doing their best.

### **Cabinet Ministers Spousal Travel Expenses**

**Mr. Tim Sale (Crescentwood):** Madam Speaker, can the Minister of Consumer and Corporate Affairs tell us what members and staff of the Manitoba government and what members of their families were on a trip to London, England, to unveil a statue of a rather famous bear, and how much government paid for the travel and other expenses of spouses, of the minister and of civil servants for this particular event?

**Hon. Jim Ernst (Minister of Consumer and Corporate Affairs):** Madam Speaker, I attended last summer, on behalf of the government, to do the official unveiling in the London Zoo of the statue of Winnie the Pooh. I have no idea immediately what the costs of the travel were.

**Mr. Sale:** Madam Speaker, the minister did not answer the question. I asked, what spouses, at what cost, of what ministers and what civil servants? Will the minister please answer the question?

**Mr. Ernst:** Madam Speaker, my spouse travelled with me at no cost to the taxpayer. I believe the Clerk of the Executive Council also travelled there. I do not remember whether his wife attended or not.

**Mr. Sale:** Madam Speaker, will the minister please undertake to table with the House immediately the costs for the travel and associated expenses of his spouse, the costs for the travel and associated expenses of Mr. Leitch's spouse, and will he tell the House and table for the House the dates on which the monies associated were repaid to the government of Manitoba?

**Mr. Ernst:** Madam Speaker, if in the case of my spouse, there was no cost to the government, nothing was necessary to be repaid. I cannot answer for the Clerk of the Executive Council, but I will inquire.

### **Manitoba Telephone System Privatization—Public Hearings**

**Mr. Steve Ashton (Thompson):** Madam Speaker, all Manitobans know today that the government broke its promise on not selling MTS, but another promise they have broken too was to have public discussion and debate. In fact, within two weeks of sending a series of letters out throughout the province indicating there would be public discussion before any decision, they made the decision in cabinet to sell it off, but it turns out there have been a few meetings held across the province, invitation-only meetings.

I know of one with some municipal officials in the Selkirk-Interlake area. There was one with MTS officials in Carberry. I would like to ask the Premier, how many invitation-only meetings have been held to discuss the sale of MTS in Manitoba?

**Hon. Gary Filmon (Premier):** Madam Speaker, I just want to make sure that the member does not put on the record anything that is not factual. I am sure that would be a concern to him.

At no time did the government promise not to sell Manitoba Telephone System. When we were asked the question, when I was asked the question, I said, we had no plans to sell it, Madam Speaker, and we did not. I told the member many months later the sequence of events when we received the report from the Crown Corporations Council.

The member knows that there will be an opportunity when the bill comes before committee for public representation, and that will be an opportunity for Manitobans to express their views, as they always can, on legislation that is passed that is presented in this Legislature.

**Mr. Ashton:** I appreciate the Premier's attempt to defend the fact that he said he had not plans to sell MTS. That is exactly what I said. I would like to ask why—and I will repeat the question perhaps for the Premier—there have been no public meetings on the MTS issue and, in fact, only a series of a handful of invitation-only meetings?

Can the First Minister at least indicate who has been given the chance to discuss the future of MTS since the vast majority of the public has not?

\* (1410)

**Mr. Filmon:** There have been information meetings, I am aware, held throughout the province with municipal governments and representatives. I do not have any information as to how many and where they have been held, but I will take that as notice on behalf of the Minister responsible for the Telephone System (Mr. Findlay).

**Mr. Ashton:** Final supplementary. Since the Premier is saying that the only public input will come through the committee stage of discussion of the bill on MTS, I would like to ask the Premier if he will do the right thing and allow public hearings to take place on MTS throughout the province, and given the fact that he has been doing this with his backbenchers on a variety of issues who have been holding hearings throughout the province, most recently the member for River Heights (Mr. Radcliffe), will he do that with MTS, a corporation we have owned publicly since 1908? Will he give rural Manitobans and northern Manitobans a chance to have a direct say in the future of MTS?

**Mr. Filmon:** There have been all sorts of public discussion and debate on this. I know that the member opposite has been sending letters to every municipality. In fact, that is one of the reasons why these meetings have been held with municipalities, to dispel all the misinformation that the member for Thompson has been spreading. Absolute nonsense, sheer baloney that he has put in.

#### Point of Order

**Mr. Ashton:** On a point of order, Madam Speaker, I would like to ask you to call on the Premier to withdraw that comment. The only thing I asked the municipalities to do was pass a resolution if they felt that MTS should not be sold off. In fact, more than 50 did so. So I would like to ask you to have the Premier withdraw that inaccurate and unparliamentary remark.

**Madam Speaker:** Order, please. The honourable member for Thompson does not have a point of order.

\* \* \*

**Madam Speaker:** The honourable First Minister, to complete his response.

**Mr. Filmon:** Thank you, Madam Speaker. The fact of the matter is that there has been a great deal of public discussion and debate. I have been receiving various letters and communications both for and against the privatization. I understand that an ad has been placed in the Brandon newspaper with my phone number on it for people to call if they are concerned about MTS privatization.

I have received a few calls both for and against, and under those circumstances we continue to listen to the public, and the public will have further opportunities when the bill comes before the committee of the Legislature, Madam Speaker.

#### Forestry Industry Cutting Rights

**Mr. Stan Struthers (Dauphin):** Madam Speaker, my question is for the Premier.

This morning, the Premier addressed the World Commission on Forests and Sustainability and forgot to mention the word "forests." He also forgot to mention that this Order-in-Council gives anybody in the Forestry Branch the authorization to increase annual allowable cuts by 20 percent with no public consultation.

Can the Premier tell us how 20 percent increases in timber sale agreements can be monitored for sustainability when they are signed off without any consultation from the public or even from within the Department of Natural Resources?

**Hon. Gary Filmon (Premier):** Madam Speaker, yes, indeed, I did have an opportunity at their invitation to address the World Commission on Forests and Sustainable Development. They are holding their hearings in Manitoba because of our reputation as a leader in the field of sustainable development. [interjection]

Well, I know that it hurts the members opposite to hear the truth, but that is fact.

The commissioners were very interested to hear about all the things that Manitoba has done with respect to

sustainable development, with respect to recycling measures, with respect to many of the measures that we have taken to protect our resources and to ensure that they can be harvested sustainably—in all those cases, I would say. This government is the first that has ever held, for instance, public hearings from the Clean Environment Commission with respect to a forest management plan.

The members opposite, when they were in government, gave carte blanche, with just a stamp of approval from cabinet, the right to harvest more timber than is currently being harvested by Manfor—Manfor which, under the members opposite, had the worst environmental record of any organization in Manitoba—and we spent millions of dollars cleaning up the mess that they left for us. That is exactly the kind of attitude they had.

Now, of course, in their hypocritical way, they stand up and they try and portray themselves as defenders and protectors of the environment, never held a hearing of the Clean Environment Commission, never had any environmental approvals given to Manfor or to the largest hydroelectric project in the history of this province, the Limestone project, and now they are born-again environmentalists.

Well, that is absolute nonsense and nobody believes them, Madam Speaker.

**Mr. Struthers:** This is the same Premier who received an F on his last environmental report card—

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

**Mr. Struthers:** Did the Premier this morning in his address include the fact that this province has given away land and cutting rights to companies at a stumpage fee of \$1.55, which is the lowest in the country? Sustainability, I do not think so. Did you mention that this morning?

**Mr. Filmon:** Madam Speaker, I talked this morning, as I rightly should, about our commitment to sustainable development, a commitment that was never seen or understood by members opposite when they were in government when they destroyed our environment and ignored any opportunity for the public to be represented, because they never held environmental hearings into Manfor or into Limestone or into any project.

So, yes, the members of the commission were very interested in the progress that we have made since those bad old times under the New Democrats, were very interested in hearing the record that we have for going through public hearings and having a process that is recognized right across Canada and throughout the world. They were interested in knowing that we are committed and, indeed, that all of our decisions are made with respect to the long-term sustainability of our forests and all of the various resources that we have under our care and jurisdiction.

**Mr. Struthers:** I guess he did not mention that fact.

**Madam Speaker:** Order, please. The honourable member for Dauphin, with a final supplementary question.

**Mr. Struthers:** Madam Speaker, then did the Premier tell the commission that it was his government who fired a wildlife biologist when he questioned the sustainability of this government's practices?

\* (1420)

**Mr. Filmon:** Madam Speaker, one of the things that fortunately prevails in a quasi-judicial process, an objective process like the Clean Environment Commission, is that you have an opportunity to listen to people with all different perspectives, and you have an opportunity to have scientists, to have engineers, to have forestry experts, to have technical experts come before the commission and put their information on the table, so that you do not have to take information based on nonsense and hearsay like members opposite want to put forward, political dribble that they try and substitute for real knowledge, real facts and solid information, and that is the basis on which decisions are made in our system of Clean Environment Commission objective review.

### Cabinet Ministers Spousal Travel Expenses

**Mr. Tim Sale (Crescentwood):** Madam Speaker, given that the Minister of Consumer and Corporate Affairs took a deputy minister and the clerk of the privy council, Jim Eldridge and Don Leitch, with him over there to pull the statue's little cover off—I mean a little bear this high—how many deputy ministers and staff does it take to unveil a bear?

**Hon. Jim Ernst (Minister of Consumer and Corporate Affairs):** Madam Speaker, the Clerk of the Executive Council had ongoing discussions and negotiations with the London Zoo. On that behalf he attended, along with myself, to conduct the appropriate unveiling in the ceremony surrounding that.

**Madam Speaker:** Time for Oral Questions has expired.

### MEMBERS' STATEMENTS

#### W. J. Joe McDonald Native Resource Centre

**Mr. Mervin Tweed (Turtle Mountain):** The past two weekends I have had the pleasure of attending the community of Boissevain, which is located in my constituency of Turtle Mountain. The first Saturday, in conjunction with the Lieutenant Governor of Manitoba, we opened the W.J. Joe McDonald Native Resource Centre, and at that time it was suggested that Boissevain was becoming one of the centres of native history and native resources and perhaps one of the largest centres for this resource in Manitoba and perhaps western Canada.

On the following Saturday, along with the minister, the Deputy Premier, the Minister of Industry, Trade and Tourism (Mr. Downey), we had the pleasure of unveiling two more murals in the town of Boissevain, one depicting the North-West Mounted Police and the other the flowers of rural Manitoba. It was attended by many and also by many tourists from south of the border, and it was presented at that time that Boissevain was actually becoming one of the cultural centres of rural Manitoba.

The pride in this community of their murals and of their native resource centre I think exemplifies what the people are trying to do in rural Manitoba on initiatives of their own. It is something that the community has pulled together, and at present I believe the total of murals in the community is 14. They represent a selection of murals and paintings done by Manitoba artists, showing some of the history and the pride of rural Manitoba.

The one mural that we opened, or that we had the signature for, was depicting the North-West Mounted Police. It was very interesting to have a gentleman there by the name of Dominick French, who was one of the

RCMP officers depicted on the mural along with his father and his grandfather who also served with the North-West Mounted Police and actually resided in the community of Boissevain.

In closing, Madam Speaker, I would just like to invite all Manitobans to tour southwest Manitoba and visit the fine community of Boissevain, and please stop and take a look at our tourist attractions, the cultural centre and the murals of Manitoba. Thank you.

#### AIDS Walk Canada

**Ms. Diane McGifford (Osborne):** Madam Speaker, yesterday, Sunday, September 29, about 400 Manitobans joined people across Canada in AIDS Walk Canada. The motto for the march, a pledge is the first step, reflects the idea that relief for those living with HIV-AIDS requires our financial commitment and our commitment to social action. The national pledge goal was \$2.6 million, and I understand that the Winnipeg marchers and their supporters pledged in excess of \$35,000. This money will be returned to the AIDS service organizations who will use it for AIDS education and prevention as well as for the care and treatment of persons living with HIV-AIDS. From my personal involvement in the community, I know that these funds are desperately needed and that they will be greatly appreciated.

Madam Speaker, the Walk for AIDS is an annual event and for several years I have participated. Yesterday, I was delighted to see that a large contingent of Manitoba Young New Democrats joined the walk and despite the bitter cold carried their banner proudly. These young people are worthy models. Certainly their passionate commitment to social justice and to a society which nurtures all its citizens gives hope to my generation, assuring us that the struggle for justice will continue.

In closing, I want to acknowledge the walk's corporate sponsors, Kahlua, SoapBerry, NAYA Spring Waters, Molson's and Club Monaco, as well as Neil Wilcox and his organizing committee. Last, most of all, congratulations to all those who solicited pledges, then collected them and finally joined the walk. We cannot have a walk without walkers, just as we cannot combat AIDS without public commitment and government support. Thank you.



### Dawson Trail Dispatch

**Mr. Jack Penner (Emerson):** Madam Speaker, I would like to ask all member of the Legislature to join me in congratulating the Dawson Trail Dispatch on its premiere issue this month. The paper provides readers in southern Manitoba and southeast Manitoba with information on issues and events and is distributed free of charge within the southeast area. The Dispatch's editorial staff designed the paper to emphasize the entrepreneurial spirit and to instill pride in the increasing economic development in the communities in this southeast area.

This community-based newspaper will cover issues of concern directly relevant to its readers and, in return, Manitobans will be able to communicate and offer advice and comments to the editor.

The Dawson Trail Dispatch banner includes a sketch of the Dawson Road and its construction. According to the editorial staff, each log that was laid down on the road, which stretches through the muskeg country of eastern Manitoba, was crucial to the road's sturdiness. These individual logs represent each person living in the communities to which the newspaper is distributed. It is the philosophy of the Dispatch that every member of the group contributes to the community, thus the community would be weakened if one person were to be removed. The symbolism used in the naming and philosophy of the Dispatch emphasizes the sense of community and camaraderie that is essential in the creation of any rural business.

Madam Speaker, I hope this new paper will lead the readers of southeast Manitoba to rediscover the corduroy region once again through the communication and the interaction. This paper provides an excellent opportunity for southeast Manitobans to become involved in their community. It is reassuring that the Dispatch has been overwhelmed by the positive response from advertisers, writers, in the week leading to its first publication.

Madam Speaker, I am pleased to see the further creation of small business in rural Manitoba, and I wish the editorial staff and the people of southern Manitoba a great deal of success in their new endeavour.

### RCMP Run for Cancer

**Ms. Rosann Wowchuk (Swan River):** Madam Speaker, I would like to take this opportunity to

recognize the RCMP runners, the many volunteers, the generous donors, corporate sponsors and organizers who worked to organize the annual RCMP Run for Cancer this weekend.

The RCMP Run for Cancer was initiated in the summer of 1983 when six members of the Brandon detachment ran a distance of 170 kilometres from Brandon to Dauphin in order to take part in the RCMP homecoming in Dauphin. Initially, the team was simply going to run the relay for the fun of it, but decided that this was an opportunity to raise funds for the Canadian Cancer Society.

Over the years, the run has followed several routes. As the run wound its way through many different communities, the distance covered varies from 170 to 360 kilometres.

**Some Honourable Members:** Oh, oh.

**Madam Speaker:** Order, please. I wonder if I might ask for the co-operation of all honourable members to have your private meetings either in the loge or outside the Chamber. I am experiencing great difficulty hearing the honourable member for Swan River.

**Ms. Wowchuk:** The RCMP Run for Cancer has always been a nonstop relay-style event. Each runner on the team completes approximately 40 kilometres. The fourth team event covered the entire province. Six individual runs took place on September 27 and 28, from Thompson to Flin Flon, Russell to Swan River, Manitou to Portage, Brandon, a circular route from Winnipeg to Selkirk and another Winnipeg to Selkirk run in the Interlake.

The long-term commitment of the RCMP, the work and the enthusiasm of hundreds of volunteers, wonderful public support, and the special community events is something to be commended. Since 1983, the RCMP Run for Cancer has raised over half a million dollars for cancer research. This year's goal was \$110,000, and my understanding is that it was probably reached.

I want to take this opportunity to recognize some of the runners that I had the opportunity to meet over the weekend. They are: Ken Aspen from Winnipegosis, Perry Farnsworth from Dauphin, Rick Johnson from Roblin detachment, Bill Pertson from Dauphin, Steve

Sumner from Swan River, Ken Barker from Ethelbert, Theresa Gribbon from Grandview, Calista MacLeod from the Russell detachment and Simon Hriech from the Swan River detachment.

All of us should recognize the tremendous work these people are doing in their support to fight cancer.

\* (1430)

### Dawson Trail

**Mr. Ben Sveinson (La Verendrye):** Madam Speaker, it is my pleasure to rise in the House today and tell my fellow members the story of the Dawson Trail. I attended the 125th anniversary of the official opening of Dawson Trail this summer at Dawson Trail Days in Ste. Anne. A book titled the Gateway to the West was published in commemoration of the anniversary. The book is a tribute to Simon Dawson and his accomplishment building the first all-Canadian route to western Canada.

Simon James Dawson was a surveyor and engineer. Dawson's elaborate and expensive plan called for the building of wagon roads over various portages and for the construction of locks at Fort Frances. Because of cost, the project was ignored until after Confederation. In the early months of 1870, more than 1,000 men were working on the project. Within a year of completion of the Dawson Trail, a government immigration transport service was established and settlers bound for the prairie were using the road.

The villages of Lorette, Ste Anne and Richer, in my constituency, share a common historical background closely linked to the construction of the Dawson Trail. In fact, construction of the trail started in Ste. Anne. The Dawson Road cairn was erected in Ste. Anne in 1959 to commemorate the construction of the trail.

Finally, there is the famous folklore about the lost treasure of the Dawson Trail which I would like to share with the members. According to the storytellers, somewhere east of Winnipeg along the Dawson Trail there is supposed to be a treasure of gold. The tale says that the soldier was carrying \$10,000 of gold to pay the troops with the Wolseley expedition. According to the story the soldier was chased by the local First Nations people along a portion of the trail where he dumped the pouch

containing the gold. Little more is known except that the story surfaces from time to time and the mystery of the Dawson gold remains, but the question remains, is there a treasure hidden along the Dawson? Most people think there is, if not in gold pieces, then in the legacy of the Dawson Trail.

Thank you.

### ORDERS OF THE DAY

#### WRITTEN QUESTIONS

**Mr. Tim Sale (Crescentwood) –**

1 (a) Between 1990 and 1994, how many spousal travel requests were made by cabinet ministers, how many were rejected and how many were approved?

(b) Who were the cabinet ministers who made these requests, and what were the dates and destinations of the travel?

(c) What was the cost of this spousal travel, itemized by type of expense?

(d) Since 1994, when the spousal travel policy changed, how many trips have cabinet ministers made with their spouses?

(e) What were the dates and destinations of these trips?

(f) What were the itemized costs of these trips, for both the cabinet ministers and their spouses?

### House Business

**Hon. Jim Ernst (Government House Leader):** Madam Speaker, I would like to announce that the Standing Committee on Agriculture will meet tomorrow evening at 7 p.m. to consider Bills 5, 6, 23, 24, 30 and 31, all of which were passed through second reading last week. If you can hold off for one sec. I wonder if I might have leave to move—

**Madam Speaker:** Can I do the committee announcement first?

**Mr. Ernst:** Oh, sure.

**Madam Speaker:** The Standing Committee on Agriculture will meet tomorrow, Tuesday, October 1, at 7 p.m. to consider Bills 5, 6, 23, 24, 30 and 31.

**Mr. Ernst:** I wonder if I might have leave of the House to give Bill 75, The Commodity Futures Act, second reading.

**Madam Speaker:** Does the honourable Minister of Consumer and Corporate Affairs have leave to give Bill 75, The Commodity Futures Act, second reading? [agreed]

## SECOND READINGS

### Bill 75—The Commodity Futures Act

**Hon. Jim Ernst (Minister of Consumer and Corporate Affairs):** Madam Speaker, I move, seconded by the Minister of Environment (Mr. Cummings), that Bill 75, The Commodity Futures Act (Loi sur les contrats à terme), be now read a second time and referred to a committee of this House.

**Motion presented.**

**Mr. Ernst:** Madam Speaker, I firstly want to thank the members of the two opposition parties for agreeing to allow The Commodity Futures Act to remain after first reading on the Order Paper and receive second reading during the fall session. We had discussed the issue with respect to the Commodities Exchange and their desire to expand their horizons and the need for regulatory authority to be in place. So both the members of the official opposition and the members of the Liberal Party co-operated to bring this bill before us today.

The Commodity Futures Act will be a very important step forward for the administration of the commodities business in Manitoba and in Canada, and we are very proud to introduce this legislation. In 1978, Manitoba was one of the first jurisdictions in Canada to adopt legislation governing trading and commodities futures. The legislation was rather limited in scope and expressly excluded the Winnipeg Commodity Exchange from its jurisdiction. At that time, trading on the exchange was

limited to futures contracts on grains which were governed by the federal grain futures act. In the years since then, Madam Speaker, the business of the Winnipeg Commodity Exchange has expanded and evolved into several new areas that are beyond the scope of our legislation. These include options on a number of existing contracts as well as new futures contracts on commodities such as feed peas which are outside its traditional scope.

As a result, the exchange needs a legislative framework that can keep pace with this growth and movement into new areas, and this is the reason for the bill. Since our act came into force, other Canadian jurisdictions have adopted comprehensive commodity futures legislation. Our new legislation follows these other acts. The intention is to give the Manitoba Securities Commission regulatory responsibility for trading in commodity futures contracts and options in general, and the Winnipeg Commodity Exchange in particular.

Madam Speaker, under Bill 75, the role of the Manitoba Securities Commission will be one of supervision. Like the similar legislation elsewhere in Canada, Bill 75 divides the responsibility for regulating commodities futures markets between the commission and the exchange. The bill is based on the premise that the exchange will continue to have primary responsibility for regulating its members. However, the Manitoba Securities Commission will be required to approve the internal rules and regulations of the exchange and act as an appeal body from its disciplinary and other decisions. As I said earlier, we are proud of this legislation which, together with our bills on the Commodity Exchange itself and the Winnipeg Stock Exchange, constitutes an important strengthening of the basic laws governing our major financial markets and the organizations that operate those markets.

We have consulted with a wide body of stakeholders in preparing Bill 75, and there is broad support in the industry for this bill. We are confident that the bill and its companion acts will enable our major financial markets, and especially the Winnipeg Commodity Exchange, to move forward and to meet the needs of its clients. This in turn will strengthen the position of Winnipeg as a participant in stock and commodity futures activity in Canada. So, Madam Speaker, again I commend Bill 75 to the House, and I again thank my

honourable colleagues for allowing this bill to come forward.

**Mr. Steve Ashton (Thompson):** I move, seconded by the member for Wolseley (Ms. Friesen), that debate be adjourned.

**Motion agreed to.**

**Hon. Jim Ernst (Government House Leader):** Madam Speaker, would you call Bills 18, 47, 70 and 49.

### DEBATE ON SECOND READINGS

#### Bill 18—The Payment of Wages Amendment Act

**Madam Speaker:** On the proposed motion of the honourable Minister of Labour (Mr. Toews), Bill 18, The Payment of Wages Amendment Act (Loi modifiant la Loi sur le paiement des salaires) standing in the name of the honourable member for Wellington (Ms. Barrett).

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

**Mr. Daryl Reid (Transcona):** Madam Speaker, I am pleased to rise to add my comments to Bill 18, The Payment of Wages Amendment Act, that the Minister of Labour (Mr. Toews) tabled in this Chamber back during our spring sitting.

This piece of legislation will make some changes that will allow for an expansion of the powers of the provincial government through the Department of Labour and Employment Standards, for the continuation or the exchange of and enforcement of The Payment of Wages Act in the province of Manitoba and other acts that may be enforced in other provinces, territories and now, with this legislation, with jurisdictions, because that is the word that is being brought into play here.

\* (1440)

It is my understanding that this piece of legislation will allow for changes and that will allow the Lieutenant-Governor now to make by regulation and designate other jurisdictions as reciprocating jurisdiction for the purpose of enforcing in Manitoba an order or a judgment made by another jurisdiction.

It is my understanding that this piece of legislation, currently in effect in the province, has reciprocal enforcement provisions that we share with our other sister provinces and territories in Canada.

It is my understanding that we have four provinces and two territories for which we have those reciprocal arrangements for enforcing each other's payment of wages, orders that may come forward.

It is my understanding that, as the minister has pointed out here I believe in his comments some time ago and through our research, we have been able to determine as well that the provinces of British Columbia, Alberta, Saskatchewan are the provinces, as well as Nova Scotia, which we have reciprocal arrangements made for the enforcement of each other's payment of wages orders.

It is also my understanding that we have similar arrangements with the Northwest Territories and Yukon. The minister has indicated during his comments here that we have, through the Department of Labour, Employment Standards been working on also having agreements in place with the Province of Ontario. It is my understanding, work may be being done presently with other Canadian jurisdictions as well to allow for enforcements of each other's payment of wages orders.

Madam Speaker, I think that this legislation, to allow for that is probably a move in the right direction and that we can, of course, seek where there are orders that are handed out through Employment Standards, through the director's orders or through Labour Board orders to allow for other jurisdictions to enforce those orders on our behalf for employers that may not be in this province or for orders for people who are living in this province now that have come from other jurisdictions, asking us to assist in the capturing of those wages that are due and payable to the employees, being that the employee would have earned those monies through employment with the employer in question.

Madam Speaker, I think it is important to go back and to take a look at the Payment of Wages Fund itself and to take a look at when this fund came into practice and some of the discussion that has been taking place with respect to this act over a number of years and to take a look at the history, the real history of the Payment of Wages Fund

itself and the monies that have been associated with The Payment of Wages Act over the number of years through successive governments and also some of the problems that have been encountered by the fund and when the fund and the act have come into being.

It is my understanding that the Payment of Wages Fund was established through the Schreyer government back in the 1970s. I believe it was 1975 that The Payment of Wages Act was established. The purpose of the act was to help those employees, those working people of our province that have been working for a particular company or for a particular employer where the employer has by various reasons failed to pay the employee the monies that are due and payable to the employee for the hours that were worked.

Now, the reasons can be varied and many, could also involve bankruptcy or receivership of the company, but it also can take into account the fact that there are employers that are still currently in business and just, for whatever reason, refusing to pay their employees the wages that are due and owing. Now, one would think that most employers of our province, or we would like to think that most employers of our province, are reasonable people and that they would treat their employees fairly, but I can tell you that I have cases in my files downstairs in this building where employers have not been treating their employees very fairly. I think these cases, from what I am told, have been referred to Employment Standards. In some cases, the employers have been found to be in contravention of the act.

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

Now, with The Payment of Wages Act, when it was established, I think Howard Pawley was the Minister of Labour at the time. Howard Pawley was the minister responsible for labour. Howard Pawley, as the Minister of Labour, came forward with the legislation to bring into being The Payment of Wages Act itself, and I think it was a good move. I think working people of the province of Manitoba really appreciated that progressive step. It was some time later that a subsequent government—and I believe it was under the Lyon government at the time—

**An Honourable Member:** Lyon or lying?

**Mr. Reid:** Lyon, L-Y-O-N. There is some interpretation as to the spelling of the Lyon government, but we will leave that to others to debate at a later point.

It is my understanding that, through the Lyon government, recognizing the importance of The Payment of Wages Act, went the next step and established the Payment of Wages Fund. Now the Payment of Wages Fund, when the government of the day recognized, in looking back through Hansard, Mr. Deputy Speaker, that while The Payment of Wages Act was a good step and would allow employees to proceed through Employment Standards for the collection of wages owing, especially in cases of receivership or bankruptcy or wages in dispute, where employees would have to go a number of weeks, in fact, in some cases, up to years before they were able to collect any monies that were owing to them by way of wages—now the government at that time, from my understanding, in looking through the Hansard comments, recognized that further steps had to be taken and the government of the day brought into being the Payment of Wages Fund.

It is interesting to look back at some of the comments that were made with respect to that fund and some of the debates that take place, and I know that looking through Hansard, one Gerry Mercier had added his comments a number of times on issues respecting Payment of Wages Fund. He was quite bold in his comments in saying that when we were in government, we introduced the Payment of Wages Fund and goes on to speak highly of the program itself and how it served the people of Manitoba and that they were quite proud to support it. Looking at the history of the Payment of Wages Fund and The Payment of Wages Act, we can see demonstrated quite clearly that this was an act and a fund that has served and continues to serve the people of Manitoba very well. I noticed that at that time the Conservative Party, Mr. Mercier goes on to say, had the interest of workers at heart in situations involving the working people of the province of Manitoba.

Now, it is interesting to note that members opposite continue to say that they support working people of this province, but if they just turn on their thinking caps for a moment and think back to April of this year when they introduced their most recent provincial budget, they will recall, through the Department of Labour Employment

Standards, this government totally eliminated the Payment of Wages Fund.

Now, it is interesting to note that the member for River Heights (Mr. Radcliffe) says here today that that act and that fund has not been fulfilling its mandate to the people of Manitoba, and I will get to his comments in a few moments, Mr. Deputy Speaker, when we look at what this fund means to working people in this province that have been short-changed their wages because of different circumstances involving their employers, whether it be receivership, bankruptcy or failure to pay.

I want to look back to some interesting comments that I came across by Mr. Mercier, at that time, when he says, and I quote, the Payment of Wages Fund was set up to compensate employees for wages that they had lost.

It did not say that these employees should have to wait the extended periods of time. It did not say that these employees should be short-changed their funds and should have to endure hardship for themselves and their families by waiting weeks and quite often as long as years for these cases to be resolved through the courts for the more serious cases and that these families should have to wait that.

\* (1450)

That is not what Mr. Mercier was saying. He was saying at the time that this fund was set up to compensate employees for wages which they had lost, and it was not set up to wait over six months to provide some compensation to employees. That is a further quote from Mr. Mercier at the time. It was to provide some payment of wages to these employees under this fund which the government established and was not just sympathy, it was not social assistance, it was not welfare and it was not sympathy as is now being claimed by this government for the elimination of the Payment of Wages Fund.

So we have to take Mr. Mercier's comments, and these come from the April 5, 1983, Hansard, which we have researched out because, quite frankly, I wanted to educate myself on the history of this fund and The Payment of Wages Act so I could have a clear understanding of what it meant to the governments of the day, the circumstances under which they were bringing forward this legislation in this fund and what they were trying to do to help the people of Manitoba.

What we are seeing now is that the government of this day, the Filmon government, has eliminated totally that fund and it will create, Mr. Deputy Speaker, hardship for the working people of this province. Well, it is interesting to note that the government over a number of years, successive governments, I might add too, both New Democrat and Conservative governments, have continued with that fund since that time, and there was no need, no willingness and no reason to withdraw funds, the Payment of Wages Fund itself.

You take a look at some of the cases that have come before the Labour Board, and I have before me statistics right out of the Department of Labour's document. If you take a look back to, for example, 1989-1990 year, out of The Payment of Wages Act, statistics relating to the administration of The Payment of Wages Act, we find that the number of applications filed was 331 at that time and that there were orders issued by the board for 302 and there were 62 cases pending. So you can see that there were a significant number of cases where working people came forward because they could not find any way that was available to them to pursue and obtain the payments of wages to them to which they were legally entitled and had earned.

If you take a look at the Department of Labour's document for the year 1991-92, you will find that there were 154 cases carried over that year from the previous year and that there were 215 new cases that came forward that year for a total of 369 cases that had to be dealt with and had to be resolved under The Payment of Wages Act. The board had issued orders on 283 of those cases; 40 were carried over to the next year. Then, Mr. Deputy Speaker, if we take a look at the year 1994—again, under the Department of Labour's documents, statistics relating to the administration of The Payment of Wages Act—there were a total of 211 cases for the most recent year for which I have documents in front of me. Of those, 99 were resolved and 69 outstanding, and there were a few of the cases that were withdrawn.

Now, if you take a look, it is obvious that there are employers in the province that are refusing or failing to pay their employees for wages that have been earned; and, if you take a look at the number of cases, as I have explained here, there is not a significant decline or change in the number of cases that come forward. Working people of this province have been disadvantaged and

need to have some way to recover their wages. It is my understanding, and looking at the amount of monies that have been involved, the historical high for this fund has been in the range of about half a million dollars in annual budgets for the province, and that the most recent year that money had been reduced to about \$225,000, from a half a million dollars down to a quarter million dollars. Of course, this year that fund has been totally eliminated.

Now, the minister says—getting back to the comments for the member for River Heights (Mr. Radcliffe)—that the Payment of Wages Fund is no longer necessary. He says it is because unemployment insurance funding kicks in first before those funds can ever be paid out to working people of the province of Manitoba; therefore, it justifies in his mind and gives him reason enough to eliminate the Payment of Wages Fund. What the minister does not tell us here, and I have had the opportunity, Mr. Deputy Speaker, to talk with people that work in Employment Insurance commission—I think that is the new name for it, EIC, now—for the federal government. Quite frankly, the federal government was not even informed by this provincial government that they were withdrawing and eliminating the Payment of Wages Fund, and that it was going to have negative consequences and repercussions for the working people of our province.

Now, you would think that there would be some communications between governments, especially where it is involving working people whether through Human Resources Canada and the Department of Labour or some other means through government mechanisms that we have in place to communicate the changes that are taking place. The unemployment insurance people, after I had called them and asked them what would be the role of unemployment insurance if an employee came forward and said, I have worked these two weeks or I have worked this month and my employer refuses to pay me for a reason, whether it be receivership, bankruptcy or just refusing to pay, unemployment insurance informs me that the employee would not be eligible for that period for which they have worked and for which the employer has not paid them. Now, that seems to be contrary to what the Minister of Labour (Mr. Toews) has been saying in his comments and his colleagues here have been saying in the Chamber.

So what is happening here is that the government has not informed the Human Resources Canada of the

changes, the elimination of the fund. Human Resources Canada has received complaints which they told me about in a general way. People coming to them have been unable to collect monies, the people coming to them for unemployment insurance have been unable to collect monies for that period of time for which they had worked. They came to unemployment insurance thinking that that plan would pick up the slack, and were being told that is not the case, unemployment insurance through Human Resources Canada will not pay for the period for which employees have worked and the employer refuses to pay. So unemployment insurance does not kick in for that period of time.

What does that mean to the families that are involved here? What that means is that the working families of this province, the working people of this province go to work day in and day out for an employer, and they put in the hours and the honest effort on behalf of the employer in the performance of those duties. The employer refuses at the end of that period to pay, for a variety of reasons which I have already indicated here, and then the Minister of Labour (Mr. Toews) says he is going to eliminate this fund and say to those working people: Go to unemployment insurance, put in your waiting period of two weeks—I believe that is still the waiting period—but nobody is going to help you with the two weeks or the one month that you worked and did not receive any wages.

So what that minister is saying is that we are going to leave you to hang out there to dry, and it is up to you as individuals to process this through Employment Standards and/or to proceed to the courts on your own to try and recover those monies if, as a working person, you can afford to do that.

The minister says that unemployment insurance funds would kick in before monies could be given out through the Payment of Wages Fund. Well, I wish to correct the minister on that. He knows full well that the Payment of Wages Fund allows for and regularly gives discretionary powers to the of Employment Standards, the ability to make on-the-spot decisions to give funds to workers who have not been paid by their employers for periods of time that they have worked and earned those monies. It is a standard practice of Employment Standards through the Department of Labour to pay those monies out to working people in those cases, and this minister says that

monies do not flow. Well, I wish to tell him he had better go back and talk to the people in his own department, because his words do not jibe with the actions of his department and have not for a period of time balanced or equated to what the department is doing versus what the minister is saying. So the minister is obviously either misinformed or he wishes to distort the facts with respect to the payment of funds out of The Payment of Wages Act.

Now I think that, Mr. Deputy Speaker, if you take a look at the employment standards, it has not changed—

**An Honourable Member:** We used to have employment standards.

\* (1500)

**Mr. Reid:** We used to have employment standards, that is true, we did. If you take a look at some of the infractions that have been happening under Workplace Safety and Health, some of the claims—[interjection] These are not my words, these are real life situations that are coming to me from working people in this province. So what the Minister of Labour is saying now is that working people are going to have to wait, that there is no longer any discretionary power on the part of the Director of Employment Standards to issue monies. Even in hardship cases there will be no discretionary power, because the money has been totally eliminated.

Now if you take a look at a quarter million dollars, to a lot of people that is a lot of money, to working people that is a lot of money, but in the grand scheme of things, if you equate that quarter million dollars that was in the fund compared to the \$5.5 billion that this government expends in a year, in a fiscal year, it is a very, very small amount of money but provided an immense amount of reassurance and financial relief for those people that had the opportunity to make use and receive payment of those funds under The Payment of Wages Act and Fund. Now if you take a look at the various Estimates books over a number of years, you will find that it does not change from year to year under Employment Standards and the way they define the fund, but the Payment of Wages Fund was the payout of an estimated—and it would give the annual amount and that is the way they would spell it out in their document. The annual documents for the Department of Labour would pay out monies to wage

earners who are unpaid as a result of bankruptcies and receiverships, so that the likelihood of individuals to capture any of these monies—now, I do not know if members opposite are concerned about their constituents who are now no longer going to be able to receive this money without having to wait an extended period of time and maybe never receive any money because, in cases of receivership or bankruptcy, the chances of recovering any of those monies are probably slim and none, that the employees themselves will have to go without and their families will have to do without any wages for that period of time that they worked and did not receive funding.

And therefore, the bills still rolled in for the families at the same time, but the government has chosen to disregard the real impact on the families by the elimination of the Payment of Wages Fund. It is interesting to note that the Payment of Wages Fund had reasonable limitations on it, that it would only compensate employees once during the fiscal year up to \$1,200 of lost wages and was usually done for employees who had worked at businesses that had gone under, in other words, to receivership or bankruptcy.

Now, this program has been around for about 15 years and there have been quite a number of claims, as I have already spelled out here. What the government is now saying is that the Payment of Wages Fund was a tool but it was not its most effective tool and that they could go after the bank accounts of directors and companies. But what they do not tell you is that if you are in receivership or bankruptcy you can try to go after them, but your chances of success are very, very slim and that the people, the working people themselves, would be significantly disadvantaged having to wait that period of time knowing that the bills were continuing to pile up.

Now, if you take a look at the headlines, it seems that the media understand the impact on the working people of this province even if the government does not understand. Take a look at the headlines here. It says, Tories kill wage liferaft, and that the fund provided cash for workers unable to collect from employers. So the media understand what the impact of this is going to be on working people in the province here.

The minister says by his own comments that he viewed the Payment of Wages Fund as a form of social assistance. The minister says that this is welfare for the



working people of this province, the people that were legitimately owed monies.

I do not know how he can say that, because the people went out and they worked their regular shifts in good faith with their employers and no doubt worked very, very hard trying to meet the needs of their employers, and then their employers defaulted on the payment of those wages.

The minister says, by the government having a very meagre fund that they had in place, that he viewed that as social assistance for the working people. He does not understand the concept of hardship obviously for the families that went to work for those periods of time, had expenses related to workplace, going back and forth to work, they had bills that were coming into the family for that period of time for which there were no wages coming into the household to pay those bills—the minister says it is social assistance to hand out those funds.

Perhaps it was. If you take a look at the minister's words, and maybe I am misreading what the minister says, maybe he is right. Maybe it was social assistance, but it was not for the working people of this province, it was for the businesses of this province. That is where the social assistance came in. That is maybe what the minister was saying he did not agree with.

I can tell the minister, if that is what he meant by his words, it was social assistance for the business community, then I say that while on principle I disagree with that form of subsidy for business, and I hope that the business community would in general disagree with a subsidy for business from government, that it was a small price to pay to help the working people of Manitoba meet the needs of their family in cases where employers refused or failed to pay wages that were owing.

So I hope the minister, when he looks at his Payment of Wages Act and his Payment of Wages Fund, because this fiscal year is now proceeding along and we are at least six months through the fiscal year, that this minister will look at bringing back into the budget next year the Payment of Wages Fund that will allow for discretionary powers on the part of the director of Employment Standards to recognize the hardship cases that come before him and to make the necessary payments to the families that are disadvantaged by employers who refuse to pay for wages that have been earned by the employee.

I seriously hope that the Minister of Labour and the government will review—

**An Honourable Member:** Do we have a Minister of Labour?

**Mr. Reid:** Well, perhaps he is not a Minister of Labour. Maybe he is the minister of anti-labour, I am not sure, judging—

**An Honourable Member:** He is the minister of bashing unions and workers.

**Mr. Reid:** Well, he seems to be taking that tack these days where he does seem to bash unions, but I will not go down that road here today.

This bill, if you take a look at the reciprocal arrangements, will allow for exchanges of information and the enforcement orders between various jurisdictions and provinces. Now, the minister references the fact that it will include other jurisdictions into the United States, and we will have reciprocal enforcement orders with the United States and perhaps other jurisdictions in the world as well.

On a positive note, Mr. Deputy Speaker, with respect to this bill, I think it is a move in the right direction. It will help, I believe, working people recover the monies to which they are entitled, having performed their duties in good faith in working for their employers, and this government, having brought forward this bill, should recognize that they have an obligation to the working people of this province, not just on an interjurisdictional position but also with respect to the Payment of Wages Fund, and that they should reinstate that fund in successive years and recognize that that fund does provide relief to families and is not social assistance for working people of this province, even though it may be social assistance for the business community in Manitoba.

With those few words, I look forward to going to committee with Bill 18, The Payment of Wages Amendment Act, and I look forward to hearing any public presentations that may come forward at that time and having the opportunity to ask questions of the minister with respect to this legislation.

Thank you for the opportunity to add my comments here today.

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

#### Bill 47—The Public Schools Amendment Act

**Mr. Deputy Speaker:** On the proposed motion of the honourable Minister of Education (Mrs. McIntosh), Bill 47, The Public Schools Amendment Act (Loi modifiant la Loi sur les écoles publiques), standing in the name of the honourable member for Transcona (Mr. Reid).

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

\* (1510)

**Ms. Jean Friesen (Wolseley):** Mr. Deputy Speaker, this is the second in a series of education bills presented to the House in this session. In introducing this bill in June to the House, the minister argued that this bill aimed to restore public confidence in the public education system. It would enable local communities to make decisions that have a positive impact upon their students and will create ways for all parents to be involved in their children's education.

The minister believes her bill lays out the rights and responsibilities of parents and children. Her bill, she believes, also aims to require standardized reporting of financial accounts of school boards and specifies more ways in which the minister expects school boards to be obedient to the party in power. There is, as is so often the case with this government, a large gap between what is said and what is done. To suggest that this bill will restore public confidence in education suggests that the minister has not understood the public perception of the Filmon education system and believes that school choice that she is proposing here and different accounting systems can undo the damage that has been done by her government.

In considering this bill, we should remember the role of the Filmon government in undermining the public school system. Their first step after they achieved a majority government was to systematically begin to cut the funds

to public schools. Instead of fulfilling an election commitment to move to 80 percent provincial funding for education, they began to cut back until today it stands at 63 percent, with more than \$400 million having been withdrawn from the grants to school boards. The Filmon government then required the boards to spend their surpluses, encouraged them to cut professional development days to meet the Filmon Friday wage cuts, reduced transportation grants and cut the number of clinicians available to school divisions. All of this was accomplished within a short period of time. At the same time, the government used the power of the state to channel more funds to private education. Until last year, this was done through a formula agreed to privately with the private schools to pay them 80 percent of the provincial grant to public schools. However, as the grants to public schools declined, the grants to private schools increased at a slower rate than the private schools had anticipated. Thus, a second agreement was reached, again, in private.

Indeed, for several days, the minister refused to answer questions on it in the House, and this agreement has now tied private school funding to the total expenditure on public school pupils, an amount that includes both the provincial grant and the sum of local taxation. Public school trustees are now aware that as they increase the amount of local taxation to deal with increased costs of transport, building maintenance or the high cost of supplies, they are inevitably and irrevocably increasing the amount of public money going to private education and by some calculations thus diminishing the amount of dollars available in the education envelope for the public schools of this province.

Mr. Deputy Speaker, the government is quite consciously using the power of the state and public money to tip the balance in favour of the private education system. As my colleagues for St. James (Ms. Mihychuk) and for Radisson (Ms. Cerilli) and I demonstrated in a press conference last week, public schools are being forced to draw more and more of their income from private sources, including fees and fundraising by parents and children. The cost differential between the public and private systems is narrowing, and it is setting the province on a dangerous path. The evidence in school financing is very clear. This government has deliberately chosen to erode the funding of public schools. The minister has a very long way to go

to convince anyone of the likelihood of any bill of hers restoring confidence in the public education system.

There is much more to be said on the role of this government in undermining public education, and I do not have time here to list all the ways. The approach to curriculum changes is a classic example of invented crisis. Manitoba had a co-operative approach to regular and consistent assessment of curriculum. The minister wanted to join the western consortium. There were some good reasons to do so, but one of the difficulties with the minister's approach to new curriculum is that in fact it became much more centralized, much more distant from the classroom teacher, was introduced at a very rapid rate with many reversals and in fact has been very destabilizing for some elements of the public education system, and, as in so many areas, centralization has been at the heart of the exercise.

It is so disturbing, I find, that the minister would have us believe that such changes encourage local decision making. It is the very opposite. It is very distressing that this is a government who chooses the language of local democracy and decentralization to try to mislead. Government must say what it means and mean what it says or it will not be trusted. This government is smooth and practised at dissimulation, and it has opened up a gulf between the governors and governed which does not serve our society well.

The gulf between school boards and the government is evident. For three years, the government kept the school boards in turmoil as they proceeded to full steam ahead with plans to amalgamate school divisions. They knew it would be a difficult political sell, particularly in rural Manitoba, where communities rightly believe that they were being asked to sacrifice either their school or their community. They made their voices known, but the government could not believe that they had spoken so forcefully. Eventually, after three years and more than a million dollars, the Minister of Education backed off a full frontal attack on the school boards. It should be noted, however, that this government, as is so often the case, was not prepared to do this with a statement in the Legislature but deliberately chose to wait until the Legislature had risen before making any announcement. A minister who is afraid to face the House to answer public questions on a policy, which she had twice asked the advice of thousands of Manitobans, does not give one

great confidence. It is difficult to accept at face value her belief that she is enhancing local decision making.

Finally, Mr. Deputy Speaker, can we really put any credence in the words of a minister who publicly argues that Manitoba teachers are overpaid, overeducated and underworked? Her discussion paper for the Render-Dyck hearings suggested clearly that these were the assumptions of her government. This is hardly the basis for a good relationship, and I suppose one can only say matters have deteriorated ever since. Several of the bills in this session take steps to undermine the position of teachers, whether it is in the sections of Bill 33 which enable the minister to determine all methods of assessment in all classrooms or in Bill 72 or in Bill 54 which extends to teachers' associations the requirement for financial reporting but deliberately excludes them from all the protections of The Labour Act.

It is the hallmark of an authoritarian government isolated from reality and undeterred by reason that it believes that it can effect any kind of change in the classroom without the co-operation of teachers. This government has a long journey to make to begin to regain the trust of the province's 12,000 teachers. I urge them to begin taking those steps now for the sake of the public interest and the future of Manitoba families.

This particular bill contains a number of proposals which are relatively noncontroversial. The provisions for particular kinds of accounting practices are a little puzzling to the many divisions which already practice them, but perhaps there is an argument to be made for continuity and standardization of the reporting of financial accounts. The provision for an annual report to the residents of the school division by the board also has merit, although the bill takes a rather narrow view of the range of reporting requirements.

The sections dealing with pupil records is sensible, and there are many school divisions which already have appropriate records policies. It might have been helpful if the minister had identified such best practices and assisted school divisions to examine them. It is perhaps quite typical of this government that they would choose to take a high-handed approach even in a good cause where example and persuasion would have been as effective, particularly given the present gulf separating the minister and so many school divisions.

It is important I think to point out too that good record keeping and storage is an added financial cost to school divisions at a time when the government has cut funds so severely. I look forward in this to the comments of the school trustees when we come to examine this at committee. I shall also be interested in the disposition of the documents after the student has graduated or left the school division. What is the future of these records? How long must they be stored by the division? What role will the Provincial Archives play in their future? And has indeed the government got any kind of plans for this?

A second group of provisions in this bill are a little more puzzling. The rights of the pupil are defined in an unpleasantly narrow way: the right to be tested; the right to see one's record if one is over 18 and the right to be accompanied by an adult to make representation to the school board before a decision is made to expel.

I find that very narrow, even for this government, and I was drawn to make comparisons to the international Declaration of the Rights of the Child. I want to read some of those rights of the child into the record and invite members of this House to compare them and to compare the vision that is offered there for a child, for its education, for its protection and for its development, and compare that to the narrow perspective of this government: the right to be tested, the right to be represented before one is expelled.

\* (1520)

The United Nations, however, proposes 10 principles, and I will not read them all. I will pick those that are relevant more directly to education. Principle 2, for example, says that the child shall enjoy special protection and shall be given opportunities and facilities by law and by other means to enable him to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity. In the enactment of laws for this purpose the best interests of the child shall be the paramount consideration. The response of this government is the right to be tested.

Principle 4 says that the child shall enjoy the benefits of social security. He shall be entitled to grow and develop in health. To this end, special care and protection shall be provided both to him and his mother,

including adequate prenatal and postnatal care. The child shall have the right to adequate nutrition, housing, recreation and medical services. The response of this government is to reduce the amount of money available to mothers with young children on welfare, and the right to be tested.

Principle 5 of the United Nations Charter says that the child who is physically, mentally or socially handicapped shall be given the special treatment, education and care required by his particular condition. The response of this government is the right to be tested.

The child in Principle 7 is entitled to receive education which shall be free and compulsory, at least in the elementary stages. He shall be given an education which will promote his general culture and enable him on a basis of equal opportunity to develop his abilities, his individual judgment and his sense of moral and social responsibility and to become a useful member of society. The response of this government is to reduce the funding for school boards so that fees are indeed being charged and to respond with the right to be tested.

Principle 10 says that the child should be protected from practices which may foster racial, religious and any other form of discrimination. He shall be brought up in a spirit of understanding, tolerance, friendship among peoples, peace and universal brotherhood and in full consciousness that his energy and talent should be devoted to the service of his fellow men. The response of this government is the right to be tested.

If we were to take all of the principles, I think the contrast between them and between those of this government is remarkable and perhaps needs little further comment upon my part. The government also in this bill looks at the responsibilities of pupils. This I think is even more puzzling. It is not, and I want to emphasize this, Mr. Deputy Speaker, that anyone would quarrel with the sentiments expressed that students have a responsibility to attend regularly and punctually or that they complete their assignments and that they treat school property and that of others with respect.

But what on earth does the government think it will accomplish by putting this into legislation? Surely this is an expression of values, not laws. Surely it is part of the job of the school to impart these values. Surely this

is the journey which young people take as they begin school. Punctuality, responsibility, respect—these are the things that we attempt to develop both in the home and the school, but here is a government which intends to enforce this by law.

Is the government truly intent on criminalizing the absence of homework? Who will decide whether or not a student has treated property with respect? What does it mean anyway to treat with respect? Does the government mean thou shalt not steal; thou shalt not deface? Surely these are dealt with in the general law of the land.

Is the government intent on creating a separate kind of offence for dealing with school property and lack of respect thereof? It is difficult to believe how this one got by the legislative drafting procedure. Is this one of those bills which was sent out to be done under private contract as so many were this time? What on earth is Mr. Justice Sterling Lyon going to make of this when the first child, age five, is brought before him for not having done his homework?

Mr. Deputy Speaker, it brings to mind both Charles Dickens and Monty Python, pathos and farce at the same time. Come to think of it, it might not be a bad epithet for the government as a whole.

So I sincerely hope that the government takes the time to rethink this one. The attempts to balance rights with responsibilities is helpful. The desire of parents and teachers everywhere that assignments be completed is worthy, but the enshrinement in legislation in this manner is ill advised.

More fundamental to the Manitoba education system are the sections of this act which set out criteria for school choice. Now some elements of school choice have been present in Manitoba for some time. Since the expansion in educational diversity of the 1970s, Winnipeg schools in particular, but not just Winnipeg schools, have been able to offer specialized programs such as French immersion, German, Hebrew and Ukrainian immersion, advanced placement, international baccalaureate and aboriginal language programs. This in itself leads to a form of school choice where parents are able to choose or sometimes must choose schools outside their regular catchment areas. The school, however, must accept the children who apply. Only where there is not

enough space can the schools select children, usually using criteria such as the presence of siblings, or on a first-come, first-serve basis.

In addition, some school divisions, and the one I am most familiar with is Winnipeg No. 1, also have a policy of open boundaries for all programs generally instituted in the 1980s. Across Manitoba there is also a continual moving back and forth across school boundaries with transfer fees being paid in some cases and not in others as the divisions so arrange between themselves.

In the boundary report of Mr. Norrie there is a useful compilation of this movement and the financial arrangements accompanying them. So at one level, Mr. Deputy Speaker, there is nothing new about school choice, but there is something new about the proposals of the government in the education legislation of this session.

When you take all the bills together, particularly this one and Bill 33, you can see that the government is perhaps moving to a fundamentally different approach to education. I am not convinced that Manitobans will react to it in the precise market terms the minister hopes for. Experience indeed in Winnipeg suggests that they will not, but that will remain to be seen, and we shall maintain a watching brief on this.

I want members of this House to remember that this comes as part of a pattern. First, the government reduces funding for public schools. It requires trustees to put pressure on the local tax base. It attacks the educational quality of public schools. Remember the discomfort of Mr. Manness when he found out that in national testing Manitoba students did better than he expected.

It increases the funding for private schools. It destabilizes by the rapid introduction of new curriculum. It forces some school divisions to reduce programming. It forcibly attacks the teaching profession and tries wherever possible to rule education without the encumbrance of the locally elected school boards. In fact, the one piece that went awry in the master plan was the energetic and successful defence of local decision making by the school boards themselves.

The government had originally planned to eliminate half of the school divisions this year. The system as a whole would have been in the throes of amalgamation as

this piece of legislation as well as Bill 72 was in process. Indeed in the Norrie report itself is the blueprint for choice. The plan to amalgamate the schools boards was in fact combined with the proposals on eliminating boundaries in transport and parental choice.

This bill sets out those same principles. It permits parents to choose any school in the province. Many parents will welcome this. But they should be aware that this bill also puts in the hands of the school principal or perhaps the superintendent but certainly not in the elected school boards the criteria for selection by schools of the children they will accept. Parents should be aware of this.

In the end it will be the schools which select the family and not the family which selects the school. This bill recognizes this. Its main provisions in fact are for the principal to have the right to reject children on the grounds of behaviour, disability, space or indeed any other reason or circumstance that the minister has yet to consider in the regulations. The principal can do this without any formal evaluation, merely, as the act says, on the basis of his or her opinion.

Most distressing, Mr. Deputy Speaker, is that there is no appeal process, and there is a reason for that. School choice has been introduced in other jurisdictions, and if you look at the experience of the last five years—and I am most familiar with the practices in Great Britain—there has been a huge increase over the last five years in the number of appeals around the boundaries and the issues of school choice.

There is a reason that there is no appeal process, and it is not just that this government thinks it is infallible. The limits on school choice are in fact many, and parents and schools should be aware of them. It is unclear at this stage what effects such changes will have. They may have little impact as they did in the city of Winnipeg, where the largest proportion of our population lies.

In some rural areas the distribution of population and the challenge of distance will make choice of school irrelevant for most of the population. School choice will, as it always has been, a prerogative of the rich. Where it will make a difference is in border lands, places where schools are small and the removal of one or two families from a local school will in effect mean the end of that

school, so that one or two people will have removed the choice for others and may have inadvertently undermined the local community by reducing the level below which a school can be maintained.

\* (1530)

In earlier sessions, Mr. Deputy Speaker, I have asked the minister what kind of planning safeguards she is prepared to put in place in these conditions. The answer, of course, is none, because this is an ideologically driven change, and there is no place for this government for the regulation of the market. I draw these concerns to the Legislature again. It should be of great concern to those who represent the bedroom constituencies around Winnipeg as well as those in more sparsely settled areas.

Mr. Deputy Speaker, what is really intended by these changes is to create a market system in education. The government believes that the market is the only efficient distributor of goods. The apparent choice in schools, the encouragement of competition in teacher wages suggested in Bill 72, the proposals in Bill 33 to allow the minister to require school boards to publish exam results, thus creating league standings of schools, the continuing increases and funding, and consequently enrollment in private schools all are part of a plan and of a context to bring what Tories would see as the discipline of the market to Manitoba's education system.

Mr. Deputy Speaker, as social democrats we would argue that the market may distribute some luxury goods in an efficient manner. We do not believe it is the appropriate mechanism to distribute social goods, health or education in a fair society in an equitable manner. Since the 1950s Manitobans have tried under various governments to distribute education resources fairly. As a province we have tried to equalize the opportunities for rural and urban school divisions and for poor and wealthy neighbourhoods. We have tried to pay teachers equitably across the province. We have tried to find additional assistance for those students who are especially disadvantaged. We have offered across the province innovative programs, whether in languages, in aboriginal education, in physical education or alternative education, through in-services and through the work of the curriculum specialists and their committees and the department. We tried together to make the best practices available in each field to all parts of the province. Co-

operation between department and divisions, between classroom teachers and department specialists, between parents and teachers, were an important factor in the kind of equitable and fair education system and professional practice we all built.

My concern, Mr. Deputy Speaker, is that all this is being lost as the government takes us down the market path to a system where competition, not co-operation, will rule. The Filmon government tends to create a market between private and public education, and as Hayek would have advised them, they are using the power of the state and the public's purse to enable the private system to compete on a levelled playing field.

The Filmon government also intends to create an internal market within the public system. This is what their program for school choice is all about. It is part of a broader, ideological plan to create competition between individual public schools across the province. The shame of it is that it is being done without a clear articulation of such goals by a government which is intensely ideologically driven.

How will this competition be expressed? What are the means of competition in a business where the assets such as school buildings are fixed and expensive and where the contents, the curriculum, have been standardized? Bill 33 will require the publication of exam results at four grade levels. These will become the primary standards, perhaps the exclusive standards, by which the new consumers will be encouraged to judge schools and teachers. Competition will also be fostered through the lowering of teachers' salaries. As divisions move to much greater differentiation in salaries, such as we had before the 1940s, resources will thus be made available for other facilities to attract the new consumers. Schools will be encouraged to find corporate partners to fund high-cost programs. This is already happening in the technology area, where grants of \$40,000 have been made available by the province only to schools who can secure a matching grant from the corporate sector. Some schools are already devoting considerable resources to searching for grants from charitable foundations and with some success.

What is changing, however, is the extent to which government policies will now require this of every school. Recently, for example, the department appointed

a new assistant deputy minister whose responsibility, some believe, is exclusively to find corporate partnerships for education. The ability to have access to such external funding will become a significant factor in enabling schools to compete successfully in the new environment. Social and educational needs will take a back seat to public relations. School success may in some areas become dependent on corporate charity.

Mr. Deputy Speaker, a school which becomes successful under this regime will, first of all, want to ensure that the students it accepts are going to do well in exams. Schools will also look for parents who have access to additional financing, perhaps through corporate connections. They will look for parents with the time and expertise to offer help in budgets or in advertising. Some schools will inevitably do better than others under such selective conditions.

There are several major concerns with the Filmon government's overall policy, and my first is that no Minister of Education—and we have had four in eight years and my guess is we are destined for another one—and certainly not the Premier, no one has articulated the direction these so-called reforms are taking Manitoba education. Insofar as they have articulated any policy, it has been limited to vague references to standards or parent power or deliberate attacks on what the government arbitrarily has deemed as lazy and overpaid teachers.

Secondly, Mr. Deputy Speaker, the government's public emphasis on local parent councils and school choice has disguised the tremendous leap they have taken to centralize control of education. It has amounted to what one school division in the heart of southern Manitoba has called the trustee proofing of education. It has taken place without public input and I believe without any electoral mandate. Public responses to the Norrie commission on school boundaries, however, show that Manitobans are deeply attached to local responsibility in education.

Thirdly, the attempt to create a market in education is likely to be very divisive, if not destructive. Parents who are now being led to believe that they will be able to choose schools will eventually discover that it is the school who will choose them. Better schools will be able to select from long waiting lists. The standing and the

examination culture will inevitably improve, and the economic, social or the class divisions implied in this will become more marked. The equity and sense of fairness that has been the essence of Manitoba will suffer.

Keith Joseph, the British Education minister who inspired much of this movement in different parts of the world, was, unlike his counterparts in Manitoba, unafraid to state his case. He argued, and I quote, the blind, unplanned, unco-ordinated wisdom of the market is overwhelmingly superior to the well-researched, rational, systematic, well-meaning, co-operative science-based forward-looking statistically respectable plans of governments.

It is a great irony that neither he nor his Manitoba disciples, Clayton Manness or the present Minister of Education (Mrs. McIntosh), dare leave their plans to the unplanned, unco-ordinated wisdom of the market.

Mr. Deputy Speaker, the introduction of the discipline and the market in Manitoba Education has been accomplished by enormous centralization, not decentralization. It has been accompanied by an unprecedented extension of provincial powers and is being achieved through extensive regulation and legislation, not as one might have anticipated through the noninterventionist's withdrawal of government that the free marketeers idealize. As social democrats, we believe that the market does not distribute social goods fairly. It will not ensure equity, nor will it maintain inclusion. It denies our society the opportunity to enable schools to serve as one of the means of maintaining social harmony and social cohesion in an increasingly fragmented and unequal society.

In conclusion, this bill has some uncontroversial elements, it has some farcical elements. It extends school choice and, in conjunction with other bills, may be taking us down a road from which there is no return.

**Mr. Deputy Speaker:** Order, please. The honourable member's time has expired.

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

\* (1540)

### Bill 70—The Animal Care Act

**Mr. Deputy Speaker:** On the proposed motion of the honourable Minister of Agriculture (Mr. Enns), Bill 70, The Animal Care Act; Loi sur le soin des animaux, standing in the name of the honourable member for Swan River.

**Ms. Rosann Wowchuk (Swan River):** Mr. Deputy Speaker, this bill, the Animal Care bill, was brought forward by the Minister of Agriculture after some work done by a committee that was established a year and a half ago to review and recommend methods of dealing with puppy mills and other unsavoury facilities. If you will remember, some close to two years ago now, there were some horrendous incidents exposed when there were some investigations done as to how some people were treating animals, in particular, puppies. If you will recall, it was a horrible treatment and animals were found in very poor condition; unfortunately, this does not only happen with dogs, as was the incident now. As a result of those incidents that were exposed, the committee was struck, as I had indicated, to come forward with some recommendations.

Mr. Deputy Speaker, if we look at how people treat their animals, I think that there are many cases where animals are not being treated properly, in particular, pets. At the present time we do not have the strength in any existing legislation that has enough teeth in it to deal with this.

In particular, I look at a real problem that exists many times that people decide to buy their children a pet, whether it be a dog or a cat or other animal, without any real consideration of what is really required to look after that animal properly. We hear many times, particularly after the holiday season when people have chosen to buy a pet for their children as a Christmas present or a birthday present, and then we find out that all of a sudden the little puppy is not as cute as it used to be and/or people do not realize how much work is required to look after those animals. In many instances, you end up seeing these animals out on the street and in the hands of the Humane Society looking after them—I refer to part of it from the urban setting, because that is where we hear most of the problems. Unfortunately, it does happen in rural Manitoba as well, but in the cases sometimes in rural Manitoba there is the ability for the animals to fend



for themselves a little more. However, I have seen in many rural communities where there are pets that are not properly looked after, dogs that are in a desperate situation, and at the present time the legislation does not exist to allow for the proper treatment—for the people who are not properly looking after their animals to be disciplined properly.

I guess, Mr. Deputy Speaker, the same problem exists in the livestock industry. Although most farmers who have livestock and make a living from raising livestock treat their animals very well, there have been incidents where we have seen that livestock has had to be seized and taken away from the owners because these animals are not being treated properly.

So it is a good thing that this legislation is being brought forward because currently, as I said, there are no standards or licensing requirements for dog or pet breeders to operate in Manitoba and I believe this is the first piece of legislation that there is in Canada. The new legislation is planned by government as a way to deal with this and bring under control the abuse of animals.

Mr. Deputy Speaker, I think that one of the things that the government did wrong in this legislation was to combine the legislation to deal with pets along with the legislation to deal with agriculture livestock. It is our feeling that the government could have separated the two pieces of legislation, put one forward that would deal with the so-called puppy mill industry and the treatment of pets and had a separate piece of legislation to deal with the agriculture aspect of this bill, because by combining the two, there could be much misunderstanding, and there are some problems with the bill.

Part of the problem that we have with the agriculture livestock is a lack of understanding in the urban community as to how livestock is treated by farmers. One thing that is lacking in this bill is that nobody talks about education. I think one of the ways to address this problem is that we have much more education out about how pets should be treated in the urban centre, but also there has to be much more education as to the values of the livestock industry and how animals are treated within the farming community. Certainly, we hear many times criticism of how animals are treated within the farming community, and I think that many times it is a lack of understanding of what is really going on.

Another section of this bill also covers—just as with other bills, the government has put in the definition of wildlife that can now be kept in captivity and animals to be considered livestock for farming, and, of course, Mr. Deputy Speaker, this fits in with the government's plan, with The Livestock Diversification Act, just as we saw with The Agricultural Credit Corporation Amendment Act, where there is a change in the definition of what are agriculture animals, and this fits in with the government's plan to domesticate elk and other animals.

Mr. Deputy Speaker, there is a part of the bill that causes concern to people, and I think that the government should have looked at how they could spelled it out more clearly. In one section, they describe what are unacceptable practices, and then they exempt all of these practices for agricultural practices because they come under the codes of practices, and it is acceptable then to—and I quote one of them, it is subjected to conditions that cause the animal to suffer acute pain, not to provide food and water sufficient to maintain the animal in a state of good health. There are more of these—not to provide appropriate medical attention when the animal is wounded or injured; unduly exposed to cold or heat.

Then the government in the next clause says, under agricultural practices if it falls within the code of practices, these are acceptable. Again, this is the place where I think that we have to do much more on education, on educating the public about what is acceptable codes of practice and what are not acceptable codes of practice to ensure that we do not run into conflicts between the urban and rural community and that they understand what has to be done.[interjection]

Mr. Deputy Speaker, the minister asks us for his approval. I want to assure the minister that what we are trying to do is offer him a suggestion that he can enhance this bill, and it will be approved. Certainly, this bill is better than what we had before, and we support the bill on that part of it, that it is better, but I am very pleased that the minister is listening to our recommendations that we have to do more to educate the public. I look forward to him working with his department so that we do not have conflicts between urban and rural members as to the role of livestock within the industry.

I look at this bill, Mr. Deputy Speaker, and I see that there is now more strength put into the authority of the

inspectors, who have the responsibility of carrying out, inspecting the safekeeping of animals. I think that is a good move. I see that the minister has the ability to appoint people as animal protection officers. With this bill, I think that there could be an awful lot of inspection and activities that will have to be carried out. When we see the direction that the government is moving, we see fewer government employees. I wonder whether the government will actually increase the numbers of inspectors and new employees that will be needed to carry out the activities, such as licensing, administration activities and inspection, as spelled out in the legislation.

\* (1550)

The government has not been prepared to put resources into many other areas that we need, and I hope that this is just not lip service, and that in actual fact we will see the inspectors appointed to carry out these responsibilities that are needed, because certainly we want to see, no matter what, whether these animals are domestic animals or whether they are pets, that they should not be subjected to unnecessary cruel treatment. When they are, the people should be in place to ensure that there will be no undue stress on animals. One of the sections increases the fine from a maximum of \$500 under The Animal Diseases Act to \$5,000 for the first offence and \$10,000 for subsequent offences. Currently, fines must be applied through the Criminal Code of Canada proceedings, taking many months in court. Under this bill, if it proceeds, it should take no more than two months and would much speed up the process, but certainly the fines should curtail people from activities that are considered an unfair treatment of animals. I think that this should curtail the activities that we have seen with the breeding of animals in such things as the puppy mills.

Again, Mr. Deputy Speaker, I think that we must do much more to educate, and there is no education component in this legislation, which may, in the end, be more effective and cheaper in dealing with animal cruelty than trying to convict people. This is something that the government should be looking at along with this bill. Again, I am looking at this part of how pets and dogs and cats are treated. We must do more education, and I think we must do more education with respect to educating the public rather than taking an incident and trying to hype it up as we had previously by members of the government

saying somebody is pro-industry or against an industry in the livestock industry. Instead of taking that attitude, let us take the attitude where we are out there to educate the public and make them understand why certain things are done in a certain way, and that is not what we have heard from this government.

This bill also deals with the licensing of people who are able to establish facilities for raising—for breeding stock and also deals with the penalties for people who abuse animals and spells out quite clearly the terms and conditions of how a person will get a licence and what steps can be taken to appeal. So certainly those parts of the bill are good. It spells out the licensing of kennels and how breeders should set up their operation.

But I have concerns when we get letters from urban people, and this is where I think that the government has a weakness in this legislation where they say “acceptable practices,” and that, I tell the minister, will cause problems. For example, in a letter here I read about someone who has written expressing concern about what is acceptable: The Animal Care Act, I am greatly disturbed by the section dealing with protection of animals which upon reading provides nothing of the sort. As I understand it, this act is designed to protect only those animals fortunate enough to be bestowed with the coveted title of pet from the most horrendous and gratuitous of cruelties, but it does not even do that.

This person goes on to say that, if a person was to tie a dog behind her car, thus breaking the animal's leg and committing a horrible act of cruelty, however, if she claims it was to be discipline for the dog, it would then come under acceptable. So those are the kinds of concerns that the public have with this legislation. I know there are going to be presentations at committee, and I am sure the minister will hear those things and will spell out to the public more clearly what can happen. I hope he will say that these things are not acceptable, even though under the exemption it says that if it is for discipline or training, then it is acceptable.

There is a concern as well with the way things have been broadened and the clauses that have been added as to which specifically what is considered an acceptable practice. We look at the bill under the definition “Accepted activities,” the sections that the Humane Society has concerns with are exhibitions and fairs,

animal discipline, and sporting activities. They will be calling for the removal of these activities because they are considered dangerous. It is my understanding, Mr. Deputy Speaker, that these three activities did not come from the suggestions of the Law Reform Commission or the Advisory Committee, but rather it was this government, for some reason, added in animal discipline and training and sporting activities. I look forward to having the opportunity to hear the minister's explanation of why they chose to expand this list when we get to committee.

As I said, Mr. Deputy Speaker, there are parts of this bill that we think are good and certainly better than anything that we have had before. So we support that, but we think that the bill should have been divided up into two bills, where we would have had a bill to deal specifically with the puppy mills and the pet side of activities and then had another bill that would deal with livestock and agricultural activities. That would have made it easier to deal with for the public.

I encourage the minister that when this bill is passed, he consider the recommendations that are put forward, that he does put in place the people that will enforce, because it is one thing to set up a committee and put in place guidelines, and then it is another thing to have these enforced. As we look at this legislation, it appears that it will be necessary to have a large number of inspectors and officers to administer this. So I would hope that the minister will do that and have in place the people to ensure that we do not hear the horrific stories that we heard a few years ago with the abuse of animals, and particularly dogs, in that particular incident. I urge the minister also to do more through his department to educate the public about the role of livestock in the agricultural industry, because that is certainly one area where we have heard conflict or lack of understanding between urban and rural people as to how livestock is treated.

\* (1600)

Mr. Deputy Speaker, I also think it is important that when this legislation is passed, this legislation is acted on. I want to say, again, put on the record that we do not—the section of legislation that we have a problem with, of course, as we have told the minister previously, we do not support this government's decision to now legalize, to bring forward, domestication of wild animals.

Of course, this legislation also covers off—that is included. We want to put on the record again that we do not believe that the wild animals, particularly elk, should be put into captivity. They should have the right to remain wild. That is the one section, when we see those definitions in here of wild animals being part of now domestic animals, that we do not support the government in that. Certainly, we support the parts of the bill that result in better treatment of animals.

I look at the parts where the officer has the authority to come in and take dogs or cats or other animals that are left in vehicles. We see this many times during the heat of summer, Mr. Deputy Speaker, where a person will leave a dog or a cat in the car, particularly dogs we see this way, and go off and do their shopping. Under the existing legislation there is no authority to go in and take that animal. Now this is much strengthened.

I know that there are other of my colleagues who will also have comments to make on this bill. I hope the minister will consider seriously the concerns that have been put forward by The Winnipeg Humane Society about the expansion of the acceptable activities that have been put on the list, but certainly we look forward to hearing those comments and we will be raising more issues with the minister when this bill goes to committee.

**Mr. Stan Struthers (Dauphin):** Mr. Deputy Speaker, I am glad to be able to rise today in the House and speak on a bill that I think is very important. I know that the people who live in my constituency also consider the fair and proper and just treatment of animals a very important matter that needs to be taken seriously by the government. Let us not have any misunderstandings here, if this government is looking to provide greater protection for animals, be they small or be they large, this side of the House will support them.

(Madam Speaker in the Chair)

In that vein, Madam Speaker, there are certain parts of this bill that this side of the House, myself included, can very heartily agree to and we will support. There are several things though that I wish to take a few minutes to point out to the House that are some concerns, I think, that need to be taken seriously by the Minister of Agriculture (Mr. Enns) and his colleagues on the other side. These are concerns that have been brought to us by

constituents. These are concerns that have also been brought to us by different groups who are concerned with animal care in our province, including the folks over at The Winnipeg Humane Society.

It is also my belief that the different farm groups in the province have expressed concerns to elected officials in regard to the way animals are treated on farm sites and farm operations across the province. In the community in which I live, and the communities of which I have lived in the past in rural Manitoba, there is hardly a crime taken so seriously as the animal owner who does not feed his animals and leaves them in pens to the point at which they become emaciated, the point in which they become ill, and sometimes to the point at which they actually die. I know that the cases that have come before us in rural Manitoba that deal with the predominantly larger animals, the people who have been convicted and penalized for these kind of atrocities against animals have been certainly ostracized in our communities and their standing in the community is knocked down significantly by the way they have treated their animals. So there is an importance attached to the care of animals in our province which means that it is important that we get it right when we pass Bill 70.

To that end, Madam Speaker, I would like to point out a couple of concerns that we have. First of all, as my colleague from Swan River has pointed out, we would prefer that we would deal with this act in two bills rather than lumping all of the problems into one Bill 70. It seems to me to make sense to deal with the problem that has been raised concerning puppy mills separately from the problems which we have seen in terms of the larger agricultural animals and the abuse that has been foisted upon those animals in the rural parts of our province.

So we would prefer if there were two bills—one with the puppy mills and one with larger agricultural animals—because there is a significant difference in the problems and the way the problems can be rectified when you deal with large animals on one hand and small animals on the other. I am worried that by taking this Bill 70 approach that the government is putting forth now that we will be able to create a gray area between the problems that exist with large and the problems that exist with smaller animals. So I want to make sure that it is understood that we do have a preference for two bills as opposed to one in this area.

Madam Speaker, I am concerned about the lack of a proactive, preventative education plan to help people in this province from one end to the next understand and learn more about the care and the protection of animals. People in this province who decide, who make the choice, to own a pet or decide to get into farming and raising livestock as an occupation have to understand that they have a minimum responsibility to provide for those animals which they take under their care. They ought to know that if they do not provide that minimum of responsibility, that minimum of care, that they face penalization, that they face the wrath of this government's law.

But first, before we get into that, we have to make sure that people have all the opportunities that we can possibly put together for them to learn the proper care and maintenance of animals. This is something that I believe, and maybe this is my former schoolteacher background coming out in me, but I believe that young children should be made aware and through practice be taught some very, very important lessons and important skills in the maintenance and protection of animals whether they take them as pets or whether they take animals of a larger size through programs. I want to give credit to one program here in particular, a program which I have a little bit of experience with, and that is the 4-H program throughout the province right now.

**Mr. Mervin Tweed (Turtle Mountain):** Great program.

\* (1610)

**Mr. Struthers:** The member for Turtle Mountain finally agrees with me on something by saying that that is a great program. Unfortunately, I question his own government's commitment to that great program that he talks about, and, Madam Speaker, I think the 4-H program offers a very good way for rural kids and others to learn some of the necessary skills in maintaining and protecting cattle, horses and other animals that the 4-H are involved with.

I think there are a lot more things that the government can do that can help kids and their parents understand the importance and some of the skills required in the raising of animals. As I said before, when you decide you are going to take a pet or an animal that you are going to

make a living from, you had better know how to take care of that animal or face the consequences.

The other concern that I want to point out entailed here in Bill 70 is the attitude that suffering is okay as long as it is done within an accepted activity. Now, that to me sounds pretty subjective, Madam Speaker. The government to its credit in Bill 70 is trying to take away some of the subjectivity in one of the sections that lays out what it sees as an acceptable activity, and that is Section 4(1). It points out that fishing and hunting and trapping research as acceptable activities.

Now, Madam Speaker, my worry there is still the subjectivity that is left in determining, No. 1, the amount of suffering that the animal is going through; and No. 2, what exactly are the rest of the possible activities that could be accepted as being acceptable. Other terms within the bill that cause me concern when it comes to subjectivity is a quote that says: it does not cause needless suffering.

I would like to know what the government thinks is needless suffering. I would like to know if the government can tell inspectors that they are going to hire what exactly is needless suffering and what activities can these animals be performing in order to incur this needless suffering. So, as much as they can, I think the government has a responsibility to be as objective as it can and try any way that is possible to reduce the amount of subjectivity involved in The Animal Care Act.

Madam Speaker, one section that I want to point out and support in this bill is the combination of Section 8(1) and Section 9(1) where the government has given inspectors a fair amount of authority in providing protection for animals. Section 8, for example, gives inspectors the authority to enter premises or stop and search vehicles, and allows the inspector to require the homeowner to produce an animal from within the dwelling so that the inspector can do his job, can inspect, can survey the animal and decide whether the animal should be seized, which is the power that is given to the inspectors in Section 9(1). In that section the inspectors do have the right to seize an animal that they believe has been abused by the owner.

Section 34 is another part of The Animal Care Act that I think is a legitimate part of Bill 70 in which it talks about an increase in fines and moves the cases from the criminal courts to the civil courts. That suggests to me, and I am no Philadelphia lawyer, that it would speed up the process, which is something that I am certain would get support in the province and within this Legislature as well. The other part, the sort of punitive actions that the government is looking at is found in Section 35 where, if somebody has abused an animal, that person could be prohibited from owning an animal or possessing an animal for five years, or 10 years on any subsequent conviction.

Those are all well and good, Madam Speaker, but if this government is not going to be committed to hiring people to go out and actually implement this bill, to enforce the laws that they are putting forward, then the whole bill is not going to be worth the paper that it is written on. My concern in this area is spurred on by this government's general track record when it comes to laying off the very people who have been hired to enforce the laws that this Legislature puts forward in its bills at this time every year. I do not have to look any further than the Department of Natural Resources where they have taken on all kinds of regulatory responsibilities at the same time as they are laying off all kinds of people who were supposed to be enforcing the law. You take a look at the number of conservation officers left in this province out there to protect our wildlife, and I do become worried. You take that same kind of approach and apply it to what we see here with Bill 70, and you are not going to be catching anybody abusing animals. You will not provide the least bit of protection for the animals that are out there right now.

My hope is that this government will take this kind of a concern seriously, because it is not just my concern. It is the concern of others who say that this government has to put its money where its mouth is. It is not good enough just to pass Bill 70, The Animal Care Act, but it has to come through with the money necessary to enforce their law or the law will not be any good.

Madam Speaker, the government, in Bill 31, the elk ranching act, has added a new dimension to Bill 70 as well, because now we are dealing with a government who sees no problem in taking animals from the wild, putting

them into captivity, and now how are we going to treat those animals that we have in captivity?

If the capture and the transportation of these elk are any indication of how they are going to treat these elk once they have them in captivity, then I do not hold a whole lot of hope for this government through this act in protecting the elk that they have caught. Already we have had at least two elk that were killed in the transportation of the elk from the mountains during the capture to where they are now being stored in the minister's riding, and the amount of elk that were sick along the way because of this move was great.

If that kind of a record is going to be held over into the elk ranching establishments that we set up across the province, then I do not think those animals are going to get the kind of protection that they need in Bill 70, not because of Bill 70—that is okay—but because of this government's lack of desire to come through with its word and provide the necessary resources to enforce Bill 70.

Just to kind of wrap up my comments, I want to commend the government for at least bringing this much forward in the protection of animals. I want to restate my preference of having two bills put forward toward the House, as opposed to one bill. I would prefer one bill to deal with the puppy mill problem, which I believe everybody wants to put an end to. I would like to deal with that separately from the larger agricultural livestock problems that we face in Manitoba.

\* (1620)

I hope that the government takes seriously some of the recommendations that we have made on this side of the House, and I hope that they accept those recommendations in the spirit of co-operation and that we can improve upon the legislation that is put before us. Thank you, Madam Speaker.

**Mr. Neil Gaudry (St. Boniface):** Madam Speaker, it gives me great pleasure to add a few comments on this bill here, which I think is long overdue, and the fact that this sets out the duties of the owner and the standards which animals must be kept in the province of Manitoba.

To this end, the animal must have adequate food and water, medical attention when wounded or sick, in addition to protection from extreme cold or warmth. This bill is primarily aimed at stopping puppy mills and other irresponsible breeders of domestic animals which we have had complaints over the last few years. I think it is the reason that finally this bill will come forward in the Legislature.

In the past, showed like regard for the condition in which they raised their stock. It will have no impact on responsible commercial breeders, so it is meant for the ones that abuse animals. The act also gives animal protection officers the power to seize the animal in distress in order to order the destruction of the animal, because the minister is also given the power to decide what is acceptable practice.

The member for The Maples (Mr. Kowalski) here is saying that it is comparable to police officers. I would not comment on that. I have to be very careful what I would say to my honourable colleague, Madam Speaker.

The Minister of Agriculture (Mr. Enns) I hope is listening very attentively, because he said he had not heard from me yet. So I hope he turns on his audio so that he can listen, because we will support this bill to go to committee. I know there will be some amendments that should be brought forward because there is some concerns that have been expressed in some of the parts of the bill.

Like I have said before, this legislation is much needed. You do not have to be an animal rights advocate to understand that Manitoba needs some sort of regulation to protect our animals, our wild animals or whatever. [interjection] I think my colleague here should get up and apologize, Madam Speaker.

The bill also gives animal protection officers the powers they need to ensure animals are not mistreated. The human society supports this bill; so should we, except for the parts that they have concerns. I am sure the minister will want to listen to the people that will make presentations. We know that there are presentations that will be made, because most animal rights activists would argue that this act does not go far enough. But in fact, this legislation is a happy medium at this time.

With these few comments, we would like to see the bill go to committee and listen to the people, what they have to say and what they have to recommend to the government so that we make this legislation better for our animals. Thank you very much, Madam Speaker.

**Mr. Doug Martindale (Burrows):** I move, seconded by the member for Swan River (Ms. Wowchuk), that debate be now adjourned.

**Motion agreed to.**

### **Bill 49—The Regional Health Authorities and Consequential Amendments Act**

**Madam Speaker:** To resume debate on second reading of Bill 49, The Regional Health Authorities and Consequential Amendments Act (Loi concernant les offices régionaux de la santé et apportant des modifications corrélatives), standing in the name of the honourable member for Brandon East (Mr. Leonard Evans).

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

**Mr. Doug Martindale (Burrows):** Madam Speaker, I rise to speak on the regional health authorities bill, Bill 49, and I think I would like to begin by asking why was this bill necessary, why is the government doing this at this time? I think there are two fundamental reasons: the first is that they are planning to cut \$100 million from spending in health in rural Manitoba between now and 1999; and secondly, they are supposedly passing on accountability to the regional health authorities, however, without giving them the ability to raise taxes to pay for the kinds of services that they want, so I believe that this will have a number of effects.

First of all, the government will be able to achieve its fiscal goals by having this new system of regional health authorities in place and giving the regional health authorities less money to carry out the existing services. At the same time, whenever issues come up in the legislature regarding health concerns, whether it is waiting lists for surgery or whether it is any kind of health-related problem—we know that health is an important concern to Manitobans. Almost every day in Question Period our critic the member for Kildonan (Mr.

Chomiak) has questions about health and so indeed do many other members, but once this bill is passed, when we come back probably for Question Period in December during the throne speech debate, if the system is up and running by then, if not, when the system does get up and running, whenever we ask a question about an issue of health in rural Manitoba, the minister will be able to say, well, I do not make those decisions; I am not involved in the day-to-day operation of hospitals; in fact, I do not even set the policies; please direct that question to the chair of the board of a regional health authority, or the CEO, the chief executive officer, so then politically the government gets off the hook for unpopular decisions made by the health board.

Surely there will be unpopular decisions because, when they have less money, they are going to be looking at closing hospitals and reducing services. I believe they also will have the authority to bring in user fees. Surely that will be unpopular with some people, but whenever people in rural Manitoba raise those concerns or get us to raise them on their behalf in the Manitoba Legislature, the minister will be off the hook and will be able to say that he did not make those decisions, the local health authority made that decision, and therefore we should direct our concerns to the local health authority.

Now the first part of this bill that concerns us, besides the rationale for why it was brought in in the first place, is the fact that the bill allows for elected or appointed boards. However, it is entirely at the discretion of the minister as to whether the boards will be elected or appointed, and we know that they are going to be appointed. In fact, the first boards are appointed. Who will be on those appointed boards but people that primarily have pretty good connections to the Conservative Party?

In fact, there is also evidence that the staff may be political appointments. For example, the Conservative candidate who ran against me in Burrows last time, Bill McGee from Beausejour, a nice gentleman—I met him several times—probably recruited and encouraged by the member for Lac du Bonnet (Mr. Praznik), was unsuccessful in the election, and now he has been hired, I understand, as staff to help set up the regional health authority. No real surprise there. He got his reward. I have often wondered why other Conservative candidates who ran against me in Burrows did not get a government

appointment or a commission. They seem to have been neglected, perhaps because they lived in Burrows. They did not live in a Conservative riding. Maybe it was Bill McGee's good fortune to live in the riding of the member for Lac du Bonnet. So we can see that not only are the board members political appointments, but the staff appointments, some of them at least, are political appointments as well.

So what we see in this bill is certainly a centralization of power in the cabinet. There is a very good parallel, and that is the Manitoba Housing Authority. Previous to the centralization by one of the previous ministers, there were 98 local housing authorities in Manitoba of which the current minister is aware, and all their board members were volunteers. There were about 650 of them, and what does this government do? Well, in throne speeches, they like to talk about volunteers.

I remember there was one throne speech where they talked about quilting bees and barn raisings and how important and valuable volunteers are, but what did they do with Manitoba Housing Authority volunteers? They abolished them all. They laid them all off. They said, we do not need you anymore, and instead they set up one centralized bureaucracy, the Manitoba Housing Authority. I think this minister is going to continue that centralization and amalgamate it with the Manitoba Housing Rehab corporation.

So this government does not really believe in local control and local autonomy and volunteers and local community input. They believe in bureaucratization and centralization, and we see that in this bill in spades, because there will be no hospital boards or nursing home boards. They are all gone.

My colleague from The Maples gives another example of Child and Family Services in Winnipeg who also—

**Madam Speaker:** Order, please. When this matter is again before the House, the honourable member for Burrows will have 24 minutes remaining, and as previously agreed, this bill will remaining standing in the name of the member for Brandon East (Mr. Leonard Evans).

\* (1630)

The hour being 4:30 p.m., time for Private Members' Business.

## PRIVATE MEMBERS' BUSINESS

### PROPOSED RESOLUTIONS

#### Res. 12—Improved Benefits for Part-Time Employees

**Mr. Daryl Reid (Transcona):** Madam Speaker, I move, seconded by the member for Wolseley, that:

WHEREAS in the last 15 years economic, technological and social influences have created significant changes in the workplace and within the workforce presenting difficulties for both employees and employers; and

WHEREAS between 19 and 20 percent of Manitoba's workforce is employed part time; and

WHEREAS most of the approximately 96,000 part-time workers do not enjoy the same benefits as their co-workers who work full time; and

WHEREAS in today's economy two-income earner families and single-parent families are the rule rather than the exception; and

WHEREAS there is a need to create a better balance between part-time and full-time worker benefits.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba call on the provincial government to consider introducing legislation amending The Employment Standards Act to provide for prorated benefits for part-time employees including prorated sick leave, pensions, termination rights and vacation.

#### Motion presented.

**Mr. Reid:** Madam Speaker, it is my pleasure to rise once again to sponsor this particular resolution. I know this resolution has, in some way, some form, been before the House in years past wherein I believe in the first year that this was introduced by my Leader, the honourable member for Concordia (Mr. Doer). It was my pleasure last session and again this session to introduce this



legislation hoping that we can, at this time, convince the provincial government that there is a need in this province to bring forward amendments to The Employment Standards Act in this province that would allow for the government to bring forward changes to that act that would allow for fair benefits for people who are working in part-time jobs.

I am looking back, Madam Speaker, at some of the comments that have been made in the past by members who have spoken on this bill and they have referenced legislation in other jurisdictions. Yes, it is true that in the province of B.C. there was some comment, some studies done with respect to similar types of resolutions to move towards benefits for individuals who are working in part-time jobs and that the government, at that time, chose not to move forward with that legislation. Of course, there was different circumstances in that province than I believe occur in the province of Manitoba. So they have a different set of conditions that would affect their workforce other than what Manitoba has.

Now, at that time, the members opposite when we were debating this resolution last session, referenced the fact that Saskatchewan had brought forward similar legislation. They had, indeed, commenced by way of a study in 1994 looking at ways where they could improve the working conditions for working people in the province of Saskatchewan and that the government sensed that there was a real need on the part of people who were working in part-time employment to have the opportunity to have their benefits prorated so that they would have at least a part of the advantage or the opportunities given to them as were available to those who were working on a full-time basis.

Now I look at some of the headlines that came out of the province of Saskatchewan at that time and it says, Saskatchewan labour laws spark fury. Well, I think what has happened since that time is that there was, no doubt, some fury that was trying to be generated or raised by members of the business community. I look at some of the names that were signed calling on the Minister of Labour and the government of Saskatchewan not to take this step at that time. It involved the Federation of Independent Business and the Restaurant and Food Services Association, Chambers of Commerce, construction associations, homebuilders, association of taxpayers, et cetera. So there were a number of the self-

interest groups, the special interest groups that came forward, that the government so often references as not wanting to influence any decisions. I hope that this government will not be influenced in any way through their legislation by these special interest groups that I have mentioned here in some of the legislation that this government has brought forward, but I guess we will have to find that out as we move along through that debate. I see that since that time the Province of Saskatchewan has moved forward with their benefits, fair benefits for their part-time workers in that province, and has in fact legislation now in effect in the province of Saskatchewan.

The government of Saskatchewan has brought this in a way that would allow for medium and large companies to pay all of their part-time employees benefits that involve areas that are basic human services, that I think that every family and every working person should have some entitlement to if that benefit is also provided to full-time employees of that particular company. I am referencing, in particular, primary medical and dental and life insurance benefits that should be considered to be given to part-time employees, but that list should not be limited to those particular areas.

The resolution that we have brought forward here references sick leave, pensions, termination rights and vacation, but there are also other areas where there are benefits that should be considered to be in a sense prorated between those that are working full time and those that are part time, that the full time obviously having some of those benefits and the part-time people that do not.

They should also include areas that would involve protection for transportation to medical facilities by ambulance, perhaps a semi-private hospital. Definitely, dental should be involved; there is no doubt in my mind—and parental leave. I mean, there are many areas to which full-time employees have opportunity to utilize benefits or for the protection of their families. These benefits are in place, either negotiated through unions with the employer or by the company providing these benefits to the employees in nonunion situations.

I remember the last time we were debating this bill, the Minister of Labour (Mr. Toews) said that the employee should go out through their unions and negotiate these

rights, but he failed to mention the fairly large portion of our population that is not working in union environments, shops where unions represent them in the workplace. Therefore, there is a large segment of our population that does not have that opportunity to have that representation made on their behalf.

Now we should take a look, too, and I draw it to the minister's attention, the government's attention that there are a large number of families in our province, not just in the city of Winnipeg or the other major centres, but in the province that are working at two, three and sometimes four jobs to try and support the family. I have had the opportunity over the last number of years to canvass, not only in my own community but to canvass in some of the communities for members of this province. [interjection] Yes, indeed, I was canvassing in the constituency of The Maples this year.

I can tell the member for The Maples (Mr. Kowalski) that his constituents, as they have told him no doubt, have told me that they are quite concerned that they are working at two, three and four jobs to try and support their families. Their spouses, their partners are also out working in the workforce at jobs that do not have benefits and quite often pay at or close to the minimum wage; therefore, in a large way, it prevents these families from going out and purchasing the necessary protection, whether it be life insurance or a semi-private hospital or dental plans, because they do not have the financial wherewithal to undertake that activity.

One of the things that concerns me is that we have in this province, and the numbers, the statistics seem to bear this out over the long term, we have a number of our companies that if you just take a look at the number of people that are in this province and if you take a look from 1983 to 1996, we have seen a significant change in the total number of people that have gone from—in the area of full-time employment that number has decreased in the percentage of the numbers that are employed. If you take a look at the number of part-time people during that same time frame, the percentage of those that are employed in the workforce, the number of part-time people has increased significantly in the province of Manitoba.

Now I have witnessed this in my own community where we have people that are telling me that they have unfortunately, through circumstances in our economy, been laid off by their employer and have had to go out and seek other employment, and if they are successful in finding other employment, they have indicated that it is more times than not with little or no benefits associated to it. So therefore the families have to suffer the consequences of having the loss of the benefits that had been previously available through full-time employment.

So what we are asking by way of this resolution is for the government to consider that there is a significant portion of our population that is disadvantaged in that they are not able to attain for themselves and for their families through their employment because they are working part time and because the employers do not currently allow for and provide for the fairness or balance between the part-time and the full-time employees. I have had the opportunity to talk with people in private-sector industries that tell me—in particular, it is a food chain, one of the large food chains in the province here that also operates in other provinces of Canada—that they have their employees that are supposed to be full time, but the company keeps reducing the hours of those employees down to the point where they are having minimal number of hours a week. So their incomes are significantly impacted, but at the same time, these employees do not have the opportunity to have the benefits associated with that because of the reduction in their hours.

I am also led to believe and understand that there are employees working in our own government Crown corporations that are working in part-time jobs that do not have the entitlement to the vital benefits that full-time employees are entitled to. To me that strikes an unfairness. It is unfair that the people that would perhaps be working in these Crown corporations as full-time employees would be entitled to a wide range of benefits; yet, in the same Crown corporation, we would have employees that would be working part time and have no entitlement to any of those benefits. To me that strikes at the heart of the fairness issue and that there needs to be some balance in there to restore the fairness.

One of the things that I found in canvassing in the constituencies throughout the city of Winnipeg and elsewhere in this province in my travels was that I have

encountered people that come from all walks of life and from every political stripe is that even members of the public that support the government's position on a wide-ranging number of issues want to see changes to The Employment Standards Act because they have themselves or their children that are immediately impacted upon entering the workforce where they do not have entitlement to that, not only are they concerned that the minimum wage of the province is too low to allow their children to sustain themselves upon leaving the family home, but the benefits are not there to allow the young people entering the workforce to sustain themselves in a way that would not also create a burden or a hardship for the family. So I draw it to the government's attention that there are people that even support them that think that the government should be moving towards changes in The Employment Standards Act that would allow for benefits on a prorated basis for part-time work.

Now one of the things that I know I have suggested before, Madam Speaker, as had occurred in the province of Saskatchewan, which I think has some room for merit, and the Minister of Labour (Mr. Toews), through the tools that are available to him, can take this matter with the support of the House, hopefully, and refer this matter to the Labour Management Review commission and that the government, by way of that, could spell out the mandate for investigation, that the government wants to undertake a review of this matter, and let the business community and the labour community come forward with their ideas on a way that can be constructed that we can improve The Employment Standards Act of this province with respect to these prorated benefits for part-time workers.

I think that is a fair way if the government does not want to accept at face value what we are telling them here today. Put the question to the LMRC and let them decide. Let them go out and hold public hearings, let them talk to the business community, let them talk to the labour community, and let them talk to the public by way of general public meetings to find out the public's impression of this issue and where they would like to see changes, if the government does not want to accept our word at face value. That way we could find out that there is indeed a willingness on the part of the public to move in this direction and that we have every right to move into area.

So I hope that the government will take a look at the increasing number of part-time workers that are happening in this province, looking at the historical comparison over at least a decade, over a decade now, where the economy of our province is moving toward more part-time work versus full-time and that the government will look seriously and consider very seriously this resolution, not that it will disadvantage employers because I think employers have been, judging the Saskatchewan experience and for all the furor that was created around that issue when it was changed in 1994, it has not impacted seriously on the economy of the province of Saskatchewan. Their unemployment level is the lowest in Canada, something which I am sure they are proud of, and the labour legislation changes to allow for prorated benefits has not in any way, in any shape, affected the unemployment rate in the province of Saskatchewan. In fact, they have more people working today than they had when that proposition or proposal first came forward in 1994.

So I hope that the government will consider very seriously this resolution, that we can have support from members of this Chamber for this resolution, that we can encourage the government to take this matter to the LMRC, and that we will have the support of members of this House.

Thank you for the opportunity to raise this resolution, Madam Speaker, and I look forward to other speakers here today.

**Hon. Vic Toews (Minister of Labour):** The motion brought forward by the MLA for Transcona (Mr. Reid) is similar to the one brought before the House last year. There was no basis, Madam Speaker, for recommending it at that time, and there certainly is none now, and why, the question might reasonably arise, I think is answered in two parts. Simply put, the recommendation, the motion, is unworkable, and as the experience in other provinces has shown, it creates hardships for part-time workers.

In examining this issue, Madam Speaker, I wish to look at what, in fact, has happened in the other provinces, the experiences that has arisen in respect of part-time workers and benefits for those workers. I think particularly we should examine the experience of the

NDP governments in both Saskatchewan and British Columbia, and perhaps we can learn from the experience there and not have to reinvent the wheel here.

Firstly, though, let us take a look at the resolution itself, and the substantive portion states that: THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba call on the provincial government to consider introducing legislation amending The Employment Standards Act to provide for prorated benefits for part-time employees, including prorated sick leave, pensions, termination rights and vacation.

\* (1650)

Now, what in fact is the present status? With respect to legislative benefits, that is, those provided for in legislation, Manitoba Labour Standards laws presently provide for the extension or prorating of benefits to part-time employees. These include laws relating to vacation, termination rights and maternity and paternal leave. With respect to nonlegislated benefits such as sick leave, dental care and disability insurance, Manitoba laws and the laws of all other Canadian provinces, other than Saskatchewan, do not provide for the prorating of benefits for part-time employees. I will, Madam Speaker, deal with the Saskatchewan experience and find out in fact what has happened in Saskatchewan.

I would like to point out also that under the Manitoba Pension Benefits Act, part-time employees are required to become members of pension plans after completing two years of employment service and earning at least 25 percent of the maximum pensionable earnings as determined each year by the CPP in each of two consecutive calendar years of service. So there certainly are legislated requirements, and I think reasonable and practical solutions have been found in those areas.

The areas that have been recommended by the MLA for Transcona (Mr. Reid) have been dealt with and discussed in some of the other provinces, and perhaps I should turn to those at the present time. I would once again remind the members in the House that in 1994, in February, the Thompson report was released with over 100 recommendations being forwarded to the Minister of Labour in British Columbia, which was essentially an extensive review of employment standards legislation in British Columbia.

One of the recommendations was that employees who work 15 hours or more a week for an employer continuously for six months or more should be eligible for proportionate coverage by all nonstatutory fringe benefits available to full-time employees with the exception of pensions—and the pension is regulated slightly differently in British Columbia. At that time, concerns were raised with respect to the recommendations in the report, specifically in respect of the extension of full-time benefits to part-time workers on a prorated basis. It was indicated to the British Columbia government at that time that the recommendation, if proceeded with, could in fact cause a dramatic slowdown in the hiring of people and in some cases create actual job loss. So there were very serious concerns about the very detrimental effects that this legislation would have on the people that it was in fact intended to protect.

Now, in November of '94 and February of '95, the British Columbia Ministry of Labour indicated that it would not be proceeding with a number of the Thompson recommendations, including the extension of the full-time benefits on a prorated basis to part-time workers. The following reasons were given. The government of British Columbia indicated that the recommendations in that respect, which recommendation in fact forms the substance of this motion before the House today, were felt to be unworkable or unfair. The government presented then a package which they felt would be fair. The B.C. Ministry of Labour indicated that the fringe benefits extension as recommended by the Thompson report which also forms the basis of this motion, would not be proceeded with by the government due to its unworkability.

Now, in Saskatchewan, it is important to point out, yes, the Saskatchewan government in fact recently—and this is well over a year ago—enacted amendments to provide for the prorating of these, if I could call them, nonlegislated benefits for part-time workers. The provisions were to apply to employees who are employed on average 15 hours or more per week by employers with 10 or more workers. Essentially, the benefits that they were to provide and the impact of that law essentially resulted in the fact that only 7 percent of all part-time employees are covered. They found that the recommendation, the original broad recommendation, to cover 100 percent of these workers simply was not practical.

It was unworkable and, in fact, created a tremendous hardship on these workers. The reason it created a tremendous hardship—and this is from the Saskatchewan government, Madam Speaker—what in fact happened was that employers who were then faced with an administratively unworkable scheme said, well, then 15 hours is the minimum that they have to work. Employers then unilaterally reduced the hours of their workers that, in fact, resulted in a situation where workers, instead of having one or two part-time jobs, now had to go out and find another part-time job. So they were working with three part-time jobs, with three different employers instead of getting the maximum possible hours that they could get with one employer. So there was a tremendous difficulty and a hardship done to these employees by well-intentioned but misguided legislators in Saskatchewan.

What I would suggest for this House, rather than to adopt this resolution, is to continue to improve those systems that in fact are workable. Clearly, in the area of vacations, in the area of termination rights, maternity and paternal leave, where there are improvements administratively or otherwise that can be done, let us take a look at those, but simply to pass laws in a blanket fashion which work detrimentally to these workers is not in the best interests of these workers. So I feel that in the review of legislation, which is an ongoing review—and I have indicated to this House before that The Employment Standards legislation here in Manitoba needs to be improved on an administrative basis. I think in the course of looking at the very separate pieces of legislation which are often contradictory and often confusing for part-time workers, full-time workers and employers, especially people who cannot have easy access to legal help or sophisticated labour relations people, what we have to do is clarify the existing laws and ensure that wherever possible we can administratively improve those laws. Those laws, I think, will create a tremendous benefit. Rather than creating more administrative work for employers, the streamlining of the legislation will assist employers in focusing on creating business rather than filling out more forms and paperwork such as the member for Transcona (Mr. Reid) seems to suggest is the solution here.

The suggestion, the resolution would indeed be welcomed I am sure by large insurance companies who would see quite a bit of benefit in the member for

Transcona's solution because it would be very, very complex. These large insurance companies have the workforce to do that, but the tremendous cost of something like that would not be in the best interest of small business, would not be in the best interest of part-time workers and would not be in the best interest of Manitoba generally.

Madam Speaker, we have moved in various areas to simplify and encourage employers to provide protection to their employees. One of these is the simplified pension plans that we are now offering here in the province of Manitoba which rather than discouraging employers because of the onerous paperwork requirements, we have maintained the security of the pension system and reduced the paperwork so that employers can in fact offer these new improved pension plans to small businesses. That, in fact, is the way to proceed. Simplify things. Simplify the paperwork and deal with benefits that in fact are obtainable, benefits that will in fact protect the small worker, not simply create an administrative boondoggle that only large insurance companies could afford to do and then pass on that cost to small employers who in fact are—

**An Honourable Member:** Surely the honourable member is not suggesting support for the big insurance companies.

**Mr. Toews:** Well, unfortunately that is exactly what the resolution does, simply creates more support for large corporations at the expense of the backbone of small business here in Manitoba. I think that is what our concern has got to be in every piece of legislation, the individual person who is affected by legislation. Members opposite simply see the protection of institutions. That is what they are all about. I think the focus of legislation should be first and foremost the protection of individual people so that they can produce and be productive members of society without simply having to always rely on large institutions or large organizations to direct their lives and to complicate their lives with paperwork. People want a measure of freedom in that respect, and we want to ensure that they receive that with the appropriate safeguards. Thank you, Madam Speaker.

\* (1700)

**Mr. Tim Sale (Crescentwood):** Madam Speaker, I am pleased to rise and put a few remarks on the record in support of this very important resolution. I want to take a broad view of what I think members opposite may even agree is indeed happening in our economy. A few years back, roughly a decade or so, the American multinationals and American large companies began the process of de-layering and outsourcing, and all the good words, which basically mean that job security for a great number of people began to erode severely. Now, it is interesting that over the last approximately year and a half, there has arisen a good deal of data from sound sources in the, what even might be sources that Conservatives opposite would think of as conservative, that indicates that this was a bankrupt strategy. Yes, profits went up, but effectiveness of the corporations did not always go up.

We are now hearing from people as desperate as Jeff Rubin, who is the senior economist of Wood Gundy, that Canada's policy of interest rates has cost us a huge number of jobs. We are hearing from David Olive, the editor of the Report on Business, that the insecurity amongst workers is extremely destructive of family life, very destructive of worker morale, that companies that have been outsourced, to use the jargon, find that the productivity and morale of the remaining workers decline and that they are very fearful. They are fearful of taking risks, which is what entrepreneurs are supposed to want people to do is to take risks, to engage in experimental kinds of behaviour, find out how to do new things. If you are afraid for your job every day of your life and every minute of the working day, you are not likely to be taking very many risks.

Madam Speaker, I think that the government opposite, the members opposite, are rather like that old problem we have with generals. They are forever fighting the last war instead of recognizing that the new reality is indeed that workers do change their jobs frequently. That is not necessarily a bad thing, but if workers are forced to do so without any protection of reasonable expectations such as pensions, insurance of various kinds, health insurance, the various things that make our ability to plan for our family simply greater, we cannot plan for any kind of security of our major purchases such as houses or cars if we have no job security and have no benefit security.

Now this proposal takes a very reasonable approach and suggests that we start and work at this question. It is

not suggesting that we immediately implement changes tomorrow but rather that we work at it, that we have a dialogue with the business community and the labour community and find out how we can improve the sense of security, the sense of possibility that workers have even though they are working too many part-time jobs. I recognize, as the Minister of Labour (Mr. Toews) has pointed out, that if businesses are given the opportunity, all too often they simply change their ground rules in order to evade responsibilities to pay adequate benefits. So that simply means that the implementation process for this legislation and any program that it causes to come into being has to be intelligent and thoughtful implementation. Companies have to be deterred from simply finding ways to evade what is a reasonable responsibility.

Madam Speaker, the whole issue of benefits for part-time people is a really interesting question. Conservatives opposite supported the Fox-Decent commission. They supported the ability of themselves to contribute to a pension plan up to 7 percent of their income. It is really interesting to ask, if that is a good idea for them, I wonder why it is not a good idea for someone working 20 hours a week at two different part-time jobs. Workers who work in this building in this House believe that it is somehow a good idea that they should be able to purchase extended health insurance, they should be able to have dental benefits. But they appear to be arguing that people who work full time but do so at a combination of jobs should not have the same ability, that there should not be statutory protection to enable those families to enjoy the benefits that members opposite and members on this side of the House enjoy as a matter of right. So again we have a situation in which Conservatives talk the talk, but they do not walk it. They are not prepared to support low-income people or people who have several part-time jobs to have the sense of security in their families that they can make intelligent consumer decisions, that they can have a stake in their community through home ownership, that they are not afraid to take the risk of being into new kinds of work situations, of moving as their skills and careers enable them to move, because they know that they are going to be insured at a level that is reasonable and humane, and which workers who are sitting on these benches opposite take for granted.

They would be incensed if we suggested to them that because they only sit for 20 weeks of the year, less than

half time, why in the world should they be entitled to health benefits? I mean, they are only sitting there half time, or less than that. Why should we give you health benefits? Why should we let you have a pension? Well, you make the argument that you do other things outside the House, and you do other work, so maybe it is more than half time.

**An Honourable Member:** Do you not?

**Mr. Sale:** Absolutely, and that is precisely why I would say that any worker who works any significant number of hours at a job—and I will not define it as 20 or 15, but any significant number of hours—should have the right and the ability to be protected to the same degree proportionately as the members opposite, who take such delight in trashing this very important resolution.

Madam Speaker, if we are going to move into the new world of jobs that the members opposite are so keen to have us do, we have to move into it in a way that is humane but protects the ability of families to protect themselves. That is what this resolution does, and I am pleased to rise in support of it.

**Mr. Mike Radcliffe (River Heights):** I would like to take this opportunity to place a few comments on the record with regard to this resolution as well. My honourable colleague the Minister of Labour (Mr. Toews) has commented that this social experiment, this social engineering, this top-down patriarchal attitude was tried in the jurisdictions to the west of us, namely, Saskatchewan and British Columbia. Do you know what happened, Madam Speaker? Those jurisdictions very quickly realized the inanity of this sort of social engineering, and the Province of Saskatchewan withdrew from this issue—sorry, the jurisdiction of British Columbia withdrew from this social engineering. The jurisdiction of Saskatchewan made it applicable to only 7 percent to 8 percent of the working population.

#### Point of Order

**Mr. Sale:** On a point of order, Madam Speaker, the government of Saskatchewan implemented the legislation for medium and large companies. They did not withdraw. I wish the honourable member would stick to the facts in his remarks.

**Madam Speaker:** Order, please. The honourable member for Crescentwood does not have a point of order. It is clearly a dispute over the facts.

\* \* \*

**Mr. Radcliffe:** I hear my colleague, and I would amend my remarks. I stand corrected that in fact the jurisdiction of Saskatchewan limited the application of this law to a small, elect, select few.

\* (1710)

Now, Madam Speaker, we heard the Honourable Kim Campbell, an outstanding Canadian, who spoke out a number of years ago—[interjection] Absolutely, and my honourable colleague from Niakwa joins me in this commendation. The Honourable Ms. Campbell stated that our economy has changed, and our honourable colleagues across the way here are stuck in the past. They refuse to move with the times. They are dinosaurs. They are intellectually atrophied. There is significant crystallization of thought on the other side, which is intellectual atrophy. What has happened here, the Honourable Ms. Campbell told us, told the whole nation, is that the assembly-line mentality is defunct, that time has passed. In fact, we are moving into a service orientation, we are moving into a new world of information, and the rules and the skills and the resources of the '40s and the '30s are no longer applicable. Unfortunately and regrettably, our honourable colleagues on this side of the House have not moved with the times, they are stuck in a time warp.

Madam Speaker, is it preferable to be on welfare, such as many of the employees of Boeing are going to be faced because they drove this employer out of town, or do you move with the times? Do you acknowledge that the economy is changing? Far better that somebody have a job, that we create an environment where employers are going to want to do business in Manitoba, than the fact that we chase these large corporations out of the province and say, ah, we are going to be so pure and we are going to legislate in a patriarchal, centralized environment. Now, we saw in eastern Europe and in the Soviet Union what happened with that mentality. It became so top heavy and so layered that it collapsed upon itself.

We have to move with the times, and I am pleased to tell my honourable colleagues in this Chamber today that

this government, in lieu of this intellectual atrophy, have pursued active business opportunities for the people of Manitoba so that there are jobs for the people out there. In fact, our government has gone out and we have solicited over \$900 million of capital investment to come to Manitoba in the last year. That is astounding that people have that much confidence in our jurisdiction.

We have had, in the year 1995, the largest decline in unemployment in Manitoba in the last 30 years. Why? Is it because we are making more regulations, we are being more invasive of the people who create real wealth in Manitoba? Not so, Madam Speaker. We have balanced the budget. We have said that there is going to be a freeze on taxation. We have the most effective balanced budget legislation in the nation, and this has been acknowledged across the country. We have outstanding authorities, Lehmann Brothers of New York, in February 1996, and they state, assuming the province of Manitoba is able to stay the current fiscal course and continues to reduce the level of outstanding debt, we would not be surprised to see a rating upgrade over the course of the next year.

**An Honourable Member:** When was that said?

**Mr. Radcliffe:** That was February 1996, for the benefit of my honourable colleague from St. Boniface (Mr. Gaudry).

Solomon Brothers, April 3, 1996: Manitoba's credit prospects continue to be favourable, reflecting a tradition of conservative fiscal policies, which has resulted in a significantly improved budgetary position. Although an upgrade may be 12 to 18 months away, an outlook revision to positive this year is warranted.

Madam Speaker, the bottom line is we need people to bring their money, to bring their capital to Manitoba to make more jobs. We do not need to cater to the union mentality that create their own little select mandarin oligarchy. Those are the people that are the mainstay and the support of our honourable colleagues on the other side. They are not interested in the farmers of the province of Manitoba.

I would ask my honourable colleague, are they rushing out to supply pensions for the farmers in Manitoba? I do not hear that. There seems to be a dearth of chatter

across the House at this point on that issue, Madam Speaker.

Madam Speaker, are they proposing that there should be pensions and health benefits for lawyers in the province of Manitoba? I do not hear any support for that element of society. [interjection] I hear some inane chatter coming from the back benches on the other side, but I would tend to try to weed that out as the nuisance comments which is the quality of input that we get from our honourable colleagues.

Madam Speaker, I would point out to my honourable colleagues in this Chamber that bankruptcies have fallen to the lowest level in 16 years in Manitoba, and there is a reason for that. It is because Manitobans are back to work. Manitobans are working for prosperity. They have jobs. We are not chasing people out of here. If we followed the empty rhetoric of our honourable colleagues on the other side, truly the last person out of the Chamber would be turning off the lights for the province. That is where that sort of intellectual pursuit leads us, and that is not where this government wants to go.

Indeed, Madam Speaker, I can look to Isobord Industries who have brought \$120 million, proposing a \$120-million commitment, to the people of Manitoba. J.M. Schneider, over \$40 million, and that is going to create quality jobs for the people of Manitoba. This is the sort of expansion and growth that we want.

One has to consider and look at the proposal that our honourable colleague has put in the preamble. He is saying—I would suggest, or I could deduce from the preamble—that he wants to balance the part-timers with the full-timers, and yet he says that the 20 percent of Manitoba's workforce is part-time employed. So what conclusion do we draw, Madam Speaker? Is he trying to reduce all the workers to half-and-half? Is that what this solution is? I would suggest that the preamble is as ill founded in this resolution as the effect and the consequence. This resolution has not been well thought out.

Madam Speaker, there is another fundamental labour practice that he overlooks in this province. We have collective agreements in the labour force. If the collective agreements in our province incorporate these sorts of benefits, well, then, that is where there is freedom of the



marketplace to establish this sort of level of emolument for our workers. [interjection]

I am saying that let the free market forces prevail, rather than having government mandate one more rule, one more regulation, one more cost of doing business. We all know, it is a well-known fact that the majority of wealth created in this province comes from small businesses. It is not government, it is not the mammoth labour unions, it is not the massive employers that create the majority of the wealth. It is the small-business man. If we make the environment so expensive that they cannot do business in Manitoba—

**An Honourable Member:** Deacon's Corner . . . .

**Mr. Radcliffe:** There you are, my honourable friend from Gladstone has quoted Deacon's Corner. Madam Speaker, that is the heartblood, that is the heartthrob of our province. He indicates that there are 43 employees at Deacon's Corner. That is the lifeblood of our province. That is what turns the wheel of wealth and industry, and that is where our future lies tomorrow, in the creative innovation of all our individual citizens.

**An Honourable Member:** Keep turning the wheel.

\* (1720)

**Mr. Radcliffe:** Keep turning the wheel, that is right.

Now, Madam Speaker, I am told that much of our current legislation already provides for prorating of basic benefits to a number of our part-time workers, but for us to layer on additional legislation would be punitive, I would suggest, with the greatest of respect to our honourable colleagues across the way. A statement made by the B.C. Minister of Labour indicated that since fringe benefits were not mandatory for full-time workers under The Employment Standards Act, it raised a lot of questions as to how it was going to be applied. Is it our duty or our place here to be obfusatory or ought we—[interjection] Obfusatory, that is right. It is our duty here in this Chamber and as leaders of the legal community in Manitoba to be clear and concise.

One does not want to make more law. Better to leave the citizens of Manitoba the freedom to seek their own fortune to meet the changing demands of our economy, to say goodbye to the assembly line world of the '40s and

the '50s, and I am not denying that those rules and those conditions were appropriate for those days and those times, but we are into a new economy. We are into a new environment, and so I join with the honourable Minister of Labour (Mr. Toews) today in condemning this resolution absolutely. Indeed, you know, we raised the comment to my honourable colleague that all this would have the object or effect would be to build up the large insurance companies. I am sure that the large insurance companies would perhaps welcome the support from my honourable friend, but I do not think he has thought this resolution through because I would suggest, with the greatest of respect, that he may well be inimical to those interests in our society.

So I thank you very much for affording me the opportunity to put these few humble remarks on the record, to allow a little elucidation on this topic today, and I would hope that my colleagues would benefit from this small humble perspective that I would offer on this topic. Thank you, Madam Speaker.

**Mr. Steve Ashton (Thompson):** Madam Speaker, I do want to put a few remarks and I appreciate the opportunity to do so. I must admit that we are getting sort of chapter two of the member for River Heights' view of labour relations. We have already heard him express his view of such things as pay equity in this House, and now we are hearing it in terms of benefits for part-time employees.

You know, I always find it interesting when people lecture us about the new economy, because in a lot of cases usually the people that do are not in the position themselves of having to adapt to this so-called new economy, particularly in the part-time work, and I find it is very easy to sit back. I hear this all the time because nothing irritates people more than when they are in a part-time situation working on contracts and terms, then being lectured about the new economy.

I just want to deal with that for a second. Let us deal, for example, the impact of, say, legislated pay equity in the private sector or the impact of legislated benefits for part-time employees. Now, if you listen to this kind of Chicken Little argument from the member for River Heights (Mr. Radcliffe), you know, if you strip away some of the words—and I just would remind the member that in this House he is not paid by the words, so he does

not have to use those 50-cent words that our leader talks about. If you strip away, for a second—the argument of the member for River Heights is essentially, if you bring in legislated pay equity for workers, if you bring in legislated benefits for part-time workers, the sky will fall. We will lose jobs. We will kill the small business sector. We will destroy our economic growth.

Well, let us just take an example of two provinces, and let us see if that argument holds. Legislated pay equity in the private sector in Ontario, brought in by the NDP government, it has not been repealed. It is good legislation. By the way, Madam Speaker, if anybody doubts that there is not demand for that kind of legislation, I was approached by a number of employees from Inco, who were not represented by a union, who are very concerned, women who are concerned about the fact there is no pay equity and that they are discriminated against in many working situations by their employer. Do you know what? They said, when are we going to get the same kind of legislation as Ontario has? What is interesting, though, compared to Ontario, where they have this legislated pay equity, what is the situation there? It has not affected jobs and job creation, either under the NDP government or under the Ontario Conservative Party. It just does not wash.

Well, let us take the issue of legislated benefits for part-time employees. Can we make a comparison? Yes, Madam Speaker, we can with Saskatchewan. Look at what has happened in Saskatchewan since they brought in legislated benefits for part-time employees. Has it destroyed employment in that province? No, it is doing tremendously well. It has had some of the lowest unemployment rates in the country. I would say it is, in fact, just look at it. They are doing better than the province of Manitoba. I mean, if you want to make the argument, the sky will fall, it only works when you do not have someone who can appoint to Saskatchewan or Ontario where that has not happened.

I want to say that I would suggest to you that the member for River Heights does not have enough confidence in a lot of the employers in this province because I think anyone can recognize there are some very great inequities for part-time employees, and the member should be aware of that in terms of their conditions, in terms of benefits, et cetera. We are not talking about imposing some of the tremendous benefits that employees

have gained through the collective bargaining process. We are not talking about that level of benefits, although I find it interesting that in a way the reverse of the argument from the member for River Heights really is, if you read his speech, I would say it was an encouragement to go out and sign a collective agreement and get the union fighting for you.

That is what his argument is. It is sort of this argument that we should not legislate; we should leave it to the collective bargaining process. Well, I might have a little more faith in that if the same party was not trying to do its utmost to make the ability of unions to organize and workers to be under a collective agreement more difficult. If it was not for the other piece of labour legislation, I might believe it, but is the member for River Heights saying that only unionized workers should have those kinds of benefits? Madam Speaker, I am amazed, from a conservative perspective, to hear the member for River Heights. Basically, that is the bottom line of his argument. He is saying, well, we should not legislate it; we should not cover everyone. Only those who are unionized and have it in their collective agreement should have access to that. Well, you know, that is what he said, and I wonder if the—maybe I will quote the member for River Heights. Maybe I will even send it out to some of the unions. I can just imagine, he may appear in some of their organizing leaflets, saying that if you want to get benefits in Manitoba, the MLA for River Heights says, join a union.

Well, that is interesting, but do you know what? This may sound strange to members opposite—and I have been a strong supporter of the labour movement. I am a strong supporter of the right of working people to collective bargaining, to organize. I am a strong supporter of that, but do you know what? There are a lot of people in this province who are not going to sign a union card tomorrow. There are a lot of people who may not choose at any point in time to be represented by a union. That is part of the democratic process that goes into collective bargaining and organizing.

But you know what, Madam Speaker, I will say on the public record that I believe every Manitoban should be covered by the most basic benefits, whether they be part or full time, unionized or nonunionized. Perhaps that is one of the things that divides us from the Conservatives. Obviously, the member for River Heights (Mr. Radcliffe)

is saying that only certain Manitobans should be entitled to that coverage under law in Manitoba. He is saying that, if you have a union and they negotiate a collective agreement, that is okay. The free market system, you know, all the sort of buzzwords; but I disagree with the member for River Heights.

The purpose for bringing in this legislation would be similar what happened to Saskatchewan. The people in Saskatchewan—the NDP government in Saskatchewan said you should not have to be a member of a union to have this basic level of benefits, and you should not be discriminated against because you are part-time and not a full-time employee.

I would say it is doubly important in this so-called world economy that the member for River Heights talks about—it is doubly important that we protect the many people who are out there in the condition of part-time, term and temporary employment, make sure they have the same rights as every Manitoban. We in the NDP stand for that, Madam Speaker, that is why we brought in this resolution.

**Madam Speaker:** Order, please. When this matter is again before the House, the honourable member for Thompson (Mr. Ashton) will have eight minutes remaining.

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

# LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, September 30, 1996

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