



Third Session - Thirty-Seventh Legislature

of the

**Legislative Assembly of Manitoba**

**DEBATES  
and  
PROCEEDINGS**

**Official Report  
(Hansard)**

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The Honourable George Hickes  
Speaker*



**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Seventh Legislature**

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

## LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, December 5, 2001

**The House met at 1:30 p.m.**

### PRAYERS

#### Speaker's Statement

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

It is my privilege to advise all members, and to also advise the watching public, that the Manitoba Legislative Assembly has added closed captioning to the televised broadcast of Manitoba's Question Period. This issue arose as an all-party initiative by the Legislative Assembly Management Commission, and has been endorsed by all members on both sides of the House.

The closed captioning can be accessed by viewers who have television sets that have the closed-captioning option. The closed-captioning text has also been added to the broadcasting of Question Period that is available on the Internet.

I am truly honoured to make this announcement on behalf of all members of the Assembly, and I would like to thank all members for their support of this worthy initiative.

**Hon. Tim Sale (Minister responsible for Persons with Disabilities):** Mr. Speaker, I wonder as Minister responsible for Persons with Disabilities if I might have leave to respond very briefly to your announcement.

**Mr. Speaker:** Leave is not required. The honourable minister can respond to the statement.

**Mr. Sale:** Thank you, Mr. Speaker.

I would like to congratulate you and the Legislative Assembly Management Committee for a very good decision on behalf of all Manitobans, and all members of this House, to make closed captioning available. I have been aware of the actions of the deaf and hearing-impaired community, which I have met with a number of times, and in particular the very outstanding work of Theresa Swedick who many

members on both sides of the House would know. I know that my predecessor knows Ms. Swedick very well and knows of her very effective advocacy on behalf of her community. I want to extend our congratulations to her and to her community for outstanding advocacy work.

We are all delighted with your decision, Mr. Speaker, and with the successful advocacy of the deaf community in their quest for a more inclusive Manitoba. Thank you.

**Mr. Speaker:** Before recognizing the honourable Official Opposition House Leader, I have just been corrected. Leave is required because normally members do not respond to Speaker's statements.

**Mr. Marcel Laurendeau (Opposition House Leader):** Mr. Speaker, in the spirit of co-operation you can see how this House, when we come to a decision we can make a decision that is good for the public of Manitoba.

It was the pleasure of our committee at LAMC when this initiative came forward. The Member for St. Vital (Ms. Allan) brought the issue forward, and we supported it unanimously, as our caucus did when we brought it back. We think that it is a way forward in the future, and we look forward to seeing other areas that we can work co-operatively with the Government in the future.

\* (13:35)

### ROUTINE PROCEEDINGS

#### MINISTERIAL STATEMENTS

##### International Year of Volunteers

**Hon. Ron Lemieux (Minister of Culture, Heritage and Tourism):** I have a statement for the House.

The United Nations has proclaimed 2001 as the International Year of Volunteers and today,

December 5, 2001, as International Volunteer Day. As the International Year of Volunteers draws to a close, I look back on the remarkable achievements of Manitoba's voluntary sector. Manitobans have always exhibited a generous spirit and willingness to help those in need. We have embraced volunteerism in our homes, our communities and our workplaces. In fact, Manitoba continues to be one of the leading provinces in volunteer participation. This impressive record makes us realize the essential role that volunteers play in Manitoba's quality of life.

Volunteers come from all walks of life, ages, cultures and religions. They share a fundamental appreciation of their collective responsibility to make things better for the world around them.

The International Year of Volunteers slogan: "The value of one - The power of many," will continue to inspire us. I encourage all Manitobans to embrace the spirit of volunteerism and contribute their interests, skills, talents and passions to make a difference to their communities and their world. Looking forward, I encourage every Manitoban to join the I WILL Volunteer 2002 campaign. One by one, we can create change that will have a lasting impact on today's and future generations.

I would also like to take this opportunity to honour and recognize Manitoba's volunteers on their international day. I call upon all members of the Legislature to join me in recognizing and celebrating the wonderful contribution that volunteers make each and every day of the year.

**Mrs. Louise Dacquay (Seine River):** I am pleased to join the minister in putting a few words on the public record about International Day of Volunteers. As Manitobans, we cannot underestimate the spirit of volunteerism that permeates every corner of this fine province. Manitobans support one another and their communities in countless ways and have contributed immeasurably to this province's rich social fabric.

Manitobans, on a year-round basis, by volunteering their time, energy, ideas and financial resources, make significant contributions toward improving the social, economic and

environmental well-being of the neighbourhoods and the communities they call home.

The minister mentioned the 2000 national survey of giving, volunteering and participating which examined the contributions Canadians make to one another through their gifts of volunteer time and money. Its findings confirm what we sometimes take for granted, that more than a third of Manitobans volunteer their time, and some 84 percent of Manitobans make donations, Mr. Speaker, to charities and non-profit organizations.

As part of the International Year of Volunteers, Manitobans have had the opportunity to join with other Canadians in celebrating the contribution made by millions of volunteers to thousands of charitable—

**Mr. Speaker:** Order. I regret to interrupt the honourable member.

**Some Honourable Members:** Leave.

**Mr. Speaker:** Leave? [*Agreed*]

**Mrs. Dacquay:** I thank all members of the Assembly for allowing leave. I am just about finished.

—and voluntary organizations throughout our country.

I would like to join with other members of this Legislative Assembly in commending all those who worked tirelessly in their communities to improve the quality of life of all Manitobans. It is essential that we continue to cultivate the spirit of volunteerism among Manitobans and the spirit that assists in the growth and enhancement of our communities. Thank you, Mr. Speaker.

\* (13:40)

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I ask for leave to speak on the minister's statement.

**Mr. Speaker:** Does the honourable member have leave? [*Agreed*]

**Mr. Gerrard:** I salute the efforts of an extraordinary number of volunteers in Manitoba and the contributions that they have made this year and in many years in the past and will continue to make over many years in the future.

It has continually amazed me, the impact of the efforts of a single volunteer, Mr. Speaker, and the contributions of many volunteers working together. We have seen again and again the power of one and the value of many in the volunteer sector, and I think it is very important that we are recognizing that today.

### Introduction of Guests

**Mr. Speaker:** Prior to Oral Questions, I would like to draw the attention of all honourable members to the public gallery where we have from The Maples Collegiate Institute 12 Grades 9 to 12 students under the direction of Mr. Murray Goldenberg. This school is located in the constituency of the honourable Member for The Maples (Mr. Aglugub).

Also, I would like to draw the attention of honourable members to the Speaker's Gallery where we have with us today Maja Kathan, chair of the Parents for École Dugald, and Kris Dyck, a parent from École Dugald.

On behalf of all honourable members, I welcome you here today.

## ORAL QUESTION PERIOD

### HOPE Learning Centres Provincial Audit—Scope

**Mr. Stuart Murray (Leader of the Official Opposition):** Mr. Speaker, yesterday the Minister of Education (Mr. Caldwell) confirmed that HOPE Incorporated, the subject of the report of the Provincial Auditor, operated adult learning centres in other school divisions other than the Morris-Macdonald School Division.

Can the Premier tell this House why his Government did not ask the Auditor to expand the investigation into those other school divisions, Mr. Speaker?

**Hon. Gary Doer (Premier):** Mr. Speaker, the Auditor has the right and scope to expand or

contract any investigation that is initiated either by us or by him.

**Mr. Murray:** Well, Mr. Speaker, that is interesting coming from the First Minister, because the Auditor stated on page 9 of his report, and I quote: that the department reassesses its decision to fund HOPE for 2001-02. HOPE was the originator of the program, used non-certified individuals and did not provide appropriate facilities, nor had materials, textbooks, supplies, curriculum documents in place to meet the requirements to offer the program in September of 2000. That is in the Auditor's report.

My question is: Will the Premier tell this House why his Government did not ask the Auditor to investigate adult learning centres operated by HOPE in other school divisions?

**Mr. Doer:** Mr. Speaker, the member is quoting selectively from the Auditor's report. He will note there is a reference to the fact that in 1998-99 there was a request and a recommendation to conduct an audit of the adult learning centres and, regrettably, the former government refused to do so.

\* (13:45)

### Adult Learning Centres Public Inquiry

**Mr. Stuart Murray (Leader of the Official Opposition):** The Premier constantly makes references to other issues in 1999, 1998, Mr. Speaker. We have called in this House, and we call again. Why then, if the Premier is so concerned about what happened in other instances, does he not do the right thing and call for a full independent public inquiry to adult learning centres across the province? What is he afraid of?

**Hon. Gary Doer (Premier):** The louder the member opposite gets, the less information he has to bring to this House. In the spring of 2001, an audit was requested by this Department of Education, appropriately so. The audit was released publicly. The audit concluded that improvements had been made since 1998-99. More improvements have to be made. It also recommended legislation.

We will make those improvements. We will bring in legislation. The audit recommended that the Department of Justice review matters that arise from the Provincial Auditor's report. That report went to the Department of Justice on October 4, 2001. Shortly thereafter, in early November, I believe, the Department of Justice reviewed the Auditor's report and sent on to the RCMP some of the issues that arose from the Department of Justice, a review of the Auditor's report. The RCMP now have the Auditor's report. They have access to all the issues.

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

**Mr. Speaker:** Order.

**Mr. Doer:** The RCMP has access to and the scope to deal with every issue that has been raised by members opposite.

#### HOPE Learning Centre Legal Advice

**Mr. John Loewen (Fort Whyte):** Mr. Speaker, the Provincial Auditor recommended on page 105 that the Department of Education seek legal advice with respect to requesting a return of money from any school division where they were aware that enrolment figures were overstated.

I would like to ask the Minister of Education if he can detail for the citizens of Manitoba what legal advice he has sought with regard to this recommendation from the Provincial Auditor?

**Hon. Drew Caldwell (Minister of Education, Training and Youth):** Mr. Speaker, as has been repeated in this House over the last three weeks, we act on legal advice in proceeding in this matter.

#### Provincial Audit—Scope

**Mr. John Loewen (Fort Whyte):** I would like to ask the minister: Why is he not following the recommendation of the Auditor to investigate the possibility of inflated enrolment numbers from HOPE in other divisions? Is it simply because he knows he cannot fire any more school divisions to protect HOPE and the Orlikows?

**Hon. Drew Caldwell (Minister of Education, Training and Youth):** Mr. Speaker, that is an easy question to answer. The answer is: No.

**Mr. Loewen:** Mr. Speaker, I would like to ask the Minister of Education if it was his decision to limit the investigation of HOPE to the Morris-Macdonald School Division, because he knew he could not protect the Orlikows and Elaine Cowan, who, after all, received 90 percent of the funds because he was not able to fire any more boards?

**Mr. Caldwell:** It took us five questions to get to character assassination in this House. It is quite a shameful, shameful continuation of a trend that began a number of weeks ago. The answer to the member is no.

#### HOPE Learning Centres Funding Reinstatement

**Mr. Leonard Derkach (Russell):** Mr. Speaker, if the Premier can just contain himself for a moment, I have a question for him.

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

**Mr. Speaker:** Order.

\* (13:50)

**Mr. Derkach:** Thank you, Mr. Speaker. My question is for the Premier (Mr. Doer) of this province. I have in my hand a copy of the minutes of the July 30 meeting of the Winnipeg School Board division office at which time a motion was passed to enter into agreement with HOPE for an adult learning centre. This is the same learning centre that had its funding cut because they did not meet the qualifications. That funding was reinstated following this motion.

I want to ask the Premier of this province why he allowed the reinstatement of a program that had been cut because that centre did not have qualified teachers and did not have the necessary equipment to provide adult learning in that institution.

**Hon. Drew Caldwell (Minister of Education, Training and Youth):** Mr. Speaker, of course there was no money cut and reinstated. There is a termination of notice on October 4 to ensure there is stability for adult learners in the adult learning system. Our concern has always been

twofold: the quality of the programs available in the learning centres, fiscal responsibility and accountability for the adult learning centres. Of course, the member refers to a motion passed in July. The Auditor's report was not until some months after July. I do not think we judge, try and hang people before we have the facts.

**Mr. Derkach:** Mr. Speaker, on my supplementary question, I want to point out to the Minister of Education that I was quoting a minute from July 20, 2001. Just for clarification.

**Mr. Speaker:** Order.

#### Point of Order

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, on the member's point, a point of order, would you please remind the member that a supplementary question should have no preamble. Thank you.

**Mr. Speaker:** The honourable Member for Russell, on the same point of order.

**Mr. Derkach:** On the same point of order, Mr. Speaker, I was simply trying to clarify that the minute that I was referring to was from July 30, 2001, just for clarification of the minister.

**Mr. Speaker:** On the point of order raised by the honourable Government House Leader, I would like to take this opportunity to remind all honourable members that *Beauchesne's* 409(2) advises that a supplementary question should not require a preamble.

\* \* \*

**Mr. Speaker:** I ask the honourable member to please put his question.

**Mr. Derkach:** Mr. Speaker, I would like to ask the Premier (Mr. Doer) of this province whether or not the program that was first of all cut, then reinstated, then cut, then reinstated again was reinstated after July as a result of a visit from the owners of HOPE to the Government.

**Mr. Caldwell:** There was no cut and reinstatement, cut and reinstatement, Mr. Speaker, as we have continually pointed out over the last number of weeks. The Auditor's report was September 2001, a couple of months after the

member's minute from the Winnipeg School Division, and the answer to his question is no.

**Mr. Derkach:** Mr. Speaker, I would like to ask the First Minister (Mr. Doer), since his Minister of Education cannot answer the question, I would like to ask this minister, the First Minister of this province who understands the process, who understands that the Auditor's investigation was going on in July, whether or not this program was reinstated, because indeed the Orlikows did pay a visit to the Government and then the program was reinstated.

**Mr. Caldwell:** It must be very difficult for the member to contain himself in the flights of fantasy that are taking place in his head, Mr. Speaker. The answer is no.

#### School Divisions Amalgamation—Criteria

**Mr. Harold Gilleshammer (Minnedosa):** Mr. Speaker, yesterday we established that the Minister of Education did not comply with section 7(2) of The Public Schools Act, that he did not meet the test of the prerequisite, he did not allow for public input and, in fact, is guilty of politically gerrymandering the new school division boundaries.

My question to the Minister of Education: Can the minister indicate in a clear fashion what his criteria were when he crafted the new school division boundaries?

\* (13:55)

**Hon. Drew Caldwell (Minister of Education, Training and Youth):** I was very pleased yesterday when StatsCan and OECD noted that Manitoba is excelling at providing education for children in the province of Manitoba. That recognition of the advantages of education and the benefits of education in Manitoba is a consequence of the resources that this Government has invested into the public school system, both on the capital and the operating side.

#### Point of Order

**Mr. Marcel Laurendeau (Opposition House Leader):** Mr. Speaker, *Beauchesne's* 417:

Answers to questions should be as brief as possible, deal with the matter raised and not provoke debate. If the honourable minister would like, we could repeat the question.

**Mr. Speaker:** On the point of order raised by the honourable Official Opposition House Leader, I would like to take this opportunity to remind all honourable ministers *Beauchesne's Citation 417*: Answers to questions should be as brief as possible, deal with the matter raised and not provoke debate. I ask the honourable minister to please conclude his comment.

\* \* \*

**Mr. Caldwell:** Thank you, Mr. Speaker. I was getting to the nub of my answer.

The point that I wish to make is that at each and every step along the 25 months that this Government has been in office, we have placed the educational interests of children first. Those are our criteria.

**Mr. Gilleshammer:** Mr. Speaker, I would ask the minister, and I would like to help him with the word "criteria." These are standards on which a judgment or decision may be based.

I would ask him: What were the criteria that he used, and were they public criteria when he crafted the new boundaries? What criteria did you use?

**Mr. Caldwell:** The member may recall in 1994 there was a report entitled the Norrie Commission report, the report on school boundaries in the province. In 1999, when this Government came into office, we reviewed extensively the activities that had taken place within the Department of Education and Training under the reign of the previous administration, including the Norrie report.

I believe in November 1999, quite extensively, I was quoted in the media that we were dusting off the Norrie report to take a look at the conclusions of the report. Mr. Speaker, we certainly are informed by the Boundaries Commission Review that was undertaken by members opposite and not acted upon. Some time after that, Mr. Speaker, we asked all school divisions, it would be about 18 months to 2 years

ago, to undertake on a regional level a discussion with their ratepayers, with their constituents at a regional level to assess opportunities to resource the classrooms.

**Mr. Gilleshammer:** Mr. Speaker, again I would ask the minister to focus on the criteria. Did the criteria have anything to do with the number of students in the school division? Did the criteria have anything to do with the size of the school division? Did the criteria have anything to do with the assessment base? Can he indicate to the House what the criteria were when he crafted these new boundaries?

**Mr. Caldwell:** The reply to the three questions in the preamble, no, no and yes, as well as many others.

#### School Divisions Amalgamation

**Mr. Ron Schuler (Springfield):** Mr. Speaker, to the Minister of Education. Yesterday the hidden agenda of the NDP amalgamation was unveiled in this House, and it is called "punishment politics." I ask the minister: Why do the French Immersion students of École Dugald now have to go to Powerview, 100 kilometres one way, for a French Immersion certificate program?

**Hon. Drew Caldwell (Minister of Education, Training and Youth):** I assume that the member knows that the amalgamation will not take place until October 2002, because right now school division trustees are in dialogue with one another to work out arrangements for such things as the member draws allusions to.

**Mr. Schuler:** I ask the minister if he is aware that École Dugald parents have said: We lost the right to go to our school. We do not have another viable option.

Are the students from École Dugald school now also caught in this minister's punishment politics?

**Mr. Caldwell:** No.

\* (14:00)

**Mr. Schuler:** I ask this minister once more: Is he aware that the students, when they leave



École Dugald school, must go over 100 kilometres one way to get a French Immersion certificate program? It is the minister's amalgamation. Will he stand up and give the parents, who are sitting in the gallery, a proper answer to the question?

**Mr. Caldwell:** Mr. Speaker, I have some degree of confidence that the trustees are involved in this exercise as elected officials.

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

**Mr. Speaker:** Order.

**Mr. Caldwell:** Thank you, Mr. Speaker. I have a large degree of confidence in people who seek office to manage our education system in this province.

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

**Mr. Speaker:** Order.

**Mr. Caldwell:** I expect that educational excellence will be the prerequisite for any decisions made with regard to the public school system of Manitoba in each and every case.

#### **Mental Health Care Adolescent Programs**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, my question to the Minister of Health concerns mental health problems in Manitoba and the need to be proactive in preventing such problems, for example, adolescents and young adults who have mental health problems like depression and psychosis which all too often leads to a higher risk of suicide, substance abuse and even sometimes criminal activity.

I ask the minister: What will he say to those in the gallery today who have personal experience in this area? Why is Manitoba the only province, except for Prince Edward Island, which does not have a centre and a comprehensive approach for addressing psychosis very early on when it first occurs so that the red flags can be identified and so that the family tragedies, the substance abuse, the criminal activity and the other later mental

health problems can be prevented by putting in place and making sure there is in place such a comprehensive approach to preventing mental health?

**Hon. Dave Chomiak (Minister of Health):** Mr. Speaker—[*interjection*] I do not know if the member is aware of how serious the question of suicide in children is in this province, and it is taken very seriously I believe by most of the 56 members of this House. [*interjection*]

I have met with the parents. I believe the member has met with the parents and had a press conference I believe after one of his meetings with the parents to advocate on their behalf. I have met with the parents with regard to that.

With regard to the issue of prevention of suicide, I was very pleased to take part in a seminar recently on suicide, depression, prevention and co-ordinating activities across the province. I am also very pleased, I do not know if the member is aware, to indicate we have put in place a program of co-ordinating all of the activities regarding mental health with emphasis on youth to be accessible by everyone across the province.

In addition, Mr. Speaker, we are putting in place and looking at a school-based program for children—and I will continue.

**Mr. Gerrard:** Mr. Speaker, my supplementary question to the Minister of Health. I ask the minister to tell Manitobans what it is costing Manitobans extra to have poor health care. What is it costing, because Manitoba has more suicides, more substance abuse, more crime, more pain, more pain medications needed, more laxatives needed because the pain medications cause constipation, the extra costs of poor health care? What are those costs? Tell Manitobans, because they are very significant.

**Mr. Chomiak:** Mr. Speaker, I believe the member had a statement before the House convened that he was going to talk about preventive health. I am glad I have the opportunity to talk. The member said "poor health." He was not there yesterday when we announced the first comprehensive stroke program in the province of Manitoba that is

preventative. He was not available a week ago when we announced a program to prevent people from having heart surgery by the first of its kind in North America dealing with angina. He was not present when we announced the first cervical cancer screening program in this province, and on and on.

With regard to the issue of mental health, it is a priority of this Government with respect to dealing with issues of mental health, and mental health has always been an issue in this House that has remained non-political, to try to deal with the significant problems concerning mental health. We have taken the mental health reform initiative launched by the previous government that had some very positive initiatives and refocused it. We have launched it again to do a number of initiatives, including the PACT program, the first of its kind.

**Mr. Gerrard:** Mr. Speaker, if the minister had given me an invitation ahead of time, I might well have come.

#### **Health Care Budget**

**Hon. Jon Gerrard (River Heights):** Ma question supplémentaire au ministre des Finances: Je demande au ministre des Finances ce qu'il va faire dans son prochain budget pour la santé des Manitobains et Manitobaines.

#### **Translation**

*My supplementary question to the Minister of Finance: I ask the Minister of Finance what he is going to do in his next Budget for the health of Manitobans.*

**Hon. Greg Selinger (Minister of Finance):** Dans chaque budget, on planifie avec le ministère de la Santé des initiatives dans le domaine de la santé. Dans nos deux premiers budgets, on a fait des initiatives clé dans le domaine de la santé mentale.

Le programme PACT, c'est la première initiative de cette sorte ici au Manitoba au niveau de la communauté. Il n'y a aucun doute que l'ancien gouvernement a fait de bonnes choses dans ce domaine aussi. On veut continuer

ces initiatives de façon à permettre à tout le monde de bénéficier de ces initiatives, et la communauté doit avoir les ressources pour le faire. C'est notre engagement d'avoir les ressources en place.

#### **Translation**

*In each Budget, we plan initiatives in the health field with the Department of Health. In our first two budgets, we undertook key initiatives in the area of mental health.*

*The PACT program is the first initiative of this sort in Manitoba at the community level. There is no doubt that the former government did good things in this area as well. We want to continue those initiatives in a way that enables everyone to benefit from them, and the community must have the resources to do that. We are committed to having the resources in place.*

#### **School Divisions Amalgamation—Criteria**

**Mr. Harold Gilleshammer (Minnedosa):** The Minister of Education has in his office a letter from the Reeve of the R.M. of Alonsa who says: With other larger divisions amalgamating across the province, leaving a small division such as Turtle River seems to be going against what the taxpayers and people of this province were hoping might be achieved by amalgamation in school divisions.

We understand now better that the minister is saying the number of students and assessment were not criteria. Can he indicate what the criteria were? What does he say to the reeve about Turtle River, a school division with some 700 students? Why was it not part of his amalgamation scheme?

\* (14:10)

**Hon. Drew Caldwell (Minister of Education, Training and Youth):** Assessment base and enrolment trends were certainly very much part of the criteria. We did not have in place an artificial number and tried to fit a peg into a hole that was predetermined. We engaged school divisions, over the course of nearly two years, to consult with their regional partners, with their

ratepayers, with their parents, to authorize their best advice on what makes sense from a regional perspective. I am very, very happy that a number of divisions elected to emerge voluntarily as a result of that discussion.

Also, I was very encouraged. In many instances we had one dance partner with one school division wanting to merge and another division not wanting to merge. Our decisions were based upon, largely, common sense. I am happy if Turtle River is wishing to amalgamate.

**Mr. Speaker:** Order.

**Mr. Gilleshammer:** On a new question.

**Mr. Speaker:** The honourable Member for Minnedosa, on a new question.

**Mr. Gilleshammer:** The reeve from the R.M. of Alonsa also states: We were not aware when talks first began that school divisions could be broken up. Anywhere in the criteria that presumably you sent to school trustees and R.M. councils and the public, was there anywhere in the criteria where you indicated school divisions could be broken up?

**Mr. Caldwell:** Through this entire exercise we have—

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

**Mr. Speaker:** Order.

**Mr. Caldwell:** Thank you, Mr. Speaker. Throughout this process, over the last two years, we have sought the best advice of school divisions throughout the province of Manitoba. Where it made sense for divisions to merge entirely, that has been pursued. Where it made sense to have some other constellation emerge, that has been pursued.

**Mr. Gilleshammer:** On a new question.

**Mr. Speaker:** The honourable Member for Minnedosa, on a new question.

**Mr. Gilleshammer:** It is becoming very obvious to everyone in this House and the public of Manitoba, in fact, that there were no criteria, yet

busy little beavers like the member from Dauphin and the member from Transcona knew what the criteria were. They are the ones that set the agenda. They are the ones that set the criteria.

Will the minister go back and look at these boundaries, go back and adhere to The Public Schools Act, and do it right?

**Mr. Caldwell:** This Government believes in resourcing classrooms in the province of Manitoba, something that was nowhere apparent in the \$135 million that was cut from the public school system under members opposite.

This Government believes in working with school trustees, working with divisions to provide the best resources and best opportunities possible for children throughout Manitoba, wherever they may reside. We will continue along that tack to support the public school system, something that did not occur for 11 hard years under the previous administration.

#### **School Divisions Amalgamation—Criteria**

**Mr. Leonard Derkach (Russell):** The reality is that trustees across this province are afraid. They are afraid of what is going to happen to them should they not follow the wishes of this minister. The experience of Morris-Macdonald shows that they cannot trust this Minister of Education.

I want to ask the Minister of Education why he will not table to the school trustees of Manitoba the criteria that we have asked for repeatedly in this House that put the framework for his amalgamation of school divisions in Manitoba.

**Hon. Drew Caldwell (Minister of Education, Training and Youth):** I will take the member's request under advisement.

**Mr. Derkach:** Mr. Speaker, on a new question.

**Mr. Speaker:** Order. The honourable Member for Russell, on a new question.

**Mr. Derkach:** Because this is such a serious matter for the education of the students in this

province—the minister has not been able to provide any answers—perhaps the First Minister (Mr. Doer) will give this House some clarity in what kinds of criteria were established by the Government, Mr. Speaker, and why these criteria were not shared with school division trustees when they were asked to amalgamate with neighbouring divisions.

**Mr. Caldwell:** Over a year ago—

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

**Mr. Speaker:** Order.

**Mr. Caldwell:** Thank you, Mr. Speaker. The people of Manitoba know that this has been a topic of discussion since 1994. This is no mystery here. The members opposite commissioned a report costing hundreds of thousands of dollars, and did nothing. We had a situation in this province where we had single school divisions, and still do in fact as we sit here and stand today. The criteria, as I believe I have said before in this House, in fact, if members would peruse Hansard, there are a number of criteria that were shared with school trustees and divisions throughout the province: enrolment trends; assessment trends in terms of tax base; commonality of community of interest; travel patterns and transportation patterns that have changed over the last number of years; program symmetry. It goes on and on.

These documents have been out in the public domain for almost two years now. So members opposite may have been unaware of this, but it is only for a lack of any interest in this matter until recently.

**Mr. Derkach:** On another new question.

**Mr. Speaker:** The honourable Member for Russell, on a new question.

**Mr. Derkach:** Mr. Speaker, I have spoken to trustees, not just in my own constituency but indeed throughout the province. Trustees do not know what the criteria were. They do not have any transparent formula by which they can apply what they are to do from this point until the elections of 2002. There is no handbook. There is no written material. There is no guidance in

how these trustees are to fulfil the mandate that has been given to them by this minister.

The other fear, Mr. Speaker, is that they will be removed. My question—

**Mr. Speaker:** Order.

#### Point of Order

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, *Beauchesne* says very clearly a question must be brief, Citation 409. I think the member has gone into about three or four preambles. He should be reminded that a preamble need not exceed one carefully drawn sentence.

**Mr. Speaker:** The honourable Member for Russell, on the same point of order?

**Mr. Derkach:** No, not on the same point of order. I apologize. My mistake.

**Mr. Speaker:** On the point of order raised by the honourable Government House Leader, he does have a point of order. *Beauchesne's* Citation 409(2): A preamble should not exceed one carefully drawn sentence.

\* \* \*

**Mr. Speaker:** I ask the honourable Member for Russell to please put his question.

**Mr. Derkach:** Mr. Speaker, I ask the Minister of Education or the Premier of this province whether he will now allow school divisions to see on paper what the criteria for the amalgamation of school divisions were and what action is supposed to be taken by trustees from this point forward, seeing that they only have less than a year to develop a process by which a new school division will come into place.

**Hon. Gary Doer (Premier):** Mr. Speaker, I am disappointed that members opposite continue to defend the status quo. This Minister of Education, with his changes, is putting \$10 million from administration into the classrooms. I am very disappointed that members opposite do not understand that.

The criteria for us, and they are—*[interjection]* Mr. Speaker, I know these are criteria that are hard for members opposite to understand, because they cut education minus two. They cut education minus two. They decreased the property tax credits, which added \$75 to every educational property tax. They froze education funding before the election. They cut it by minus two. They do not care about kids. They do not care about education. We do.

\* (14:20)

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

**Mr. Speaker:** Order.

#### Point of Order

**Mr. Derkach:** Respecting your ruling, Mr. Speaker, I refer to *Beauchesne* 417 which states that answers to questions should be as brief as possible, deal with the matter raised and should not provoke debate.

My question to the Premier dealt with criteria that we want tabled for the benefit of all trustees and children in our province, not a rambling dissertation as we got from the Premier.

**Mr. Speaker:** The honourable Government House Leader, on the same point of order.

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, by the member raising the point of order, he is simply saying to the House this: Ouch.

**Mr. Speaker:** Order. On the point of order raised by the honourable Member for Russell, he does not have a point of order. I have followed the Manitoba practice of leaders' latitude. Until I get an agreement that is agreed to by both House leaders, I will continue making the same ruling.

**Mr. Marcel Laurendeau (Opposition House Leader):** Regrettably, Mr. Speaker, I challenge your ruling. I do not agree with it.

**Mr. Speaker:** The ruling of the Chair has been challenged.

#### Voice Vote

**Mr. Speaker:** All those in support to sustain the ruling, please say yea.

**Some Honourable Members:** Yea.

**Mr. Speaker:** All those opposed to sustaining the ruling, please say nay.

**Some Honourable Members:** Nay.

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

#### Formal Vote

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

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

\* (15:20)

**Mr. Speaker:** According to Manitoba rules, the time has expired. The question before the House is: Shall the ruling of the Chair be sustained?

#### Division

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

#### Yeas

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

#### Nays

*Dacquay, Derkach, Driedger, Dyck, Enns, Faurschou, Gilleshammer, Laurendeau, Loewen, Mitchelson, Murray, Penner (Emerson), Praznik, Reimer, Schuler, Smith (Fort Garry), Tweed.*

**Madam Clerk (Patricia Chaychuk):** Yeas 31, Nays 17.

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

\* \* \*

**Mr. Speaker:** We will revert to Oral Questions. When we left off, the honourable First Minister had the floor.

**Mr. Doer:** Mr. Speaker, in conclusion, as I have gone through the facts and put them on the record, the clear criteria are reducing administrative costs and reallocating administrative costs to providing improved quality of education in the classrooms where our resources belong.

#### **School Divisions Amalgamation—Criteria**

**Mr. Harold Gilleshammer (Minnedosa):** Mr. Speaker, earlier this afternoon, the Minister of Education indicated he would be prepared to table the criteria that were sent out to trustees and others regarding the amalgamation of school divisions, criteria that we believe do not exist, but I would ask him if he would be prepared to table that now.

**Hon. Drew Caldwell (Minister of Education, Training and Youth):** Well, Mr. Speaker, the Premier just eloquently stated what our objective is in terms of criteria. Taking money from administrative expenditures and putting it into the classroom makes a difference to children in the province.

As I said in fact even earlier in this current sitting today, we looked at issues of enrolment trends, assessment base, communities of interest, program opportunities and program enhancements that are available through divisions, transportation, natural transportations, communities of interest. There are a number of criteria that were put forth to school divisions to discuss over the past two years, and we have made judgments accordingly.

**Mr. Gilleshammer:** On a new question.

**Mr. Speaker:** The honourable Member for Minnedosa, on a new question.

**Mr. Gilleshammer:** In fact, the lack of criteria is pointed out by the fact that the Member for Dauphin met with Turtle River School Division

and indicated they were going to be divided in half. Half the division would go to Dauphin School Division, and half would go to Beautiful Plains. Then the day before the announcement, he indicated to them, it was pulled off the table, and this amalgamation would not go forward.

There were no criteria. In fact this was a politically motivated decision made by the minister, and I would ask if he would confirm that.

\* (15:30)

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

**Mr. Speaker:** Order.

#### **Point of Order**

**Mr. Stan Struthers (Dauphin-Roblin):** The member opposite has it absolutely wrong again. I never did meet with Turtle River School Division. As so many times in this House, he is wrong. He is wrong. He is wrong.

**Mr. Speaker:** The honourable member did not have a point of order.

The honourable Member for Minnedosa, on the same point of order.

**Mr. Gilleshammer:** It was a well-publicized fact that the Member for Dauphin was out there cutting—

**Mr. Speaker:** I would kindly ask the co-operation of all honourable members, when rising on a point of order, it is to point to the Speaker the breach of a rule or the use of unparliamentary language, not to use points of order as a means of debate.

I ask the co-operation of all honourable members, please. On the point of order raised by the honourable Member for Dauphin-Roblin, he did not have a point of order.

\* \* \*

**Mr. Speaker:** The honourable Member for Minnedosa, on a question.

**Mr. Gilleshammer:** It certainly points out the fact that there were no criteria when members of the back bench of the Government were out there crafting new boundaries, and it points out the fact that there were no criteria, Mr. Speaker.

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

**Mr. Speaker:** Order. The honourable Government House Leader, on a point of order.

#### Point of Order

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, the member has had at least an hour to prepare his questions. According to the rules, would you please remind him about *Beauchesne* Citation 409: This, I understand, is a supplementary question. It requires no preamble.

**Mr. Gilleshammer:** Mr. Speaker, the Government House Leader is wrong, of course. I indicated it was on a new question.

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

**Mr. Speaker:** Order. On the point of order raised, first, when the member rose, I recognized the member for a supplementary question. I did not hear the member say on a new question. I recognized the honourable member for a supplementary question.

On the point of order raised by the honourable Government House Leader, yes, he does have a point of order. *Beauchesne* Citation 409(2) advises that a supplementary question should not require a preamble.

Before I recognize the honourable Member for Minnedosa, I would like to ask all honourable members, when rising on a new question, to state a new question, please wait for me to respond back to announce to the House that the member is rising on a new question. I ask the co-operation of all honourable members, please.

\* \* \*

**Mr. Gilleshammer:** On a new question, Mr. Speaker.

**Mr. Speaker:** The honourable Member for Minnedosa, on a new question.

**Mr. Gilleshammer:** Mr. Speaker, the fact is that Government backbenchers were out around the province cutting deals on school division boundaries, pointing out the fact that there were no criteria.

I would ask the minister if he is prepared to table those criteria in the House today.

**Mr. Caldwell:** Mr. Speaker, of course there have been so many factual inaccuracies and misstatements put on the record. Last week, we had members opposite having the Premier (Mr. Doer) ordering deputy ministers—

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

**Mr. Speaker:** Order.

#### Point of Order

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

**Mr. Speaker:** The honourable Minister of Education and Training, on the same point of order.

**Mr. Caldwell:** Mr. Speaker, on the same point of order. The member put on record a number of factual inaccuracies, and I was responding to that question.

**Mr. Speaker:** On the point of order raised by the honourable Official Opposition House Leader, he does have a point of order. *Beauchesne's* Citation 417: Answers to questions should be as brief as possible, deal with the matter raised and should not provoke debate.

\* \* \*

**Mr. Speaker:** I ask the honourable Minister of Education to please answer the question.

**Mr. Caldwell:** As I have said numerous times in this House during this session, school divisions were instructed to meet with neighbouring divisions, to meet with their ratepayers and parents, the school community, over the last year

and a half to have discussions throughout the province on school division amalgamations and possibilities for redirecting resources from administrative expenditures to the classrooms where those education resources belong. They were asked to look at issues like enrolment-based trends, assessment bases, communities of interest, programming opportunities, and so forth.

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

## MEMBERS' STATEMENTS

### United States Consulate in Manitoba

**Mr. Harry Enns (Lakeside):** Mr. Speaker, I have a particular statement for the Premier (Mr. Doer), and I would like to at least have him check the Hansard for it, because I share his enthusiasm that he had and demonstrated in meeting the American ambassador, in recognizing the Americans coming back to Manitoba with consular facilities and so forth. It is my sincere hope that he fully, and I do believe he does, appreciates the importance of our relationship with that great country, who are responsible for so many thousands of jobs here in the province of Manitoba from buses to furniture to hogs and a whole host of other things.

He needs to rein in his Minister of Family Services (Mr. Sale), who only a little while ago expressed these thoughts that I think are probably the most serious and underdiscussed issue in Manitoba, the amount of business that we do with the United States. He says we have not been successful in lessening our dependence on that very large economy. What kind of encouragement is that to our efforts to maintain our economy in harmony with that of our biggest trading partner?

I should not have to remind him, but the fact that there are so many new faces in the House I would hope that this Premier cannot only rein in his minister, the Minister of Family Services, but indeed the entire caucus, and they will not abuse the presence of the American consular offices here as they did a short 10 years ago by burning their flags, by throwing rotten eggs against the building and driving the full American consular offices that we had in Manitoba out to Calgary and at least support their First Minister. You

radicals, at least support your minister. I would like to hear a quiet commitment, because that may well happen when next they disagree with some American policy. That could happen on the American war against terrorism.

So, please, no more American flag burning. Do not throw eggs at our guests when they come to this province of Manitoba.

### Fisher Branch Women's Institute

**Mr. Tom Nevakshonoff (Interlake):** Mr. Speaker, it gives me great pleasure to rise in the House today to draw attention to the ladies of the Fisher Branch Women's Institute, who were—

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

**Mr. Speaker:** Order, order.

**An Honourable Member:** Harry, there is a dinosaur museum in Grunthal. Why do you not apply?

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

**Mr. Speaker:** Order. It is very difficult to hear the honourable Member for Interlake.

### Point of Order

**Mr. Marcel Laurendeau (Opposition House Leader):** Mr. Speaker, I would expect a little more respect from a minister of the Crown. To be throwing slanders across the way at one of our longest-serving members in this House, one of the members who has represented this province for over 40 years, for this minister, the Minister of Family Services (Mr. Sale), to be throwing remarks like that across the way, he should be ashamed of himself.

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, of course a point of order is raised with a view to drawing the attention of the House to departure from the rules and forms of proceedings. I did not hear from the member any citation or any rule that was cited. So there does not appear to be a point of order.

**Mr. Speaker:** On the point of order raised by the honourable Official Opposition House Leader, I did not hear if it was breaching of a rule or use of unparliamentary language. I do not know what the point of order was referring to, so I have to rule there is no point of order.

\* \* \*



**Mr. Nevakshonoff:** I will begin again, Mr. Speaker. It gives me great pleasure to rise in the House today to draw attention to the ladies of the Fisher Branch Women's Institute, who were recently granted one of Manitoba's highest honours for a volunteer organization. The FBWI was recently awarded the Prix Manitoba award for distinguished service at a ceremony in Brandon. I am particularly pleased because my mother and aunts are current members, and my grandmother, the late Ida Barrett, was a founding member of this WI chapter.

\* (15:40)

This institute was constituted back in 1948 when people of the community decided they needed a local hospital in the area. Back then, as they are today, health care needs were a primary concern of the people. The group that got together to raise money and lobby for the facility rather than disbanding upon the successful conclusion of this project decided to harness their volunteer spirit and apply it to other needs in the community. More than 50 years later the organization is still going strong working on various projects. They managed to log more than 17 000 hours of community service last year.

In addition to work involving the various civic buildings in the area, the ladies also undertook the task of developing a beautiful park along the Fisher River, which is the centrepiece of the town, with a wide variety of trees and flowerbeds for the enjoyment of all. Their annual beer-and-skits variety night is a fall classic event not to be missed.

Volunteerism is the key to a successful community. I want to thank the ladies on behalf of the people of Fisher Branch, past and present, for their service.

### **Joint Forces Unit**

**Mrs. Joy Smith (Fort Garry):** Mr. Speaker, back in 1999 the Filmon government set in motion plans for the establishment of a joint forces anti-crime intelligence unit. Such a unit would allow for the intelligence resources of municipal police forces and federal and international agencies to be brought together and allow them to police and prosecute organized crime groups, from outlaw bikers to street gangs, much more effectively.

Joint forces units have proven successful in other jurisdictions and there are many benefits that can be expected from the implementation of such an initiative. There would be a reduced impact on insurance providers and other goods or services targeted by organized crime. Social costs resulting from associated criminal activities-like prostitution, burglary and robbery would be reduced. Law enforcement agencies would be better able to fully utilize criminal code provisions regarding organized crime.

Under the former government, significant headway was made toward the establishment of a joint forces unit. Agreement was struck between Manitoba Justice and RCMP "D" division and funding was allocated to the program. Despite these efforts, the current Minister of Justice (Mr. Mackintosh) was critical in this Chamber of the speed at which the joint forces unit was being assembled, something that makes it even more surprising that since his party came to power there has been little or no progress on this issue.

Co-operation between law enforcement agencies would be an invaluable tool in the fight against organized crime. There is no excuse for the Minister of Justice's delay in establishing a joint forces unit. Perhaps it would help him to know that when and if his Government chooses to move forward with this initiative, it would have the support of this side of the House.

### **Flin Flon-Creighton Public Library**

**Mr. Gerard Jennissen (Flin Flon):** Mr. Speaker, I rise in the Legislature today to congratulate the Flin Flon-Creighton Public Library on receiving the Smart Award from Smart Winnipeg Inc.

Smart Winnipeg, an independent organization, was established in 1999 to offer assistance to citizens, organizations and government in creating technically enabled communities. These communities known as "Smart Communities" are assisted by Smart Winnipeg in developing, co-ordinating and initiating projects that bring a greater level of technology and connectivity to citizens.

At the first annual Smart Award Banquet, the Flin Flon-Creighton Public Library won the

Recreation and Culture award for development of their infopod system and a number of other exciting new projects. The library's infopod system includes a group of nine workstations that provide information and Internet services to the community. The Flin Flon-Creighton Library received the award because of the superior level of access and freedom the infopod system provides to the community. Furthermore, the system helps break down the barriers that prevent families from accessing the Internet and other information services. In addition to Internet services, the library is also working on a public archives database, which will serve the community and surrounding area. The infopod system at the Flin Flon-Creighton Public Library is well known within the information technology community.

The development of the infopod system has earned the Flin Flon-Creighton Public Library this important award. Therefore, I would ask all members of the Legislative Assembly to join with me in congratulating the Flin Flon-Creighton Public Library and its board of directors on this recent achievement. Also, special thanks are in order for Kathleen Delgatty, Gretta Redahl and the library staff of the Flin Flon-Creighton Public Library.

#### Dauphin, Manitoba

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, the Member for Dauphin (Mr. Struthers) has brought to my attention that Dauphin has not been receiving sufficient recognition in this Chamber during this session. So I choose today to use my member's statement to draw attention to this very important Manitoba community.

I have been in Dauphin on a number of occasions this last year, including at the Ukrainian Festival, where I was welcomed by the member and many others from Dauphin. It was, shall we say, a hot spot this summer.

**An Honourable Member:** It was what?

**Mr. Gerrard:** A hot spot. The weather was very warm. There was an important memorial to the famine of 1932-1933. This was, I think, very significant attention to Ukrainian history.

In September, I was also in Dauphin to attend and speak at a rotary meeting. It was a

good meeting, but while there it was brought to my attention that the Member for Dauphin is a member of the Dauphin Rotary Club. It was also brought to my attention that the rotary members in Dauphin would like to see the member attending the Dauphin rotary meetings much more often. So concerned were the rotary members in Dauphin that they deputized me to convey their wishes to the Member for Dauphin. I did this right away when I came back from Dauphin, but I do so again today just to put it on the public record that I have suggested very strongly to the Member for Dauphin that he attend the rotary meetings as soon as this session is finished and very often thereafter.

### ORDERS OF THE DAY

#### House Business

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, I would like to seek leave for the Standing Committee on Law Amendments to sit concurrently with the House at 5 p.m. this afternoon.

**Mr. Speaker:** Does the honourable member have leave for the Standing Committee on Law Amendments to sit concurrently with the House at 5 p.m. this afternoon? *[Agreed]*

**Mr. Mackintosh:** Mr. Speaker, I would also seek leave for rule 123 to be waived, which requires two days' notice of a private bill to be referred to committee, so that Bill 300 can be referred to the Law Amendments committee today.

**Mr. Speaker:** Is there leave for rule 123 to be waived, which requires two days' notice of a private bill to be referred to committee, so that Bill 300 can be referred to the Law Amendments committee today? *[Agreed]*

**Mr. Mackintosh:** I also, Mr. Speaker, seek leave of the House for the quorum rule to be waived at 5 p.m. today during the duration of, well, say, from five o'clock till we rise today, due to the committee meeting.

**Mr. Speaker:** Is there leave of the House for the quorum rule to be waived at five today due to the committee meeting, until committee rises? *[Agreed]*

**Mr. Mackintosh:** Mr. Speaker, I would like to announce, then, that the Standing Committee on Law Amendments will meet at five this afternoon in Room 255 to consider Bill 4, The Order of Manitoba Amendment Act, and Bill 300, An Act to Amend an Act to Incorporate the Portage District General Hospital Foundation.

Mr. Speaker, in terms of House Business, if we can resume debate on second readings in the order they appear on the Order Paper.

**Mr. Speaker:** It has been announced that the Standing Committee on Law Amendments will meet at five this afternoon in Room 255 to consider Bill 4, The Order of Manitoba Amendment Act, and Bill 300, An Act to Amend an Act to Incorporate the Portage District General Hospital Foundation.

## DEBATE ON SECOND READINGS

### Bill 2—The Security Management (Various Acts Amended) Act

**Mr. Speaker:** We will resume debate on second reading on Bill 2, The Security Management (Various Acts Amended) Act, standing in the name of the honourable Member for Southdale, who has 23 minutes remaining.

**Mr. Jack Reimer (Southdale):** Mr. Speaker, I just will refer back to yesterday when I was speaking, and then we finished. The hour being six o'clock, the House was adjourned, but at that time I was addressing the House in regard to Bill 2, The Security Management (Various Acts Amended) Act, that was introduced by the honourable Minister of Justice (Mr. Mackintosh) in regard to security legislation and its ramifications for Manitoba.

At the time, when I was talking yesterday, I was in a sense trying to talk to the backbenchers of the NDP party as to whether and when they would be coming forth with some debate on this bill. It seems that, as I mentioned yesterday, the members on the opposite side that are speaking are some of the Cabinet ministers. But there seems to be a muzzle on the backbenchers as to whether they feel that it is appropriate for them to even support this bill, because of the fact that they are concerned, like a lot of people, about

the lack of input by people in the community as to how it is going to affect the Government and the interpretations of the various acts.

As I mentioned, there are numerous acts that are affected by this: The Dangerous Goods Handling and Transportation Act, The Emergency Measures Act, The Manitoba Evidence Act, The Fires Prevention Act, The Pesticides and Fertilizers Control Act, The Private Investigators and Security Guards Act, The Proceeds of Crime Registration Act, The Public Health Act and The Vital Statistics Act.

*Mr. Conrad Santos, Deputy Speaker, in the Chair*

These all have, as I mentioned yesterday, Mr. Deputy Speaker, a tremendous amount of influence over the lives and the daily happenings of the people of Manitoba in regard to their everyday activities.

Granted, you know, we have been faced with a situation because of the terrible events of September 11, where all governments and all areas of administration have taken a second look at how things may or may not be changed over the next short while. But I think it is very, very important when we look at introduction of bills of this nature that there should be allowed a tremendous amount of public input into it, because it affects so many people involved and at a such wide range of areas that are in evidence, that the people should be involved and should talk to what is happening in the communities. I guess this is one of the reasons why there is such a great interest in this bill shown by all members in this House at this time. So it is something that we should all be aware of.

As was mentioned by quite a few of my colleagues, it is an issue of trust that we are dealing with in dealing with this Government. I found it quite ironic, the Member for Lakeside's (Mr. Enns) statement just a little while ago, in regard to the abilities of this Government to look at both sides and talk out of both sides of their mouth at the same time, in a sense, especially the First Minister (Mr. Doer).

Even in today's paper, there was a picture of the First Minister with some of the U.S. consuls

that are opening up an office back here in Winnipeg. I can reflect back to exactly what the Member for Lakeside was talking about in regard to the demonstrations and the flag burning of the U.S. flag that was burned at the U.S. consulate, and the eggs that were thrown at the consulate. There were Cabinet ministers from the NDP government that were participating in that demonstration.

One of the Cabinet ministers was there at the time. It is a known fact. In fact, his picture was taken in the paper with the unfortunate incident of the U.S. flag being burned with the NDP's Cabinet minister there, Mr. Speaker, and at that time, I believe, even the First Minister of today was part of that government, the NDP government at that time. At that time, they were protesting the Free Trade Agreement, and they were totally against this Free Trade Agreement.

Now we see the First Minister going down to Texas to be the buddy down there with the southern gentlemen to bring in commerce to Manitoba. He thinks this is a great idea, this Free Trade Agreement, all of a sudden now because we at that time were of the same opinion that it was good for Manitoba. The slow realization by this First Minister now that it is a good idea seems ironic. At that time, the U.S. consulate was the centre of attention for anti-free trade and anti-Americanism, and now this First Minister has suddenly been like a chameleon and turned in his colours, and he is advocating for more trade with the United States.

Then you listen to, when the NDP convention was here a few weeks ago, and the First Minister was addressing the delegates at the NDP convention, up there giving them heck and brimstone about this anti-Americanism. In fact, in his speech he used that quite a few times about the American system: We will not be partaking like the American system of financing political parties or the American political system where they bought ads or the American system of health care or their Americanization of this and that.

This is the same First Minister that will go down to the consulate, here and shake hands, go down to Texas, go down to California and tell them how great—I mean, the people of Manitoba are seeing through this First Minister, left, right.

I have got to commend one of the writers with the local media, who wrote a column—I will mention his name, it is Mr. Tom Brodbeck—who mentioned Mr. Doer, and how Mr. Doer drops the mask, in regard to how he approaches the people who are around him when he is at an NDP convention and when he is out in public trying to make friends with all the business elite here in Manitoba and throughout North America. It must have been very, very hard for this First Minister (Mr. Doer) to offer congratulations and shake the hand of, I believe it was, Jack Fraser, the President of MTS. Jack Fraser, I believe his name is. *[interjection]* Yes, Jack Fraser, for being recognized as the outstanding Manitoba business—

\* (16:00)

**An Honourable Member:** Bill Fraser.

**Mr. Reimer:** Bill Fraser. *[interjection]* That is right. That is right, Jack Fraser sells suits. Well, Mr. Fraser of MTS—and the First Minister, he was up there with his tuxedo on, looking really squeaky-clean and everything, and he had to shake the hand and present the president of MTS with an award for one of the best-managed companies in Manitoba. Is it not ironic? This is the same Premier that, in the debate over the sale of MTS, they vowed they were going to re-buy MTS when they came back into power.

My gosh, they were going to buy it back. This is two years now. I guess somewhere along the line we are going to see legislation reintroduced by the NDP. One of the ministers, anyway, will introduce the legislation to buy back MTS because that was their election promise, and they are going to stick to their promises.

Well. Mr. Deputy Speaker, I do not know whether we can believe those promises anymore. It is a long stretch when they say they have fulfilled their election promises. We still have waiting lists in hospitals. We still have people going south, east, west for medical treatment. The people are coming out of the North, and they are going east, west and south because they still need their treatment, because they are on waiting lists, so they have to go down to get it somewhere else.

We know that the long line of people that are waiting for hip and joint replacement has grown. We know that the cataract surgery list has grown. We know that the other areas of concern in regard to health care are not improving. There is a lot of work to be done in health care, and we recognize that. We recognize that there is a tremendous shortage of nurses. We need more nurses in this province, but this Government here seemed to feel that if they got in office—and I remember the First Minister and the now Minister of Health saying we will correct it within six months with \$15 million.

Well, it is two years. The lists are longer. The people are still waiting, and we still have these problems as unfulfilled.

So, when the Minister of Justice (Mr. Mackintosh) brings forth a bill like this, and it is based on very, very short notice, they are looking at trying to get this bill all through within the next short while so they can say that they have it. It is one of the first type of bills that is in Canada. In fact, I believe, in certain areas, it is the first of its kind in Canada. I just cannot believe, when it affects all these various departments, that there was a thorough analysis done by the departments in talking to their areas of concern that all the bases are covered, if you want to call it, in its interpretation.

It is a long bill, Mr. Deputy Speaker. It is not one of those one-page bills like we have seen that we are willing to pass in committee in the next short while. This is a bill that has, I believe, 62 different clauses in it. It has 48 pages of legalese and interpretations as to what can and cannot be done. There are a lot of areas in here that are very, very cloudy in a sense. The overlap has to be tremendous within all the various departments once it is implemented.

This could only cause confusion and anxiety with the people that are not only interpreting it, but the people that it covers, because it covers such a broad spectrum, from the farming community to the retail operations. There are a lot of areas in the public health area that have to be interpreted. You know, what are dangerous diseases? There are other areas in regard to who makes the decision in regard to the interpretation under The Public Health Act, whether it is one doctor, or is it other doctors. These are all questions, I believe, that should be answered.

The only way to do that, Mr. Deputy Speaker, is to have more input. I look forward to the other members across the way who say that they are always out in their constituency talking to their constituents, getting involved, making deals and listening to what they have to say, that they would come forward and they will have some sort of input as to what this bill involves their constituents.

I am sure that the members in the back bench and the people who are not part of the Executive Council are very, very concerned about this. They have to be, because we, on this side, share the same concerns and the constituency, in a sense, of the people who want to know how it is going to affect them. I am sure that they will go out and talk to their constituents, but it seems that the Premier (Mr. Doer), his inner circle of communicators and spin doctors and the ministers, a certain clique of ministers, feel that this is the way to go and it will make a big impact on Manitoba.

Undoubtedly, you know, with all the terrorism and bin Laden's plans, Manitoba is high on his priority lists of coming through somewhere to have terrorism. We certainly do not anticipate acts of terrorism. We would certainly be very, very cognizant of it. We have a police force. We have an RCMP, and we have the resources, I believe, that are excellent here in Manitoba. They may be stretched at times because of the handcuffs and the restrictions that this Government is bringing in in its interpretations, but I think that those are some of the things that need further discussion.

It is ironic that this is pushed so fast and so thorough. We saw what happened on the federal scene when the federal government brought in their Bill 36, I believe it was called, their terrorism bill, and how they stifled off debate. They stifled off debate. They did not want to have debate on the bill. They would not let the opposition federally talk to the bill and bring forth their concerns. They rammed it through with closure. I can only think that maybe this Government here, because they feel that they are right, that they will invoke closure on this bill.

I must say in the full time when the Conservatives were in government we did not

invoke closure on any bill, but this may be a precedent that this Government feels that they have to do because they feel that they are so righteous in this approach—high, mighty. We see the arrogance from time to time coming across the field, you know, in the answering of some of the questions. As an Opposition, it is refreshing to see that festering so fast on the other side, only two years, two years, Mr. Deputy Speaker. We see this, and we feel it, on this side, already. It is true. It has been recognized. It has been recognized out in the constituencies and in the dealings with people in events.

I know that we all look forward to the festive season in the next while. In fact, a lot of us now are attending a lot of events in our constituency, and we get a chance to talk to a lot of our constituents and people in our halls and our schools, our seniors.

People are asking questions. They ask questions about this Government now; I mean, what is their agenda? What is their hidden agenda as they bring in legislation? Are we in for another spend-and-tax session like was there with the Howard Pawley government?

We know that there are a lot of the members that are on the benches right now in Government that were part of that Pawley government. I imagine a lot of that philosophy is still there as to how they feel that they can generate economic growth through public spending, and by expanding the government bureaucracy.

They have the ability to always be on the aggressiveness of spending money, and we have seen that. We have seen that, Mr. Deputy Speaker. When you look at the budget over the last couple of years where they have had an additional almost well over a half a billion dollars of extra revenue that is just gone. This is something that a lot of the people are very concerned about.

So, when they bring forth like this Bill 2, without adequate public attention, public consultation and the ability of people to have some sort of input into it, it raises questions and it raises legitimate questions as to what is the hidden agenda on this, what is the rush on it? We need some sort of legislation possibly, but I

think it is of a nature that has to be discussed more readily. I know backbenchers now are chiding me saying that they want to speak, and I hope they stand up. I hear this from across the way. I know the Member for Rossmere (Mr. Schellenberg) is there chiding me. I believe that is because he wants to stand up and speak. I would hope that because I am sure there are members in his constituency that like to hear the reasoning behind this. I commend him for wanting to listen to his constituents, because that is what he is there for and that is why I am here; to relay the concerns of constituents, to know what is happening in the constituency so that, when we come back into the Legislature, we can pass good bills, good laws.

\* (16:10)

This Government here has an obligation to do that. But you do not do that just by introducing a bill on short notice, and we gave leave to introduce it after the first day of sitting, because we felt that it is important that there be some sort of address toward the unfortunate incidents that happened on September 11. It warrants a close look by government as to the readiness, the preparedness, the facilities, the situation that could arise. These are all legitimate questions. But those are questions that have to be answered through process, not by ramming through legislation for the sake of saying, well, we will put it through, trust me, we know what is best, we will look after it and we will administrate it for the betterment of the people of Manitoba.

Well, Mr. Deputy Speaker, that type of attitude I do not know whether it is prevalent in Manitoba. I think Manitoba has always been a province that has the second sober look at a lot of legislation. It has the ability to come to committees. One of the things that is very, very beneficial to this Government and to Manitoba governments, whatever stripe, is the ability of committee hearings and committee presentations. But that usually takes place after the bill has been in the community for quite a while so that people get a chance to read it, to review it, to consider it, to discuss it, and then they make their position saying, well, maybe we should be going to a committee and expressing these types

of concerns to Government as to why we feel it should be changed or possibly bring forth amendments.

I have been at committee meetings and sitting on committees where amendments are brought forth by the public which were not contemplated by government, or were overlooked in some way by government, and it was only because of public participation and the public being aware of where the perceived problem is. So you give them the credit of having that opportunity. That is one of the reasons why, as we have said numerous times, that this bill here needs that type of second sober opinion out into the community so that people have the ability to look at it.

One of the best things that is available is the distribution by some of our members, all members, I would recommend, through their constituencies of having the bill available or copies of the bill in their constituencies so people can come and look at it, read it, take it home, make a photocopy of it, discuss it. Those are some of the things that I think are of strong benefit to the bill.

I can tell by the members opposite that there is that willingness to try to look at it. I hope they are not given the muzzle by their Whip as to who can stand up and who can speak and who cannot speak, because being in this Legislature, one of the great benefits of speech is the fact that people can bring forth their views, their concerns. They can talk to their constituents. They can bring forth areas of where they feel there should be change. On a bill like this, Bill 2, it does have a lot of input.

I hear again the Member for Rossmere (Mr. Schellenberg) is still wanting to get up. I know there is a lot of opportunity. We welcome that. We welcome that type of input, because, as he knows very well, in dealing with his constituents, they are quite vocal. They are knowing and they are wanting to know what is this about. I commend him for wanting to take this bill back into his constituency and talk to his constituents about it. I feel that he has that ability to do it, and I would hope that the Whip of his party does not put the clamp on and say, no, you just vote the way we tell you to vote. You do not have to

discuss it. You do not have to take it into your constituencies.

I am just surmising that. I am sure that is not the way it would be. I am sure that he has the ability to do that when he wants to. I know the Member for Inkster has that same type of feeling. He feels that this is a bill that deserves more input—[*interjection*] Wellington. That is right, too. That is something that we feel that is quite important for all members. It is something that we will look forward to. We feel that it is a bill worthy of further discussion in the communities. The community is well aware that some of these bills need further discussion, an input of looking after things.

With those short words, I would thank you very, very much for your time.

**Mr. Deputy Speaker:** Before I call upon the Member for Lac du Bonnet, I would like to ask the House if there is unanimous consent to allow Bill 2 to remain standing in the name of the honourable Member for Fort Garry.

**Some Honourable Members:** Agreed.

**Mr. Deputy Speaker:** Leave has been granted.

Before I call on the Member for Lac du Bonnet (Mr. Praznik), the Speaker's Office had received a request from the Leader of the Official Opposition that the Member for Lac du Bonnet have unlimited time.

**Mr. Darren Praznik (Lac du Bonnet):** It is certainly a privilege to have been awarded the unlimited speaking role of the Leader of the Opposition. I can tell members opposite the Government House Leader wants to call it six o'clock, but I am not going anywhere. I am here for many a day on this bill. Many a day, many a day.

I must say, I am particularly pleased to be able to rise today and to be able to address this Chamber and to talk about this bill. This bill really brings together so many of the themes, so many of the issues, so many, I think, of the very critical matters that perhaps divide us in this House between Government and Opposition.

This bill, and the process by which it has come to this House and by which the Government is attempting to have it passed in this very short Christmas session, I think, focuses many of the issues that are very fundamental to Manitobans.

In my political experience and my life, I think we have seen many things happen in our world, but the events of the 11th of September of this year came as a great surprise, really, to, I think, all of us, as it did to all Manitobans and all Canadians in their lives, as we witnessed such a horrendous event taking place in New York, Washington and Pennsylvania.

The result of September 11 has been, perhaps to some degree, a new world in which we all now live. Governments, of course, are reacting to ensure the security of our province, of our nation, of our world, security from terrorism, security from abrupt interruption to our lives by acts of violence. It is incumbent upon governments to do those things. It is incumbent upon governments to act, to ensure the security of our society, of our province, of our nation.

One of the great lessons that we learn out of September 11 in our part of the world, that being North America, is that we have become very lax in security over the years. We have taken for granted our security where, in other parts of the world, I think of Israel, I think of parts of the Middle East, I think of Great Britain, particularly London, with the threat from the IRA; I think of parts of Europe, where they are much more conscious on a daily basis of risks to security for their citizens and the operation of their societies than we have been in North America, where they are much more conscious and have taken a much heightened sense of security. We have had that reality, their reality, brought home to us on the 11th of September, and now we take those steps. We take steps to ensure greater security for our people.

\* (16:20)

Having said that, Mr. Deputy Speaker, it is still incumbent upon the governments who bring forward legislation like this bill to ensure that they are respecting the fundamental rights on

which our society and our democracy are built; that they are respecting the kind of rights that make us different from many parts of the world in a very good way, the kind of rights that military personnel, mostly American and British, today are putting their lives at risk to defend; the kind of rights that our grandparents and parents and great-grandparents put their lives at risk, and sometimes lost, to defend throughout various wars of the last century. We must be cognizant to not quickly do away with those rights, that there must be a balance.

Also importantly, Mr. Deputy Speaker, is the character, the day-to-day performance of those who come to this Chamber to ask for special powers. They must stand the test of trustworthiness. I am going to talk a lot about that today, because this bill that comes forward to us has some sections in it that give me and my colleagues and, I think, thinking Manitobans some grave cause for concern, particularly the ability of a minister of the Crown under The Evidence Act; and I look at the section in the act, the ability either in oral or written form to have information kept secret, because they view it to be of security risk. That is a phenomenal new power that goes against a tradition in this Chamber and in this Government and in this province and this Legislature to expand the right of the public to have access to public information.

Since the 1970s, we have seen a growth in the legal recognition of the citizen's right to have access to government documents and government information. We saw a bill passed by the Pawley administration, who refused to proclaim it, proclaimed by the Filmon government, to guarantee freedom of information. We saw that legislation strengthen the protection of individual privacy, but certainly the right of the public to access government information.

Here we today see a bill that has come before us, Mr. Deputy Speaker, that imposes a restriction on that very fundamental right; that gives power to a minister of the Crown under The Evidence Act to be able to embargo, to keep secret information that they view to pose some risk to public security. Certainly there is a process by which that could be tested in the courts, but certainly that process is one that costs



money, that may be difficult for citizens to access.

So this Government comes to this Legislature for some very extraordinary powers. They come for some very extraordinary powers. As a provincial government whose function and role really has been very limited in many of those areas of what we would view as security from terrorists, this is a very extraordinary power to seek from this Legislature. So it must not be granted, in my view and the view of my colleagues, lightly. It must not be granted in a speedy and hasty fashion that does not take into account the right of Manitobans to come to our Legislature at committee to voice their concerns with this legislation. It must not be passed in a manner that deprives them of the right to properly study this bill and understand its implications.

*Mr. Harry Schellenberg, Acting Speaker, in the Chair*

I reference one section of this act, the one that I see as causing the greatest concern, but there are other sections of this act that present sometimes practical difficulties in implementation and other issues with those who will have to live with the consequences of this extraordinary bill. Those Manitobans require the time to be able to study and appreciate and prepare presentation and come to this Legislative Assembly to our committees to make their views and thoughts known.

Mr. Acting Speaker, I remind the Minister of Justice (Mr. Mackintosh), who is Government House Leader, of the words of a labour leader, who, although he and I never particularly saw eye to eye on many issues of public policy, did work through several legislative amendments. That was Mr. Christophe from the United Food and Commercial Workers.

I remember a labour bill that I brought to this Chamber that went to committee. I remember Mr. Christophe saying to me, making his presentation on behalf of his members, saying that he opposed these things that I was doing, and did not expect me to change my mind, but he said: Mr. Minister, if you are going to do them, at least do them in a manner that they are going to work. There is nothing worse than

administrative problems in carrying out these provisions. He said: So although I do not expect you to withdraw your bill, here are 11 recommendations, or whatever the number was, of amendments to make this thing work better administratively. I think at the end of the day we accepted 8 or 9 or 10 of those amendments. I had a chance to speak with him after, talk with my staff, and we made a better bill. We made a bill that worked.

So the problem with an extraordinary piece of legislation such as this, that if it flies through this House as the Government intended and it does not have the opportunity to be reviewed by those whose lives and livelihoods may be affected by it, if they do not have the opportunity to properly study it, to consult with their members, to make informed and thoughtful presentations, time to prepare them and then to come before this Legislature to make those presentations, then we as legislators have done a huge disservice, a huge disservice to those Manitobans for whatever benefit we might have gained with speedy passage.

So we have said to the Government House Leader, this is not a bill that you can rely on just a cursory briefing for critics—we are putting it through, we want it passed by the 6th of December.

*Mr. Conrad Santos, Deputy Speaker, in the Chair*

If the minister really believes that he needs this bill quickly, then after our rules call for us to adjourn on the 6th, I would suggest he allow Manitobans the next few weeks over the Christmas season into January to study this bill, to prepare their presentations. Let the Government recall this Legislature in early January, let them recall it on the 3rd of January or the 15th, let government MLAs come back to work. We will be here. We, as the Opposition, are prepared to come back. Let us then debate this bill, finish our debate. Let us then take it to committee. Let us hear from Manitobans, and let us do the real job we are paid to do on behalf of the people of our province.

So let not the Minister of Justice (Mr. Mackintosh) and Government House Leader fool

anyone when he blames the Opposition, or he blames different parties for delaying this bill. The speed of passage of this legislation is in his hands, Mr. Deputy Speaker, if he is prepared to respect the long-established processes of this Legislative Assembly to deal with such legislation. It stands on his shoulders. It is on his head. We will see after Thursday when the rules have us rise whether or not this legislation really is of that importance to the Government, that they are prepared to recall this House early, you know, like in January, rather than April like last year if my memory serves me correctly, if they will recall this House in January to deal with this piece of legislation.

\* (16:30)

They have the ability. They have the right to do it. Let them not shirk from the responsibility of respecting this process with such an extraordinary piece of legislation. So time will tell. Events will tell whether this Government House Leader, whether this Minister of Justice, really needs this bill now or whether or not he does not recall the Legislature, that we come back at the end of March, we come back in April, and the bill works its way through at that particular time.

If that happens, that means this Minister of Justice was not really telling us the whole story. He did not really mean it when he said it was really important this bill pass now, and then his credibility comes into question. I would have to ask that if a Minister of Justice has so publicly proclaimed that he needed this bill passed now, that it just was so urgent, if he is not prepared to recall this House when we are shut down by our own rules, if he is not prepared to call this House back, then it makes a mockery of his words; that he did not really mean them, it was not important, that this was all about hype and show, this was all about getting on the bandwagon of security, this was all about more press releases from the Minister of Justice about how tough he is going to be on issues.

You know, whether I am right or wrong will be determined by that minister's actions over the next few weeks. If we are back here in January completing this bill, then this minister meant what he said. If we are not back until March or April, then what he told Manitobans was not the

truth. It was not accurate. It really was not urgent, and it really was an exercise in hype.

You know, Mr. Deputy Speaker, when you read through this bill and you see provisions that are there to strengthen the need for our citizens to tell the truth when they are figuring out documents, well, there are provisions about telling the truth when you make a statutory declaration or you make a statement. There are provisions now that make it an offence to lie on those basic government documents.

So there are many parts of this bill which we will get into in committee, I would hope, if the Minister of Justice is telling us the truth, in January; if he is not, in the spring. Mr. Deputy Speaker, many provisions of this act look a lot like hype, a lot like filler; that we in the current government of Manitoba, we have to look like we are getting real tough, you know. We are going to catch this wave, this political wave that, boy, you know, when the terrorists struck New York, we were right there with a bill to shut them out of Manitoba.

Well, if the Minister of Justice, if he really believed that, we will be back here in January. We will be here. If we are not, then it was just more of the press release a day from the Minister of Justice, I am tough on crime and everything else. Mr. Deputy Speaker, the actions over the next five or six weeks will tell if this Minister of Justice really is what he says he is. So we will see. It is in the minister's hands. It is in the minister's hands, and it will be interesting to see what choice members opposite have.

There is another great irony in this bill. This side of the House brought a resolution. We brought a resolution to this Chamber in the first days of the session, where we asked members of this House to give support to our national government; to give support to those men and women in a host of national military forces who are today, and in those days when we brought it several weeks ago, putting their lives at risk to deal with the threat of terrorism. We asked for the support of this Assembly. Now some members would have said it should be unanimous, but, you know, I am a great believer that we may not all agree, that it did not have to be agreed. There may be some members of this

House who for very strong personal feelings, do not support those actions, and I would be the last one to condemn them for taking that view. If that is their view, they owe it to themselves and their constituents to express.

But the matter should have been brought to a vote. We, as legislators, should have had the opportunity, all 57 of us, excluding, of course, the Speaker, but the 56 of us should have had the opportunity to cast our vote, to tell the world what we believed and thought. And, you know, what did we see? Consternation across the way. We will debate it, we will put a few speeches on record. We do not really want to pass that resolution. We do not really want the Legislature to convey to the Prime Minister of Canada and the President of the United States that the people of Manitoba stand behind them as they put their lives at risk to fight terrorism.

No, the New Democratic Party did not want to have to make that statement. If there are members of the New Democratic Party who do not agree with that, then part of what we are fighting for is their right to get up and say so. Their right to say they do not agree with that. Did that happen? Not at all. They did not want to pass that resolution. Maybe in the life of the world and the life of North America, I am sure the President of the United States is not sitting there, making his decisions on whether he has a resolution from the Legislature of Manitoba or not, but, Mr. Deputy Speaker, it speaks about us, about who we are and what we believe and what makes us tick. It speaks about our leadership in this province. It speaks about how we represent our people, and can we stand and be counted, or at least, stand and be honest about what we think when we are called upon to do it.

You know, Mr. Deputy Speaker, members opposite could not meet that test. They failed. They failed to meet it when the chance was there. But, oh, boy, here they were with Bill 2. Boy, give our ministers the power to hide information because it may be a security risk and we are right there. Give the Attorney General a chance to bring in a bill with, you know, we are going to make it an even higher offence to lie on your birth certificate or something. Boy, I am right there. I get a press story out of it.

But stand up and be counted with the rest of the free world, and there is no spark That is quite

amazing. Not even to stand up, to say they do not agree. We have got to hide that. We just want everything kind of nice. If the wave is pro-American, we want to be on it. If the wave is anti-American, we want to be on it. We just want to lick our finger, hold it to the wind, and figure out where we are going to go.

You know the sad thing about this, Mr. Deputy Speaker, is that is not the New Democratic Party of years ago. That is not the New Democratic Party of principle. That is not the New Democratic Party of people who actually believed in something, whether we agreed or liked it or not. At least, in the old days they believed in something, and they were prepared to at least passionately defend their view. Mush today, mush. We have got to spin it and hide it. That is what we are going to do. It is a sad day for, I think, the New Democrats when that happened.

You know, Mr. Deputy Speaker, there is another piece to this. This September 11 incident and what is happening in Afghanistan today, I think we have all had a lot of opportunity to think about it. We have had a lot of opportunity in the last few weeks to talk about the world in which we live and the kind of world we would like to live in.

\* (16:40)

I was in my car, and I was listening to the evening news on CBC Radio. I was listening to the reports from Kabul when the Northern Alliance forces took over and the Taliban left. You know, it brought a tear to my eye when the reporter talked about two things happening in this capital. Women were taking off their headdress and for the first time in years were able to show their face in public. Can you imagine?

Well, members may want to laugh across the way, but imagine in the first years of this new century, in the first years of the 21st century, in a world that is capable of putting people into space, that builds space stations, that can cure disease like at no other time in human history, that can communicate around the globe in milliseconds, that can feed billions of people; that, in this time in our history, there are still

those who believe, fight for and die for a regime that says that women have to have their faces covered, that women cannot be educated, that women cannot work to feed their families. I cannot believe that in this day and age this can still happen.

So, when we brought that resolution that New Democrats refused to vote in, that is really what that was about: people who are prepared to risk their lives to end that kind of regime, and New Democrats could not even bring it to a vote. That is shameful.

The other part, Mr. Deputy Speaker, that touched me, and I speak only for me on this matter, what touched me is the reporter said, the second thing that was happening was there was music in the streets; that after seven or eight years of Taliban rule, people could play music. They could play a musical instrument. They could sing. Imagine a regime that made it a crime to make music. What could be so more absurd, so more repugnant to freedom-loving people anywhere on this globe than to see a regime that forces its people to put away their instruments, to destroy them, to quiet the voices of song and of music? I cannot believe it. I cannot believe that at these early years of this new century that would still be a part, that would be a part of the world.

I am not naive to think that all the world is advanced as we are in technology. There are arguments people can make about a lot of things, but to think about a regime that forces its women to stay out of school, that forces them to be covered, that forces them to be unemployed and beg to feed their children, that will not allow its people to make music, and members of this Government were not able to bring to a vote a simple little resolution that supported those who are risking their lives, giving their lives to bring those fundamental bits of freedom to the people of Afghanistan.

I am just amazed that a New Democratic Party who once stood for the equality of the sexes, the equality of women, the rights of women to advance and grow and flourish and take their rightful spot as full citizens of a party that once had as its symbol, and did in Britain, you know—it is not just—what was it—bread and

roses. It is not just bread, but it is roses too. It is the finer things in life. It is the things that make life worth living. It is music. It is education. It is freedom. That a party that once cloaked itself in those symbols would not allow a resolution to come to a vote, that is absolutely unbelievable. Every New Democrat on that side should be in their own heart questioning their leadership about why they were forced not to bring that matter to a vote.

Then they wonder why we on this side have some real questions about this bill. It is their actions that speak louder. They speak in a horrific way about who they are. We have great disappointment. I am sure long-time New Democrats who think about it have great disappointment in the people who now represent their party on the benches of this Legislative Assembly.

I have some thoughts on why I think the New Democrats are so afraid to have stood in this House to show symbolic support for those who are risking their lives to bring freedom in Afghanistan, to allow women to go to school, to allow women to fulfil their potential, to allow music in the streets and in the homes of that nation. They as a party, they as people cannot fundamentally bring themselves to recognize or to provide any support to anything in which the United States is playing the leading role, that their absolute hatred for the United States and its people runs so deep in the political conscience of members opposite that they could not bring themselves to stand up to allow that resolution to go to a vote.

Well, members opposite say it is garbage, but they had the right to let that motion come to a vote. What did that motion say? It allowed our support to be sent to the Prime Minister of Canada and the President of the United States. So, why? Legislatures and parliaments all over the free world were passing resolutions to show their support, and Manitoba could not do it because New Democrats could not bring themselves to offer any support to anything American.

There are many things wrong about the United States. There are many things about the United States I do not like. There are many

things that that country has done in the world that one should not be proud of. New Democrats do all those things and can recite them very well, and I know them too. I have studied history. I have taken great pride in my personal study of history, and I know that.

But you know what? The United States of America is a truly great country when one thinks about it. Yes, it has many blemishes on its record. Any country as large and vast that has grown so powerful by its hard work and effort will have blemishes. But think about that nation for a moment. Think about a nation that has taken in people from all over the world, often those who have been rejected by their own, for whom there was no opportunity in their native land, who has taken them in.

Yes, sometimes there is lots of hardship in it, but it has built a world power like the world has never seen, a nation that still is hugely generous around the globe and a nation, you know, as a historian, I say this, Mr. Deputy Speaker. You can look at the United States and you can say, yes, that is a country that, when it was founded, had slavery. It was a country that for almost its first century of existence had slavery, which is a terrible thing. But it is also a country that took to arms to end its own slavery, and tens of thousands, if not hundreds of thousands, of American young people gave their lives to end slavery.

\* (16:50)

**An Honourable Member:** Thankfully, we did not have to do that.

**Mr. Praznik:** The member opposite says, yes, thankfully we did not have to. Yes, because I think the British Empire did not practise it, although those American colonies were British when slavery was there. We had it to some degree, and we ended it another way. But the fact is they did end it with their own blood. Certainly the whole history of human rights in the United States, yes, has been one of progression, and, yes, the blacks of America were treated very badly after slavery for many decades. But it was the people of the United States, through the civil rights movement, who worked so hard and gave so much to correct that

injustice. They did it within their own nation. They have been a country of great diversity that has struggled internally to do the right thing. And what a great nation.

So today, as New Democrats look for excuses to justify why they could not bring to a vote that resolution, they must ask deep in their heart of hearts. They could not find it in themselves to bring to a vote, and pass a resolution here in this relatively small legislature to send support to the President of the United States whose citizens were risking and giving their lives, for what?

To allow the women of Afghanistan to enjoy just a little bit of the freedom that we take for granted; to allow music, all of these things. Yet the members of the New Democratic Party, they said, oh, the Tories brought this in. Oh, no, we cannot do this. We might have some division in our caucus. We might have some people who might get shown that they do not agree with the United States, and we do not want to look divided on this issue, so no one should vote, no message should be sent.

Instead, get the Minister of Justice (Mr. Mackintosh) to throw together a bill, and let us look tough with our bill. But, my goodness, we could not come forward to actually say that the people of Manitoba whom we represent support the action going on, which was about what? So women in Afghanistan do not have to be veiled, that they can go to school, that they can work to feed their families and that they can enjoy music? That is what it is about?

You know, the Member for Flin Flon (Mr. Jennissen) says, what about softwood lumber. Here again, here is the New Democrats in the moment of history. The moments of history come sometimes but once, and here we had a moment when we had the opportunity to show support to our allies who were risking their lives for those basic things; for the freedom of women in that country not to be veiled, to go to school and be educated, to educate their daughters, to work and feed their families and to enjoy music.

And the Member for Flin Flon, he says, well, what about softwood lumber? Boy, do you know what? They can stay veiled in Afghanistan

until we get a deal on softwood lumber. That is what the member says. That is the implication of what the member says. You know, it amazes me. A moment of history absolutely lost, absolutely lost by members opposite because they could not take off their blinders long enough to seize the moment, not enough to seize the moment, but, boy, let us bring in a security bill with lots of fanfare. Let us give our ministers the right to shut down access to information. Let us look really tough, because we are going to show we are tough on terrorism. Oh, anti-terrorism, it is the mood of the day. It is the mood of the month, right? So we are going to grab it, put out some press releases, and show we are really tough, and, boy, if someone questions us in the Legislature, if somebody stands up and says this should have committee hearings, this should give people the opportunity to study this bill, their House leader says: Oh, we have to get it done now. So it is just absolutely amazing.

Mr. Deputy Speaker, I said when I began that, in asking this Legislature to give speedy passage to this bill, to provide extraordinary powers to members of Cabinet where they can deem information to be of some security interest and so override our access-to-information laws, laws that have taken decades to develop and implement, fundamental rights to us, where a Cabinet minister under this section can orally say you cannot have it, orally say it, not in writing—across the way members are kind of laughing. They do not take it seriously.

You know what that says, that is fine. That is fine, let them do it, because you know what? That is why it is dangerous to give speedy passage to this bill. Their actions, their comments today and in the past speak about why they should not be entrusted with these extraordinary powers. I want to speak to that a little bit, because we have witnessed in the few weeks of this session an absolutely extraordinary behaviour on the part of this Government, particularly the Minister of Education. When members of the New Democratic Party come to us and say: We need you to pass this bill really fast, we need you to pass this bill really quickly, we need you to pass this and make this into law, what are they asking?

They are asking us to do things like section 10.2(2): "A minister of the Crown in right of

Manitoba or Canada or other official may object to the disclosure of information before a court, person or body with jurisdiction to compel the production of information by (a) certifying orally or in writing to the court, person or body that the information should not be disclosed on the grounds of a protected public interest."

Well, that is a phenomenal power. To give it to a Cabinet carte blanche is absolutely amazing, given the performance and actions of the members opposite.

Mr. Deputy Speaker, if members opposite want our support in passing this bill, it has to be earned. If members opposite want Manitobans to trust in the bill, it has to also be earned of those Manitobans.

Let us look at the performance of this Executive Council over the last number of weeks, when they are here today asking us to give them the power to certify that information cannot be provided simply because they view it that it is protected on the grounds of a protected public interest. So we will have to believe, even though there is a process that requires citizens to go to court, do a variety of things, incur expense, we are supposed to believe that they have earned that right, that Manitobans should rest easy, that these individuals opposite have this power, that they are capable of properly exercising it.

So let us examine their reputation and their actions.

I want to zero in on the Minister of Education (Mr. Caldwell), because the Minister of Education in the last few weeks has demonstrated why Manitobans should not give these extraordinary powers to this Government, Mr. Deputy Speaker. Perhaps they should never give them to any government, but certainly why they should not give some of these extraordinary powers to this Government. The Minister of Education came to this Chamber, and you know, I have been here for quite a number of years.

I know that, in Question Period, questions are asked; ministers are not always clear on their answers. That is part of the routine. But one of the very fundamental parts of this is that people should tell the truth. I will use proper

parliamentary language. They may not tell us everything. They may sugar-coat it. There may be differences of opinion. But they should tell the truth. It is a fundamental tenet of the parliamentary system that ministers tell the truth.

\* (17:00)

Well, Mr. Deputy Speaker, we came into this Legislature. In the first few Question Periods, we asked the Minister of Education. You know what is interesting is that the Minister of Education says he relies heavily on the Auditor's report. Right in the Auditor's report, on page 99, the Provincial Auditor recognized, exposed that this minister and his department had made a payment to a school division using the adult ed program that they were not allowed to make. It was there. We came into this House, and we asked him. I believe it was on the first Thursday, and this is a minister who rode in on adult education, got up on the highest possible horse. He came down, and he said: I am cleaning up this mess. I am firing a school division. I am acting very strong. I am doing everything upright, and I am just the greatest minister who has ever been in the role.

#### Point of Order

**Hon. Tim Sale (Minister of Family Services and Housing):** Just on a small point of order, I am sure my honourable colleague has figured out some way to connect the relevance of the Minister of Education (Mr. Caldwell) and the matter he is now skating off into to the matter of the bill that he is theoretically discussing; but I am sure we are going to see that connection very shortly.

**Mr. Deputy Speaker:** On the same point of order, the honourable Member for Lac du Bonnet.

**Mr. Praznik:** Yes, Mr. Deputy Speaker, I think if the minister had listened to my remarks when I prefaced it, I indicated very clearly that the Government is asking for very extraordinary powers, some of which give a minister the ability to certify that information cannot be made public because there is a security interest. I said to him, I have said to this House, that in order to grant that authority, there has to be a confidence in the level of the honesty and forthrightness of

the Cabinet, and I am talking about examples where that is not being met. So I would suggest that it is highly relevant to the principles of this bill.

**Mr. Deputy Speaker:** I refer all honourable members to our rule which states that speeches should be directly relevant to the question under consideration, and it should be limited on second reading on the principle of the bill.

\* \* \*

**Mr. Praznik:** Mr. Deputy Speaker, the principle of this bill is to give extraordinary powers to restrict information. It is one of the principles of extraordinary powers to restrict the provision of public information by decisions of the minister of the Crown. I would argue that, in giving that power, the public must have a confidence in the character and ability of those ministers who would be exercising that power, and to seek the support, as the House leader has done of members of this side, we need to have a confidence, as does the public, in the ability of those ministers to exercise that authority. I am making a case very strongly that that moral authority is not there.

So let us talk about the Minister of Education as one example, because the Minister of Education is one of the people who will gain extraordinary powers under this bill to restrict access to certain information. The public would like to expect that the Minister of Education, in exercising that power, should we give it to him, be someone who would be trustworthy enough to exercise it truly in the public interest.

What did we see happen in this House? We saw the minister come in. We asked him if he had been honest and consistent and forthright in how he had handled all matters with respect to adult education. He got up in this House, and he said yes. That was his answer. Yes, unequivocally, yes. The next day we came back, and, remember, in the Auditor's report are the references to Agassiz School Division in his department, under his rule as minister, making a payment through adult education programs which were not intended for adult education, a fundamental breach of proper accounting procedures. I would add, an act that does not meet the

standards of the Minister of Finance, who admitted in this House that the Minister of Education did not meet his standards for public accountability. So we ask, the next day, this same minister—

### Point of Order

**Mr. Sale:** I know it is extremely challenging to have unlimited time when you have a limited imagination as to how to fill it, but the current speaker has now twice begun a long excursion into matters that were discussed in Question Period in regard to a matter totally unconnected to the principle of Bill 2.

I think that you should ask him again if he would please restrict his remarks to the principle of the bill, and not have this detailed excursion into matters that have been before the House in Question Period. I think that, perhaps, it is a challenge to his ability to be relevant, but nevertheless you should ask him to try.

**Mrs. Louise Dacquay (Seine River):** This bill is an extremely large omnibus bill that covers many, many different areas. In past experience there has been latitude allowed to be able to cover all of the principles across the board in terms of the scope of the bill.

**Mr. Deputy Speaker:** May I encourage all honourable members that, under rule 38, speeches should be directly relevant to the question under consideration. Also, we should remember the rule that on second reading we should be limited to the principle of the bill. I would appreciate the assistance of all honourable members in complying with this principle and this rule.

\* \* \*

**Mr. Praznik:** I would be delighted, because the principle of this omnibus bill is to grant extraordinary powers to members of the Cabinet. The question is: Should this Legislature, in principle, grant those powers, Mr. Deputy Speaker, and I am making a case that the actions of the Minister of Education in not being truthful with this House put into question whether this Government should have those powers. What I find absolutely interesting about this is how

sensitive the members opposite are to that point, and I would be sensitive, too, if I sat in Cabinet with such an incompetent minister as the Minister of Education.

\* (17:10)

I can understand why the Minister of Family Services (Mr. Sale) keeps getting up, because this Government has been exposed, this Minister of Education has been exposed for not being competent, not coming clean with this House, hiding money and many other things that have not been exposed. Yet that minister asks this House, as part of this Cabinet, to give them these extraordinary powers to block Manitobans from having rights to information. I would ask you, Mr. Deputy Speaker, would you give a thief the keys to your house? Not at all, and that is what they are asking, and that is the principle that I will argue in this Chamber.

This Government asks for these extraordinary powers, and the Minister of Education, if we pass this act, will have them. He is a minister who came to this House, and when he was asked in six separate questions about whether or not he had made special payments to the Agassiz School Division through the adult education program, he denied it, even though it was in an Auditor's report that he said he read. Mr. Deputy Speaker, if that is the kind of practice of a Cabinet minister in Manitoba, then none of them should ever have extraordinary powers that they are seeking in this Legislature today.

That Minister of Education (Mr. Caldwell), whom this Government is asking to give some of these extraordinary powers to, after he was confronted with evidence from Agassiz School Division, still could not admit what happened. Day after day he weaved, denied, finally admitted, did not take responsibility, blamed his deputy, blamed his staff, said he was responsible, but he really was not. Today, he comes with this Government to ask for extraordinary powers that this bill will provide, and the House leader and Minister of Justice (Mr. Mackintosh) expects that we will whip this through the Legislature to give that kind of incompetence and deceit special powers. Not at all. Not at all.



The Cabinet of Manitoba, the Executive Council, brings in this bill asking for these extraordinary powers that infringe on the rights of the citizens of our province, and we, day after day, have asked them about their relationship with HOPE. We asked them why their Government, after ordering an audit, gave HOPE and the Orlikow family \$625,000 while they were under investigation, then froze it because I guess they realized their mistake, then in July reinstated it. We ask them why, how did that happen, why did they reinstate it, and they never provide an answer. These are the Cabinet ministers this Legislature is going to give extraordinary power to. How ridiculous. How ridiculous and unbelievable.

You know, Mr. Deputy Speaker, the Minister of Education could not be honest with this Assembly. He could not be. He could not get up in this House and say, yes, my department made a special payment to a school division. We funnelled it through the adult education program. We should not have done it. The Minister of Finance (Mr. Selinger), it does not meet his standard, and I, as minister, in the tradition of a thousand years of British parliamentary history, accept responsibility. He could have said that on the first Friday. He could have said that on the Monday. *[interjection]*

The Minister of Family Services (Mr. Sale) says, well, he said it. He said it, what, after a week and a half of having it dragged out of him, piece by piece, by the media, because he would not answer to this House, the elected representatives of the people of our province. And his story changing, day after day, about who was responsible and what happened, and he says to the House that he did it because it was for the children; I can break the processes of proper accounting if I do it for the children. I can break the law, the minister says, with respect to letting the superintendent of Morris-Macdonald go when he fires the school board because he did it for the children.

This same government asked this Legislature for extraordinary powers. Well, I tell you, I do not why they are here with a bill, with the way the Minister of Education (Mr. Caldwell) ignores the law, time and time again. Why do they not just do it anyway because it is for the

people? Who needs the law, says the Minister of Education? We do not need the law. We are doing it for the children.

Well, the Member for Burrows (Mr. Martindale) again, boy, such sensitivity by New Democrats. Such sensitivity. The relevance, for the information of the Member for Burrows, is that his party is asking for extraordinary powers. We do not think the behaviour of his party, his Cabinet ministers, warrants the trust of this Legislature or the people of Manitoba to grant that special authority.

Well, you know, Mr. Deputy Speaker, the Minister of Family Services (Mr. Sale) chirps from his chair, and he certainly is very sensitive to this issue. I will tell you, I would be very sensitive too, if I were part of a Cabinet that came to this Legislature asking for this bill, asking for these extraordinary powers and having to sit at a Cabinet table with a colleague who dragged the Government through four weeks of a scandal, in the words of the media, and who, day after day, showed such incompetence in the manner in which he has administered his department.

I like the Minister of Family Services. I viewed him as a very competent minister, and I have worked with him in this House since he entered it in 1990. Yes, we have been on opposite sides of issues. There have been issues that I have come to him as a critic, and he and his staff have acted, I think, in a wonderful fashion to resolve them, and he has demonstrated the kind of calibre of a Cabinet minister that could warrant that trust. I say to them, very personally, I believe that very sincerely.

We may not always agree on everything. We have agreed on many things in policy. But he exhibits the kind of accountability and responsibility that one could trust these extraordinary powers with. I would have some confidence in how the Minister of Family Services would exercise that power. I would have that confidence in the way that the Deputy Premier (Ms. Friesen), knowing the Deputy Premier, who is an individual that I have come to respect very greatly, who also entered this House, I believe she entered in 1990. The Member for Crescentwood entered in '95. I correct myself.

But the Deputy Premier is an individual I have seen act with the greatest amount of respect and appreciation of the parliamentary traditions, and has a great understanding of why they are there, why they are important to the running of our institution and democracy. I would have confidence in the Deputy Premier using these powers, because I think both those Cabinet ministers would appreciate how dangerous the misuse of those powers are to our democracy. I think both of those ministers in this House would admit that extraordinary powers to restrict the use of information have to be used very gingerly. I would have some confidence that those ministers, if their staff came forward and said, we want to prohibit this information, I would expect, having known both of them, that they would ask very tough questions of why it is in the public interest.

But the Minister of Education, I do not know that you would know what day of the week it is, if you could get an honest answer from him.

**An Honourable Member:** And if he did not, he would make it up.

\* (17:20)

**Mr. Praznik:** That is right. My colleague makes the point. If he did not know what day of the week it was, he would make it up. But the extraordinary powers that this bill is granting ministers of the Crown is not restricted to the Minister of Family Services (Mr. Sale), is not restricted to the Deputy Premier (Ms. Friesen), and, I would add, the Minister of Industry, Trade and Mines (Ms. Mihychuk), who inherited a portion of a department I once ran. There is a minister I would have some faith and confidence in, in the exercise of these powers.

**An Honourable Member:** She predicted a recession in May. She knew the numbers.

**Mr. Praznik:** My colleague the Member for Fort Whyte (Mr. Loewen) reminds us that the forthrightness of the Minister of Industry was to predict we would be in a recession early in the year. She came forward with some honesty.

We would have a comfort level with providing these extraordinary powers to some of

these ministers because we know through our personal experience with them that they appreciate the danger of those powers, they appreciate the importance of our parliamentary system, and they appreciate and would ask the right questions of their staff.

But do we have confidence in the Minister of Education (Mr. Caldwell)? Absolutely none. Zero. This Minister of Education has absolutely no credibility left anywhere in this province. That is what is so horrific about this bill, that as long as he remains in those Cabinet benches it makes it very difficult for any Opposition to provide him with those powers.

Well, the Minister of Culture and Heritage, the Member for La Verendrye (Mr. Lemieux), made some mention about security. I would have hoped he would have read this bill. I would have hoped that he would have had an opportunity to study it and see what powers are there. I want to just make some comments, because this is about trust. The principle of this bill is to provide extraordinary powers that take away rights from citizens, that is a big part of this bill, and to give those extraordinary powers to Executive Council members. Their performance, their reputation, their ability, their understanding become a real question in awarding these special powers.

The Minister of Culture and Heritage is a very affable individual. He is new to this Chamber. He and I squared off a few times on issues. I would like to believe that some of those were not the result of lack of competence. I think he is a very competent individual. They were not in my view a result of his wanting to do something wrong for the community. I think they were the result of inexperience of a new minister. We have all been there who have been in Cabinet, know what it is like to be in a position of being new and having issues thrust upon you and Premier's staff telling you what you should or should not do, and how things should flow. I would expect that some of those issues we debated with him in the last session flow from that inexperience.

But, as an individual, I would have confidence in the minister. Perhaps his understanding of some of the requirements of parliament will grow as he spends time in Cabinet. He is new to

this place, so I appreciate that. But the Minister of Education could not be trusted at all, not one bit. As long as he continues to be in that Cabinet we cannot have confidence in how the Government will deal with these extraordinary powers.

You know, Mr. Deputy Speaker, the Minister of Education (Mr. Caldwell) created so much of this by his actions and his refusal to be honest, his refusal to tell us what happened, his refusal to come forward with the facts. They have to be dragged out of him day after day, dragged and pulled and cajoled and exposed because he would not come clean, he would not accept his responsibilities. Even when the facts became known, the Minister of Education could not fully accept the responsibilities of his Cabinet office. If he could not accept those responsibilities, how will he perform with these extraordinary powers under this act?

It is a longstanding expectation in parliaments that if a minister comes forward, and does not be honest with this Legislature, that he tenders his resignation. We asked him six questions about special funding of adult education. The Minister of Education denied, denied, denied, denied, denied, denied. Six times denied. It was in the Provincial Auditor's report, which he claimed he read. Then, when he was caught, explanations, all kinds, dragged out, detail after detail.

Then, after the Minister of Finance (Mr. Selinger) even admitted to us that he had not met the standard that the Minister of Finance would expect of a Cabinet minister in handling and reporting public money, the minister, well, he did the right thing in his mind. He then blamed his deputy. He blamed his civil servants. It was not he who was responsible. He was not adult enough to rise in this Chamber, and accept the responsibility of parliamentary office and tender his resignation. He forced his Premier to come to his defence; he forced the Minister of Finance to rise to his defence. But he would not accept responsibility.

So how can we have any sense whatsoever, any sense of confidence that the extraordinary powers sought by this Government, through this bill, can be exercised in the honest, straightforward, accountable, thoughtful manner in which I believe that many members opposite would expect us to do it if we were in

government? How can we expect that? How can we expect these extraordinary powers to rest with a minister who cannot come here and simply admit a fact, the fact in the Auditor's report that his department had granted money to a school division, and hid it in adult education.

He could not admit it. It was in the Auditor's report. He said he relied on the Auditor's report. How do we have faith in a minister who could not admit that fact, who denied it to this House, who, when asked about it in this House, would not admit the truth of what was in the Auditor's statement? How do we have faith? Not at all. And then, how do we have faith in a Cabinet minister, who, when the whole scheme was exposed, would not stand and be an adult, and accept the responsibility as a Cabinet minister and tender his resignation?

**An Honourable Member:** There is no scheme.

**Mr. Praznik:** I am losing confidence again in the Member for La Verendrye (Mr. Lemieux).

He could not come and do the right thing, and tender his resignation and accept responsibility for that. Not at all. This is a minister who took great pride in getting up on a very high horse, and he was going to ride in and solve Morris-Macdonald's problems, and he was righteous. He used the sword of righteousness, as you as Deputy Speaker may have referred to many times in this House, to pass judgment on others when he himself was guilty of the same offence—hiding money. And we are to have faith in that minister. We are to approve, on a speedy basis, these extraordinary powers to that individual.

Well, it is not Question Period. I cannot ask the Minister of Family Services (Mr. Sale) if that type of parliamentary performance meets his standard, because I think the Minister of Family Services may not always want to give us the whole answer to the question. He can spar with the best of us in Question Period, but I have never known him as a minister of the Crown to do what the Minister of Education (Mr. Caldwell) did.

I know he understands parliament well enough that, if his department had made such a

fundamental error and so fundamentally abused the system of public accountability, he would do the honourable thing, and he would have tendered his resignation. He may not have been out of Cabinet for long, but he would have stood in this House and done the honourable thing. He would have understood ministerial responsibility. So, yes, there is confidence in some and absolutely no confidence in others, in particular the Minister of Education.

\* (17:30)

Mr. Deputy Speaker, we know that in our parliamentary system, the role of the Premier is a major role, indeed. The Premier appoints and fires the Cabinet, that the responsibilities for the actions of a government begin and end with the First Minister; that, yes, all are equal in this place, but there is a first among equals, and it is the First Minister. We know that the exercise of this power, these special powers under this act, that the Premier of the province will have some input into them, will ultimately be responsible for how these extraordinary powers are exercised.

*Mr. Speaker in the Chair*

Let us look at the record of the Premier (Mr. Doer) on accountability over the last few weeks. Mr. Speaker, that record of accountability, the record that should today be inspiring some trust and confidence in this Government so that members opposite would feel comfortable in granting speedy passage to this bill. This Premier has been asked, like his Minister of Education on numerous occasions, about a series of events involving approving money to an organization while it was under investigation, freezing that funding which we suspect was probably the right thing to do, reinstating it some months later.

The Premier in this House, the individual who will ultimately be responsible for the implementation of these extraordinary powers, he, in this House, on November 16, said, and I quote again: "Hindsight says we should not have entered into that contract in July." Well, those words are clear. They are not my words. They are not the words of the Member for Turtle Mountain (Mr. Tweed) or the Member for Minnedosa (Mr. Gilleshammer) or even the

Minister of Education (Mr. Caldwell). They are the words of the First Minister.

We have asked that First Minister on numerous occasions in this House, day after day, to explain that course of events and his words in this House. This is a question of public accountability. We have asked him to explain what he meant when he said: In hindsight, those monies should not have been reinstated in July. Like his Minister of Education, he has refused to answer.

So now, Mr. Speaker, the question for us today on this bill is: How can we award these extraordinary powers to a government led by a Premier who refuses time and time again to explain a course of financial transactions conducted by his Government, who refuses to explain why he himself admitted in this House that a mistake may have been made? How do we award those powers? How do we give support to speedy passage of this bill when these questions remain unanswered, when the Government refuses to provide answers, when the Government refuses absolutely to be accountable for a series of transactions that they conducted?

Well, how, Mr. Speaker, are we to have faith in granting these very extraordinary powers called for in Bill 2 to an Executive Council and a Premier whose idea of accountability is to blame others. His idea of accountability is to never answer a question. His idea of accountability is to not be responsible to the representatives of the people of Manitoba, duly elected and assembled in this Chamber.

So, if members opposite, like the Minister of Justice and the Government House Leader (Mr. Mackintosh), wonder why this side of the House is not moving quickly to see this bill move through, I hope there is at least a sense of the frustration that we have with the lack of accountability, the lack of answers to straightforward questions, when such extraordinary powers are sought under a bill such as Bill 2. It is unacceptable. It is unacceptable to us, and it should be unacceptable to any responsible opposition.

Mr. Speaker, Bill 2, as I have said, provides, particularly under The Evidence Act section,

with these very extraordinary powers for Cabinet ministers the right to take away the right to information or the use of information to citizens of our province. One would hope that a government that would seek this power would have a respect for the current statutes of Manitoba, and what we have seen over the last few weeks is a total lack of respect for the statutes of our province, the existing laws of our province. I am troubled that people like the Minister of Family Services (Mr. Sale), like the Deputy Premier (Ms. Friesen), like the Minister of Industry, Trade and Mines (Ms. Mihychuk), who know better; like the Minister of Justice (Mr. Mackintosh), who is supposed to engender support for our laws, would allow such a cavalier approach to the use of our statutes.

Let us look at this, Mr. Speaker. The Minister of Education (Mr. Caldwell), first of all, makes an improper accounting for money spent; secondly, he fires a school division under a statute that also requires that he relieve the superintendent of their responsibilities. He ignores it. He tells the House that he has legal advice that he can do it. Well, statutes should be read plainly. Is there anyone on that side of the House who can get up and honestly say that when a statute says, you should relieve the superintendent of their responsibilities when you dismiss a school board, you can ignore that statute? What precedent, what reference are members opposite using to say that you can ignore such a clear act, a part of that statute?

Well, Mr. Speaker, we are talking about respect for laws. This Legislature passed that legislation. It put in that provision for a reason. It is the law of this province, but we have a government who says, we do not have to follow the law; we can ignore it because we think it is right for the children. Well, if they think it is right for the children, come back to this Legislature, respect the process, and bring in an amendment to the act that you will allow you to do what you want to do. But respect the law.

Then, Mr. Speaker, we see another extraordinary turn of events, in terms of ignoring the law at the same time that they are asking for these extraordinary provisions. They announce the amalgamation of school divisions under section 7 of The Public Schools Act. This is just

a perfect example of how this administration ignores the law. When you read the section, a Minister of Education under section 7(1), I believe, has the ability to order the amalgamation of school divisions. But there is a precondition to exercising that power, and that is described in section 7(2). That is that it must be that the minister can only use that power to amalgamate if he has created the review commission and received the recommendations.

\* (17:40)

Well, Mr. Speaker, what I am talking about here is: Can this administration be trusted with the extraordinary powers awarded or sought under Bill 2? I am just referring to some examples of their actions. So here under The Public Schools Act, in order to have the legal authority to amalgamate school divisions, the Government is required to have a review commission and receive the recommendations.

There is a reason for that provision. The Legislature, when this bill was passed, and I believe it is dated 1987—

**Mr. Speaker:** Order. The honourable Minister of Family Services and Housing on a point of order.

#### Point of Order

**Mr. Sale:** While the Deputy Speaker was in the Chair, I rose twice on this same point of order and now this is the third time.

The Speaker knows the rules of the House probably better than most of us in this Chamber, and that is, that we are debating in theory, Bill 2 in principle. He has used almost all of the last hour in a scurrilous attack on the Minister of—

**Mr. Speaker:** Order.

**Mr. Sale:** I withdraw the word "scurrilous." It is an inappropriate word. It came appropriately to mind, but I used it inappropriately. I withdraw it unconditionally.

He has used the last hour to attack the Minister of Education (Mr. Caldwell) with a great deal of detail in regard to matters that have

nothing whatsoever to do with the bill before the House. He has made allegations about our Government, unconnected to the bill in question.

I wish you would ask him, for the third time it would be, because the Deputy Speaker asked him twice, to be relevant to the bill, and, specifically, to the principle of the bill. He has attempted to make connections, but essentially has used the last hour to attack one minister of this Government quite inappropriately and unfairly and very personally. I do not believe it is in the spirit of the debate of this House that that should be tolerated by you, Mr. Speaker. Please call him to order.

**Mr. Speaker:** The honourable Member for Turtle Mountain, on the same point of order.

**Mr. Mervin Tweed (Turtle Mountain):** On the same point of order, I, too, have been sitting here listening to the member from Lac du Bonnet, and he is making perfect sense. He is drawing the comparisons of giving a minister of the Crown, and it has been throughout the papers, throughout this Legislature, throughout all of Manitoba. The credibility of the Minister of Education has been called into question.

This bill offers to give these ministers absolute power in this province. The Member for Lac du Bonnet (Mr. Praznik) is merely pointing out the discrepancies of giving a person, such as the Minister of Education, that responsibility.

**Mr. Speaker:** On the point of order raised by the honourable Minister of Family Services and Housing (Mr. Sale), first I would like to comment on the word "scurrilous." I have ruled it to be unparliamentary, and other Speakers have in the past. I appreciate the honourable Minister of Family Services and Housing for his withdrawal.

On the point of order raised, I have been listening to the honourable Member for Lac du Bonnet, and I would just like to remind all honourable members that we are debating The Security Management (Various Acts Amended) Act. When making references or examples, we must debate the principle of the bill. So I would ask the honourable Member for Lac du Bonnet to speak to the principle of the bill.

\* \* \*

**Mr. Praznik:** I am delighted, because if you have the opportunity to study this bill, you will find that on section 10.2(2) under amendments to The Manitoba Evidence Act, this is an omnibus bill that amends many statutes. Under this particular part, Part 3, this Government is seeking the power for ministers of the Crown to be able to certify orally, or in writing to the court, person or body, that information should not be disclosed on the grounds of protected public interest.

This bill, the principle, because it is omnibus, there are many sections to it. The principle on this part of the bill is to award those powers, particularly, to provide the speedy passage that the House leader has sought, that we need to know that we can trust ministers of the Crown. We want to know, if we support providing that extraordinary power, that it will not be abused, Mr. Speaker. In arguing that principle, my case is built on a record, particularly, by the Minister of Education, of ignoring current statute law. So, I would suggest to my colleague the Minister of Family Services (Mr. Sale) that this may be sensitive to members opposite, but it is highly relevant.

I would just like to return to this example, because it is a very relevant example. The Government is asking to give ministers of the Crown extraordinary powers with respect to blocking the use of particular information. They are extraordinary powers. They are asking for the trust of the people of Manitoba, that the people of Manitoba should, to give these powers, have a trust that this Government will follow the law, that this Government will act in a way that is within the letter and spirit of legislation.

Mr. Speaker, we have before us today a very good example where a minister has not done that. When the Minister of Education (Mr. Caldwell), as an example, made his announcement on amalgamating school divisions, and as he said here in this House, as was discussed earlier, he relied on section 7 of The Public Schools Act. The right to amalgamate is there, but there is a precondition. That precondition is that a review commission be appointed and recommendations be made.

Mr. Speaker, the minister today admitted that he was using the Norrie report that was

seven years old. Any citizen of Manitoba, any municipality, any school board can challenge the orders that that minister has indicated he is going to make under that section. He will have to defend whether or not that prerequisite is made. In this same statute, Board of Reference decisions have a life of three years. So I am suggesting that it is very likely that this Minister of Education is going to find out that his amalgamation orders are going to be challenged.

Now, one would think that any minister who is going to embark on a major change such as amalgamation of school boards would have ensured he had legal authority. We have asked about that. The media has asked about that. He, even in this House today, said he would contemplate providing this criterion, yet he provides none, no legal authority, no criterion. So how can Manitobans, Mr. Speaker, have any faith in Cabinet ministers, any faith whatsoever in Cabinet ministers who have flouted public accounting, who have ignored The Public Schools Act in relieving a superintendent of their responsibilities as was required by the statute, and, again, flouts The Public Schools Act in amalgamating school divisions? Yet today he and his colleagues come to this House, and they ask for those very extraordinary powers in Bill 2.

Well, you know, the Member for Thompson (Mr. Ashton) laughed. Members opposite treat this so very lightly. They treat it so very lightly. It undermines again the confidence of Manitobans in their ability to provide this extraordinary power. Members opposite, I do not what world they think they are in, but there is an arrogance here. There is a growing arrogance.

When a statute says you must do something, and a minister does not, it should be corrected, not ignored. If they want to ignore it, come back to the Legislature with the amendment. They chose not to do it. When it comes to public accountability in ensuring, as the Auditor said, money voted by the Legislature for one purpose, must be spent on that purpose and not on another. The Minister of Education ignored it and did not accept responsibility for it. Yet we are to entrust him with extraordinary power as contemplated in Bill 2, Mr. Speaker. Then, when he announces the amalgamation of school districts, he is not even on solid, legal ground

under the statute and did not do anything to ensure to he did.

The Minister of Education runs around like some dictator. If I want to do it, I can do it. I do not have to follow the law. I do not have to be accountable to the Auditor. I do not have to come to the Legislature to amend the statutes. I just do it because I am the Minister of Education and I am doing it because I am king, and then that same Government comes to this House and asks for extraordinary powers.

\* (17:50)

Mr. Speaker, how can anybody trust that? The Member for Thompson, the minister of highways and government services, is an individual that I have always respected in his understanding of parliament. We have served together in the House leadership of this Chamber at various times when he has had a role as Opposition House Leader and I was Deputy Government House Leader. We have worked together on rule changes. The Member for Thompson, the minister of highways and government services, is an individual I would rank as one of the authorities in this Chamber on parliamentary tradition and rules.

I wonder if the Minister of Education, in ignoring statutes, meets his standard of acceptability. I would expect he would be saying to his colleague: If the statute does not give you the power, you come back to the Legislature with an amendment. That is the right way to do it and we will defend that and we will make argument, but does that happen? No. Yet these same ministers come to this House and ask for the powers requested in Bill 2 and ask that we give it to them speedily, that we rush it through without consultation. Well, how can we agree to them?

You know, Mr. Speaker, I started off in my remarks, and I said that the test of Bill 2 will come in the next few weeks because, as I said earlier, the members of the Government were not prepared to bring to a vote a resolution to support what was going on in the world with our allies who are freeing the people of Afghanistan, but they could come forward with this emergency bill with much fanfare.

This bill, like all major pieces of legislation that affect people's rights, requires an opportunity for those who will be affected by it to look at it, to study it, to have time to prepare their thoughtful presentation, the right to make it to this Legislative Assembly, and to expect that there is sufficient time to do it. We will not give speedy passage by tomorrow to this bill, but the test of whether or not this Government really meant what they said when they announced how important it was that they really needed it now, that this was a needed pieces of legislation, the real test will come after Thursday, because on Thursday, when we adjourn under our rules. When will the Government call us back to deal with this bill? When will the Government recall the Legislature?

They have two logical choices. If the bill is really needed, if the bill is really important, if what they told Manitobans was the truth, we will back early in the new year, I suspect, to deal with the bill. If we are not back until March, you know, April, then we know that the Minister of Justice and the Premier were just blowing smoke about how important this bill was.

The proof of the need for this legislation and these extraordinary powers will be when they recall this Legislature. Do they need it or do they not? Will they call us back to finish this bill or will they not? That will be the proof if they were telling the truth to Manitobans. That will be the proof. Mr. Speaker, when ministers of the Crown can come to this House and be less than truthful with their answers; when ministers of the Crown can come to this House and hide their lack of public accountability; when ministers of the Crown come to this House and refuse to accept responsibility, that speaks loudly about the administration that seeks such extraordinary powers.

But I would predict today that this administration really did not need this bill, that it really was not that important, that with the Attorney General (Mr. Mackintosh) so many of his announcements are about press releases and fanfare and sounding really tough, that time will pass, and that we will not be back in this Assembly until late spring—we will not be back until March or April. *[interjection]*

The Member for Russell (Mr. Derkach) is right. I guess we are going to have to see a

Cabinet shuffle first, and the Minister of Education (Mr. Caldwell), I guess this is all about trying to salvage his reputation; this is all about ensuring that he has some honourable way to be shuffled.

Mr. Speaker, the real shame of it for many members opposite whom we on this side have known for many years, there are many ministers in that Cabinet who appreciate the importance of this bill, the powers bestowed upon them, who would want to ensure that they were exercised with diligence, who would question their staff when a proposal was brought forward about exercising extraordinary powers.

There are ministers in that Cabinet that I and my colleagues would have confidence in using those extraordinary powers. But there are a number, and particularly the Minister of Education, who has clearly demonstrated time and time again that he is not capable of being trusted with these powers, not capable of exercising extraordinary authority over the lives of Manitobans that this bill could have. In all good conscience as an opposition whose role in parliament is to ensure that a government is kept accountable, that a government is made to account for its legislation and its actions, we cannot, in good conscience, give speedy passage to this bill.

If I may make just another comment about the importance of this debate, the Member for Thompson, the minister of highways and transportation—I would count him as a friend that has been acquired, a friendship that has grown over our time together in this House. I would say this, Mr. Speaker, having had the privilege of serving both in government and in opposition, that it is a fundamental part of our democracy that governments be held accountable, that the best performance, the best work that my party did in government was when we were always held accountable for our decisions. Although ministers may not have liked to be questioned in Question Period, it kept us accountable.

When ministers on that side of the House are questioned by us, it is to keep them accountable so that they do their best. What the Minister of Education (Mr. Caldwell) broke in this House, and why we have no trust in passing a bill like



Bill 2, is that he did not want to be accountable. Not only did he want to avoid his accountability, but he was not prepared to be an adult and stand up in this House and admit his mistake, to take responsibility for it. What he did was that he hid and hid and hid until it was dragged out of him, and then blamed his officials and his deputy.

I ask members opposite who seek the authority under Bill 2: How can the Minister of Education set an example to every schoolchild in this province after his behaviour of the last four weeks? Any time a child now does not tell the truth in the classroom, is the Minister of Education their role model? Can they say: I am using the Minister-of-Education defence; I do not have to be honest; I do not have to be accountable? How can he continue in that portfolio? As long as he remains in that Cabinet, he takes the reputation of all of the other ministers.

Mr. Speaker, they will have to live with it, and that is why we today cannot give speedy approval to Bill 2.

The test as to whether or not the Government is telling the truth to the people of Manitoba will come when they decide whether they will recall this Legislature early or late to deal with this bill, and then we will really know if this has all been a media circus or if they really use extraordinary—

**Mr. Speaker:** Order. When this matter is again before the House, the honourable Member for Lac du Bonnet (Mr. Praznik) will have unlimited time, and it will also remain standing in the name of the honourable Member for Fort Garry (Mrs. Smith).

The hour being 6 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow (Thursday).

# LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, December 5, 2001

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