

Second Session - Thirty-Ninth Legislature
of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS
Official Report
(Hansard)

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

Member	Constituency	Political Affiliation
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ALTEMEYER, Rob	Wolseley	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
BJORNSON, Peter, Hon.	Gimli	N.D.P.
BLADY, Sharon	Kirkfield Park	N.D.P.
BOROTSIK, Rick	Brandon West	P.C.
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BRICK, Marilyn	St. Norbert	N.D.P.
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DERKACH, Leonard	Russell	P.C.
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JHA, Bidhu	Radisson	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
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WOWCHUK, Rosann, Hon.	Swan River	N.D.P.
<i>Vacant</i>	Elmwood	

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, September 15, 2008

The House met at 1:30 p.m.

PRAYER

ROUTINE PROCEEDINGS

PETITIONS

Pharmacare Deductibles

Mrs. Mavis Taillieu (Morris): I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

The NDP government has increased Pharmacare deductibles by 5 percent each year for the past seven years, with the curious exception of the 2007 election year.

As a result of the cumulative 34 percent hike in Pharmacare deductibles by this NDP government, some Manitobans are forced to choose between milk and medicine.

Seniors, fixed and low-income-earning Manitobans are the most negatively affected by these increases.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Premier (Mr. Doer) of Manitoba to consider reversing his decision to increase Pharmacare deductibles by 5 percent in budget 2008.

To request the Premier of Manitoba to consider reducing health-care bureaucracy, as previously promised, and to consider directing those savings into sustaining Pharmacare and improving patient care.

This is signed by Elden Fetterly, Breanne Evans, Patricia Blackmore and many others.

Mr. Speaker: In accordance with our rule 132(6), when petitions are read they are deemed to be received by the House.

Long-Term Care Facility—Morden

Mr. Peter Dyck (Pembina): Mr. Speaker, I wish to present the following petition to the Legislative Assembly.

The background for this petition is as follows:

Tabor Home Incorporated is a time-expired personal care home in Morden with safety, environmental and space deficiencies.

The seniors of Manitoba are valuable members of the community with increasing health-care needs requiring long-term care.

The community of Morden and the surrounding area are experiencing substantial population growth.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Health (Ms. Oswald) to strongly consider giving priority for funding to develop and staff a new 100-bed long-term care facility so that clients are not exposed to unsafe conditions and so that Boundary Trails Health Centre beds remain available for acute-care patients instead of waiting placement clients.

This is signed by Jake Martens, Isaac C. Dyck, Lynn Enns and many, many others.

Crocus Investment Fund—Public Inquiry

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

The 2007 provincial election did not clear the NDP government of any negligence with regard to the Crocus Fund fiasco.

The government needs to uncover the whole truth as to what ultimately led to over 33,000 Crocus shareholders to lose tens of millions of dollars.

The provincial auditor's report, the Manitoba Securities Commission's investigation, the RCMP investigation and the involvement of revenue Canada and our courts collectively will not answer the questions that must be answered in regard to the Crocus Fund fiasco.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Premier (Mr. Doer) and his NDP government to co-operate in uncovering the truth in why the government did not act on what it knew and

to consider calling a public inquiry on the Crocus Fund fiasco.

Mr. Speaker, this is signed by N. Asperin, V. Recasata, J. Co and many, many other fine Manitobans. Thank you.

Physician Recruitment—Southwestern Manitoba

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, I wish to present the following petition and these are the reasons for this petition:

The Town of Virden has the last hospital in Manitoba on the busy Trans-Canada Highway travelling west.

For the safety of recreational travellers, long-haul truck drivers, oil and agricultural industry workers and its citizens, Virden, a town of nearly 4,000, requires emergency services at its hospital.

On June 30, 2008, the emergency room at the Virden Hospital was closed due to this government's failure to recruit and retain doctors for southwest Manitoba and its failure to plan for the departure of doctors whose contracts were expiring.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Health (Ms. Oswald) to consider creating a health-care environment in which doctors want to work and build their careers in Manitoba.

To request the Minister of Health to consider making it a priority to recruit doctors to southwestern Manitoba so emergency rooms do not have to be closed when they are needed the most.

This petition is signed by Sylvia Dunbar, Heather Wiebe, Ken Gardiner and many, many others.

TABLING OF REPORTS

Hon. Dave Chomiak (Minister of Justice and Attorney General): I'd like to table the following report: Civil Legal Services Special Operating Agency, 2007/08 Annual Report.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, I'd like to draw the attention of honourable members to the public gallery where we have with us today Mr. Jack Hyde, who is a former teacher from The Pas, who is the guest of and also is a former teacher of the

honourable Minister of Aboriginal and Northern Affairs (Mr. Lathlin).

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

ORAL QUESTIONS

Provincial Debt Increase

Mr. Hugh McFadyen (Leader of the Official Opposition): The last nine years have presented the Premier and this NDP government with an unprecedented and golden opportunity to prepare Manitoba for any economic hardship. With rising record levels of transfer payments from Ottawa and a robust global economy, they had the opportunity to lay the groundwork to cushion Manitoba in the event of any economic upheaval.

But, instead of reducing debt over those nine years, they increased the general purpose debt of Manitoba by some \$3.2 billion. Instead of phasing out the job-killing NDP payroll tax, they've left that tax in place. Instead of building confidence in Manitoba's financial markets, they interfered in Crocus and killed a venture capital fund here in Manitoba.

I want to ask the Premier: In light of the current turmoil in financial markets which could threaten jobs and could threaten incomes, Mr. Speaker, all caused by out-of-control debt, why did he squander the opportunity to prepare Manitoba for the turmoil which could lie ahead?

* (13:40)

Hon. Gary Doer (Premier): Mr. Speaker, I would point out that every year we have put more money into the rainy day fund. We haven't done so by selling off or virtually giving away a public Crown corporation, as members opposite have done.

Mr. Speaker, I'm sure the members opposite will find that not only have we tripled the amount of money in the rainy day fund, but when the Public Accounts are released, we have even more money in the rainy day fund than both what we budgeted and what was there last fiscal year. That is because, as all of us recognize, there is turbulence, particularly in the unfettered financial markets of the United States. This is more akin to some of the philosophies of members opposite. We certainly prefer a more regulated financial sector as we have in Canada. I know members opposite prefer unfettered markets. I know they love their kissing cousins, the

Republicans, down in the United States. Well, now the chickens are coming home to roost.

Mr. McFadyen: Mr. Speaker, it's quite a political performance, but the reality is the American problems today are caused by out of control debt, exactly the direction that he's taking the province in today. The fact is, rather than bashing MTS and the 2,000 Manitobans who work there, people who are building a company that is the envy of telecommunications companies, rather than bashing one of the greatest private sector employers in the province of Manitoba, why not put his own house in order as he's raising the debt of Manitoba, \$3.2 billion in increased debt? Saskatchewan has made a \$2.2-billion debt repayment. They've got half the general purpose debt in Saskatchewan that we have in Manitoba today.

Head offices are being driven out of the province and now he wants to—and this is his plan as we enter the turbulence—instead of reducing debt and doing what we've been calling for, he wants to go the direction of increasing debt as they've done south of the border. Bill 38 means more debt, \$640 million of waste on a hydro line to nowhere. He's announcing rapid transit systems of \$90 million, a \$90-million hole without explaining where the money's coming from.

Rather than restoring Manitoba to a path of financial prudence, why is he going to more of the same, more NDP debt by repealing balanced budget laws? Why is he increasing the debt when what we need is control over our public spending and repayments to debt, Mr. Speaker?

Mr. Doer: Mr. Speaker, when we came into office the repayment to debt was \$70 million; it's now \$112 million a year. When we came into office, the rainy day fund was being drained at \$185 million a year. It's now being reinstated. In fact, we've tripled it and we may even be more than that in ratio by the fiscal year. We didn't spend the money that we've received from a strong economy. We put it in our rainy day fund.

I'm pleased the member opposite has acknowledged the U.S. fiscal situation is partly tied to debt. We didn't support the war in Iraq on this side. In fact, I had Conservative members, when the war in Iraq started, urging me to support George Bush's war in Iraq and calling on us to call the former Prime Minister to support the war in Iraq. We didn't do that, Mr. Speaker.

Again, their judgments are coming into play. I would point out that there used to be debt on the books and then there used to be debt off the books; it's called the pension liability. I'm pleased that we are now putting all the responsibilities of past generations in Manitoba on the books in one set of books.

I would urge members opposite to vote for that principle and vote for the recommendations of auditor generals and vote for the updated one-set-of-books balanced budget legislation before the House.

Mr. McFadyen: Mr. Speaker, I don't know if he's running for office in the United States. I didn't realize the war in Iraq was an issue here in this House. The fact is the reality is that he had the opportunity to pay down debt, instead he increased it.

And he did something else that was quite remarkable. In good times, he managed to run Crocus into the ground. Now, we've seen Lehman Brothers get run into the ground because of debt in the United States, but if he can't even keep a venture capital fund alive in good times, how can Manitobans expect him to be able to manage through difficult times to come?

Mr. Doer: Well, Mr. Speaker, we have just received information that Winnipeg will be one of the top three cities of 13 major cities in 2008. We know also that Manitoba's GDP was much higher than the United States last year, in 2007. It was second highest in Canada. It's projected to be second highest in Canada again this year.

There are different kinds of deficit. First of all, there are deficits that are off the books that are now in debt that's now on the books. There was also the deficit of having fruit flies in the operating rooms of the hospitals. There's also the debt of not building the Brandon general hospital. There's a deficit of spending less money on highways than what you're taking in in increased gas tax that you raised. There's a deficit of not building future infrastructure at universities. There's an infrastructure deficit in not building schools. There's an infrastructure deficit in not building the knowledge economies which we're doing at the University of Manitoba. There's an infrastructure deficit with not building Red River College, Mr. Speaker, and the new downtown campus. I can go on and on and on.

We are not only paying down debt, we're paying down the pension liability. In terms of fiscal

prudence, members opposite used to hire a civil servant, used to hire a jail guard and only pay 92 percent of the salary because the other 8 percent was off the books in a debt that was increasing because they wouldn't pay the pension liability. We straightened that out, and whoever is premier in 2015 will have the great honour of having the pension liability that's gone way up start to go down and become manageable in this province because of good fiscal policies in this government.

Interprovincial Trade Agreements Government Support

Mr. Rick Borotsik (Brandon West): Mr. Speaker, the only deficit the Premier didn't talk about was the deficit in good government in this province of Manitoba.

Last week I attempted, Mr. Speaker, to get some answers about a new job created in the Department of Competitiveness, Training and Trade. As usual, there were no answers forthcoming. Here we have an ex-Cabinet minister doing the job that the current Cabinet minister should be doing and, get this, a job that the Premier and the NDP government don't believe in. The Premier doesn't believe in free trade. The government doesn't believe in interprovincial trade, and the union, CUPE, doesn't believe in labour mobility. The Minister of Competitiveness, Training and Trade (Mr. Swan) doesn't need Scott Smith. What he needs is a backbone.

Why is he not at the table with Saskatchewan, Alberta and British Columbia negotiating the plan for the new west? Why is the minister sitting on his duff and being left out?

Hon. Gary Doer (Premier): We still haven't got an apology. We still haven't got an apology from the sky-is-falling predictions made by the Member for Fort Whyte (Mr. McFadyen). He predicted, in the last week of the session he said you'll never get an internal trade agreement in Canada. When you go to the Premiers' Conference, you will never get an internal trade agreement in the country.

Well, he was wrong, and he should have the intestinal fortitude to apologize for his false judgment, Mr. Speaker, because we did get an internal trade agreement in Canada. We have internal trade now between all jurisdictions in Canada, all 13 jurisdictions in Canada, and, secondly, we have labour mobility in Canada. It has taken a number of years to get it. Finally we have it, and we have labour mobility to Ontario, Québec, Nova Scotia, B.C.—

Mr. Speaker: Order.

Mr. Borotsik: The only labour mobility that they have in this province is Scott Smith travelling between province to province trying to do the job that this minister should be doing, Mr. Speaker.

Did the Premier not hear—and he needs no apologies from the Member for Fort Whyte. We don't, we don't, Mr. Speaker, have an open trade agreement with Saskatchewan, Alberta and British Columbia. Those provinces are at the table right now. The ministers are at the table working on the new west, the new west.

Mr. Speaker, why is the Premier or the Minister of Competitiveness, Training and Trade not at those tables? Why are we being left out? Why do they not even know that Manitoba exists, and what are we going to do?

Our trade is drying up in the international U.S. We don't have interprovincial trade, Mr. Speaker, and this minister is absolutely negligent in his duties.

Mr. Doer: Mr. Speaker—

Some Honourable Members: Oh, oh.

* (13:50)

Mr. Speaker: Order. If members had respect for this institution, I wouldn't have to yell. I've been trying to get order here for at least 15, 20 seconds. I ask the co-operation of all honourable members. We need to hear the questions and the answers. We also have the public in the galleries that come here to be able to hear the questions and the response to those questions. Let's give them the dignity at least to be able to hear that. I ask the co-operation of all honourable members.

The honourable First Minister has the floor.

Mr. Doer: We have a trade agreement with all 13 jurisdictions which we think is positive. We have labour mobility with all 13 jurisdictions which we think is important. Mr. Speaker, we also have an agreement with British Columbia, Ontario, Québec and Manitoba for a cap and trade system in the Canadian economy with 11 states in the United States.

Members opposite yell a lot but they don't say a lot. Are they in favour of that trade agreement, that

cap and trade agreement? Are they in favour of it or would they join parts of the west like Alberta and opt out if they ever, ever, ever unfortunately had the chance to govern sometime down the road in 10 years?

Former Cabinet Members Appointments

Mr. Rick Borotsik (Brandon West): Mr. Speaker, I do appreciate your comments about getting order in this House. You've been trying to get order in this House; we've been trying to get good government for nine years, and we haven't succeeded either.

Mr. Speaker, regardless of what the Premier says or doesn't say, Scott Smith was given a new job because of the Premier. The non-job carries a salary of \$90,000. In Manitoba a family of four making \$60,000 will pay \$3,200 a year to help Mr. Smith get along in this world. Twenty-eight families are going to be paying for Scott Smith.

I ask the Minister of Competitiveness, Training and Trade: Is he going to get his money's worth? Is there a contract? Are there deliverables in that contract? Are there benchmarks, and will he table the contract in the House today so we can make sure that Mr. Smith is actually getting paid and Manitobans are getting what they deserve, Mr. Speaker, value for money which I don't think we're going to get.

Hon. Andrew Swan (Minister of Competitiveness, Training and Trade): Mr. Speaker, I'm certainly glad to see the Member for Brandon West so apparently passionate about this issue.

Our government is certainly passionate about improving labour mobility across this country, and we're not the only ones. Perhaps the Member for Brandon West missed a quote following the conference of the federation meeting. The quote is: We will ensure full labour mobility rights for citizens and the Agreement on Internal Trade will now have an effective dispute settlement mechanism. Meeting the labour market needs of our strong economy is critical to our growth, and I am very pleased that the Council of the Federation has made real progress. Who said this? Well, Premier Brad Wall, the Premier of Saskatchewan.

How about another quote from the day after the successful Council of the Federation meeting: They'll bring some common sense to labour mobility. Who said that? Ed Stelmach, the Premier of Alberta.

Labour Mobility Agreement Government Support

Mr. Blaine Pedersen (Carman): Mr. Speaker, I'm glad they've got a dispute resolution system in place because they haven't got an agreement in place.

This past July at the Council of the Federation in Québec City, the first ministers agreed to have a full labour mobility agreement in place by the summer of 2009. Given the anti-free trade position by the Premier (Mr. Doer) in the past as well as the hostile position of today's trade unions on labour mobility, Mr. Speaker, what assurances can the Minister of Competitiveness, Training and Trade give this House that Manitoba will even be a part of the new agreement?

Hon. Andrew Swan (Minister of Competitiveness, Training and Trade): I'm so pleased that the Member for Carman—I appreciate his new critic views—has stood up and clearly said that his leader is wrong. He was wrong and he'll be wrong tomorrow.

But let's have another quote. Let's have a quote from the Leader of the Opposition: There is no national deal and he knows there's not going to be a national deal because he knows that Québec will never sign on to a national deal. Wrong, wrong and wrong.

Certainly, Mr. Speaker, this Premier and this government have been leaders not simply to sign on to a deal negotiated solely for the benefit of people in British Columbia and Alberta but to work for a national framework to make sure that all provinces and all territories are pulling together and working together. That's how you build a country.

Mr. Pedersen: Mr. Speaker, a Commonwealth-trained electrician came to Manitoba looking for employment. He was told he had to retrain. The same electrician then went to Alberta and was asked, when can you start?

How many skilled workers has Manitoba lost and how many more workers will Manitoba continue to lose because of not having trade mobility?

Mr. Swan: Well, I'm certainly very glad to hear the Member for Carman wanting to talk about population, attracting people to this province.

When his party was last in power in the '90s, 17,000 more people left the province than came to the province of Manitoba. Since the people of Manitoba voted out the Conservative government and elected an NDP government, we have 17,000

more people moving to Manitoba than leaving the province.

Certainly, my friend the Member for Carman raises an issue about certification and apprenticeship. If there's a particular situation, he should let me know, but with the Apprenticeship Futures Commission, we are moving forward to modernize our apprenticeship program to continue to make this an attractive place for young people, for new Canadians, for people to come and enjoy our way of life.

Mr. Pedersen: Mr. Speaker, maybe I just need a little clarification. Do I phone Scott Smith or do I phone the minister on this? Has Scott Smith been given any measurable goals for the next year in terms of labour mobility with other provinces? What sectors will be included? What sectors will be excluded? Or is this appointment just another drain on the taxpayers of Manitoba?

Mr. Swan: You know what? I thought the Member for Carman almost had it when he put on the record the fact that the premiers, at the Council of the Federation meeting in July, indicated there would be full labour mobility across Canada by the summer of 2009. The Council of the Federation, the premiers, will get back together in the summer of 2009 to make sure that all jurisdictions have complied.

We have taken the lead. We have appointed Scott Smith, a former minister of the Crown, to lead Manitoba's efforts to make sure that various professions and various trades are on board. This is not a new idea. As a matter of fact, a former trade minister was hired by the Province of Ontario to assist that province, and, indeed, the Québec government hired a former Québec minister of trade to assist with this to make sure that they continue to be fulfilling their commitments. We are a leader and we'll continue to be—

Mr. Speaker: Order.

Southeast Child and Family Services Status of Audit Report

Mrs. Bonnie Mitchelson (River East): Mr. Speaker, last October, nearly a year ago, the southern authority announced an audit of Southeast Child and Family Services. The CEO of the southern authority at that time said that she hoped to have the final report completed by the end of December 2007, 10 months ago.

Is that report completed, Mr. Speaker?

Hon. Gord Mackintosh (Minister of Family Services and Housing): Mr. Speaker, as I recall, the CEO of the southern authority had anticipated perhaps some initial reports, but my understanding is the report is expected sometime either this fall or winter. But I can report back to the House on the expected time lines of that report.

Mrs. Mitchelson: Well, thank you, Mr. Speaker, but in March we learned that the executive director of the agency was put on paid administrative leave.

Is the executive director of Southeast Child and Family Services still on paid leave?

Mr. Mackintosh: That's my recollection, Mr. Speaker. If it's otherwise, I certainly will stand corrected.

It's also my understanding that as part of that review, there's a case review involved, and, as well, I understand that there are workings with the federal government, in particular with regard to on-reserve services and funding from the federal government.

Mrs. Mitchelson: There have been serious allegations about the agency's involvement with Southeast Resource Development Council, joint payrolls, sharing of confidential information and joint bank accounts.

Will the minister tell the House: Is he satisfied that the agency has separated itself from the Southeast Resource Development Council and that no money that should be going to the care of children is being misappropriated?

Mr. Mackintosh: It's regrettable that the member never asked that question when she had her hands on the levers of government, Mr. Speaker, when she was the minister.

Mr. Speaker, we understand that, indeed, there have been questions raised about the tribal council funding and the agencies, and I understand that a directive was issued and there was compliance. It is very important that long-standing financial issues be rethought, and with the new-found provincial involvement with the authorities' legislation, the Province is working to see that there are reviews of these kinds of situations wherever they arise.

* (14:00)

Avastin Medication Coverage

Mrs. Myrna Driedger (Charleswood): Over 800 Manitobans will get colon cancer this year and half

of them will die from it. A hundred requests have been made to CancerCare to fund Avastin, but only 10 patients in Manitoba have been lucky enough to be funded. Six provinces fund Avastin, but this Minister of Health refuses to provide equal access to Manitobans.

I would like to ask the Minister of Health: Can she tell Kay Arnot, who is in the gallery today, why there is unfair treatment for Manitobans with colon cancer? Why are they the victims of geography?

Hon. Theresa Oswald (Minister of Health): Mr. Speaker, I am pleased to inform the House that not only Ms. Arnot, who's in the gallery today, but certainly a number of other advocates for the early detection of colorectal cancer, for screening, gathered on the weekend to engage in a very important walk to raise funds and perhaps raise awareness.

We know that the single most important thing that we can be doing when it comes to dealing with colorectal cancer is, of course, doing all that we can to promote the prevention of cancer in the first place or, of course, working with our partners to detect colon cancer early, which the experts will tell us is 90 percent curable if we can achieve that goal.

Mrs. Driedger: I was in that walk on the weekend, and there are certainly a lot of people in Manitoba that are asking this minister to open up her eyes and her heart and look at this treatment that is available. Don Hutton [*phonetic*] is one of those people who has been refused access to Avastin because this government will not fund it, as six other provinces in Canada are, even when oncologists prescribe it.

In August, Dr. Dhaliwal said, and I quote, there may even be patients who are not given the drug when they need it, end quote.

Can the Minister of Health tell Mr. Hutton [*phonetic*] why she won't provide this treatment in Manitoba when six other provinces in Canada already have agreed to provide it?

Ms. Oswald: Mr. Speaker, certainly we know that the funding of oncology drugs, the funding of drugs broadly, is a very complex issue, and we know that we rely on cancer doctors, the experts at CancerCare to prioritize, to assess patients and prescribe the appropriate medication.

We know that recently when we turned to CancerCare to increase our oncology budget, which is now \$31 million a year, to increase it by over

\$3 million, we asked for a list of priority drugs from the doctors at CancerCare. We received those priority listings and we funded those in our announcement today, which also included expanded screening for colorectal cancer, screening with the ethyl BT test, screening with colonoscopy. So, at CancerCare's recommendation, we added drugs to—

Mr. Speaker: Order.

Mrs. Driedger: Dr. Dhaliwal said in a letter to Don Hutton [*phonetic*] that the reason Avastin is not being funded here is because this Minister of Health refuses to fund Avastin.

Mr. Speaker, Don Fushtey is in the gallery today—

Mr. Speaker: Order.

Point of Order

Hon. Dave Chomiak (Government House Leader): Yes, Mr. Speaker, I think it's a long-standing rule in this House and the member knows that if she refers to a letter she ought to table it.

Mr. Speaker: The honourable Official Opposition House Leader, on the same point of order?

Mr. Gerald Hawranik (Official Opposition House Leader): Yes, on the same point of order, Mr. Speaker, I listened carefully to the Member for Charleswood and she certainly didn't quote from that letter. I don't think she's under any obligation to table the letter if she didn't quote from it.

Mr. Speaker: On the same point of order?

Mr. Chomiak: On the same point of order, Mr. Speaker, the member specifically referred to a letter, and I've had so many occasions in this House where the member has referred to letters that have not been accurate that I think it is incumbent upon her to table the letter that she referred to in this Chamber.

Mr. Speaker: Order. Does the honourable Member for Inkster have something to add that I haven't heard yet?

Mr. Kevin Lamoureux (Inkster): Yes, Mr. Speaker. We should be aware or at least my understanding is that it's okay to make reference to a letter. It's a question whether or not you take a direct quote from the letter. If you take a direct quote from the letter, then there is an obligation to table, but you are okay to reference a letter and not be obligated to table it.

Mr. Speaker: Order. If a member is quoting from a signed private letter, it is our practice to table that letter.

I have to ask the honourable Member for Charleswood, were you quoting from a signed private letter? Were you quoting from that, a signed private letter?

Mrs. Driedger: No.

Mr. Speaker: Could you please put it on record.

Mrs. Driedger: No, Mr. Speaker, I was not quoting directly from that letter.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. We're dealing with a very serious matter here, please.

I asked the honourable member and I have to take the word of honourable members in this House. I asked the question and the honourable Member for Charleswood stated to me that she is not quoting from a private signed letter. So I have to take that as—so we will continue on with question period.

* * *

Mr. Speaker: The honourable Member for Charleswood has the floor.

Mrs. Driedger: Thank you, Mr. Speaker. Don Fushley is in the gallery today as well. His brother Dennis may need Avastin in the near future. Don is very upset that he won't be able to get it here. His e-mail to the Premier (Mr. Doer) and to the Minister of Health has gone unanswered. Don is prepared to move his family, his 83-year-old mother and his brother Dennis to Saskatchewan where the drug is available.

So I'd like to ask the Minister of Health to tell Don why she can find millions of dollars to lease space for the WRHA administration in a brand-new building but she cannot find the money to provide Avastin to patients in Manitoba who are stricken with colon cancer.

Ms. Oswald: Just to correct the information on the record, indeed the medical experts at CancerCare, on a case-by-case basis, do review individual situations, and Avastin, indeed, has been funded more times, incidentally, than the member cited early.

I can also say that in our investment today of \$8.6 million, where we increased the early detection for colorectal cancer, we did fund cancer drugs on

CancerCare's recommendation, Mr. Speaker, including colorectal cancer drugs.

I know the member opposite is trying to suggest to the people in the gallery today, to Manitobans broadly, that I don't care about people with colorectal cancer. I can tell her she is wrong.

Bill 45

Proposed Amendments

Mr. Ron Schuler (Springfield): A week ago today, we the official opposition presented sound and reasonable amendments to Bill 45 that were supported by the retired teachers of this province. Unfortunately, the NDP government's response to these retired teacher supported amendments was outright refusal, refusal of a government to listen to the concerns of the people who elected it.

I ask the minister to explain to those gathered in the gallery today and all retired teachers, why did he reject these amendments that would provide the pension they paid for and deserve?

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): The member opposite knows that Bill 45 is a fair and balanced approach to bringing some stability to the pension adjustment accounts, some stability that has been lacking that has resulted in this particular situation that we have today. We have a bill that will be putting \$130 million into the Teachers' Retirement Allowances Fund over the next 10 years to provide a better COLA and ensure long-term stability of the teachers' pension fund.

That was something that was seriously lacking when members opposite received 10 consecutive actuarial warnings to say you better do something or this will happen. Well, this has happened and this is our effort to provide balance for both the taxpayers, active teachers and retired teachers. In this year alone, the COLA will double for retired teachers, Mr. Speaker.

*(14:10)

Mr. Schuler: Mr. Speaker, Bill 44 is not balance; it's betrayal. I spoke to the retired teachers that were gathered here last Monday. They felt betrayal and disgust with the actions of this government and this Minister of Education. I saw the teachers speaking to NDP ministers and the Premier (Mr. Doer) in the hallway registering their disgust with Bill 45.

Mr. Speaker, third reading is nearly upon us, and time is running out for the retired teachers to get a

fair treatment from their government. Will the minister do the right thing and pull Bill 45 today?

Mr. Bjornson: Mr. Speaker, the actuary made warnings 10 consecutive years, and said: The pension adjustments granted since '84 reflect the full increase in the cost of living. The practice reduces the amounts which would otherwise be available to finance future pension adjustments. The objective of the present rate of contribution is to finance pension adjustments which would reflect two-thirds of the increase. As a result, the amounts available to finance future pension adjustments will not be sufficient to permit this objective to be realized in the future.

What's disgusting, Mr. Speaker, is that they ignored these warnings. What is the right thing to do is to find balance for taxpayers, for active teachers, for retired teachers and move forward with Bill 45, which will double the cost-of-living allowance adjustment. That's what we're doing today.

Mr. Schuler: Mr. Speaker, what's disgusting is after nine years of NDP government, what the retired teachers get is betrayal. That's disgusting. This is the minister's last chance. Hundreds of presentations at committee, people in the gallery day after day and letters to the editor across the province have presented a unified voice in opposition to Bill 45.

Mr. Speaker, will the minister use this last chance to, at the very least, hoist Bill 45 for six months and come back with a solution that works for all of Manitoba's retired teachers? Rather than dividing them, why doesn't he bring them together? Do the right thing and hoist Bill 45.

Mr. Bjornson: Mr. Speaker, I'd like to quote one of the presentations that we heard at committee hearings: "Allowing this opportunity to slip by will only result in years of frustration and hard feelings with no guarantee that a solution that completely satisfies all parties will ever be found. To not act would be imprudent."

Members opposite didn't act for 10 years of actuarial warnings. That is why we have the situation we have today. We have put \$1.5 billion into the unfunded liability. We have paid matching contributions to new entrants on a go-forward basis since 2000. We've increased the pension contribution rate by 1.1 percent when it was the lowest in the country, and we have put \$130 million on the table with Bill 45.

That is fair. That is balanced. That is fair to taxpayers, retired teachers and active teachers. What did they do? Nothing.

Orthopedic Surgeries Wait Times

Hon. Jon Gerrard (River Heights): Mr. Speaker, Mr. Robert Froese, who is in the gallery today, has had to wait an unacceptable three months for an MRI and is now being told that he'll have to wait 15 to 18 months for the rotator cuff surgery on his shoulder that he so badly needs. Essentially this means that the rotator cuff surgery, which he should have, is unavailable here in Manitoba within a reasonable period of time.

I ask the minister: Why is she denying access to essential rotator cuff surgery in a reasonable period of time? Why is the minister not covering costs for people like Robert Froese to go out of province to get the surgery when it can't be done here in a reasonable period of time?

Hon. Theresa Oswald (Minister of Health): I think the member opposite is quite aware that we have on the heels of improving wait times and access times for life-threatening situations, for cardiac situations and for cancer, going from, arguably, the worst wait times in the country to now having the lowest, we have moved on and seen incredible improvement on the quality-of-life surgeries, orthopedic hips and knees.

We know that for surgeries like shoulder, we have a longer wait time than we'd like. We know that we can work with individuals about funding out-of-province surgeries, and we're happy to work with an individual that the member references today or any other case that he wishes to bring forward while we work to bring those wait times down, Mr. Speaker.

Mr. Gerrard: On the one hand, the minister is essentially not allowing Mr. Froese to get the rotator cuff surgery he needs within a reasonable period of time, and on the other hand, the minister is covering out-of-province travel for people who need cochlear implants when such essential surgery could be done here by surgeons like Dr. Brian Blakely who would like to do it here, but the minister is saying that such patients must go out of province.

I ask the minister: Why is she running a health-care system which seems perverse in paying lots of additional dollars for out-of-province costs for people who need cochlear implants? At the same time, she's not providing the costs out of province for

people to get rotator cuff surgery when it should be done in a reasonable period of time.

Ms. Oswald: Mr. Speaker, certainly we know that our focus has to be, as instructed by the first ministers of our nation, to bring down wait times for quality-of-life surgeries, for diagnostics, for lifesaving surgeries. Indeed, when we find ourselves in situations where services are not available in Manitoba, we do fund for individuals to go outside of the province.

The member opposite might be interested to know that we actually have a net increase. We do more surgeries here in Manitoba from other provinces than we export out. He fails to reference that.

Again, in this individual case, where there's a wait time that is, on the surface of these facts, clearly too long, we want to work with that individual, Mr. Speaker, and we're committed to do that.

Community Police Stations Closures

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I'd like to quote from the NDP election brochure that was circulated to all Winnipeggers. It goes: Our priorities for the next four years, the No. 4 point: safer communities.

Mr. Speaker, my question is for the Premier (Mr. Doer): How is he justified in breaking a promise that Manitobans took so seriously by allowing community police offices in Winnipeg, by closing down?

Mr. Speaker, this will have a negative impact on safety in our communities. I would suspect that the Province has the ability to ensure that community policing services are made available. The question is: Why did they do nothing? When the issue came forward, their lips were sealed, and they did nothing.

Hon. Dave Chomiak (Minister of Justice and Attorney General): Well, Mr. Speaker, first off, the member is wrong factually, as usual. We funded more police officers this year than any other time in our history, and the member stood up and voted against the funding. Further, the member said publicly that Winnipeg has enough police officers.

He voted against Safer Communities that has shut down close to 400 coke dens, prostitution houses, crack houses, et cetera. He voted against police officers in the schools. He fails to mention the fact we put police officers in schools. He fails to

mention the fact that the new police chief has got police officers on the street, Mr. Speaker. He fails to mention the fact that we have contributed more police officers per capita than every single place except Thunder Bay, and I will listen to the chief of police, one hundred times out of one hundred, versus the Member for Inkster.

Youth Build Program Government Initiative

Ms. Flor Marcelino (Wellington): This government puts a high priority on the future of young Manitobans, having introduced a broad range of new initiatives in training, crime prevention, FASD and recreation.

Can the Minister of Education, Citizenship and Youth inform the House of steps his department is taking in this area?

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): I'd like to thank the honourable member for the question. Indeed, today was a good day to be on Ellice Avenue, with a \$300,000 commitment to the Youth Build program. It's a program for vulnerable youth, one of many organizations that we work with, in partnership, in our communities to provide safe, supportive, caring learning environments.

In this particular facility, we heard the words of a young man from Berens River who talked about the impact that this particular program had on his life, his ability to achieve his high school certificate and to move on to take trade training at this particular facility, Mr. Speaker. It's one of several programs to the MB4Youth Division that has assisted more than 9,476 youth through general employment programs, targeted programs for vulnerable youth and citizenship programs and our commitment to ensure that all students have an opportunity to succeed in Manitoba.

* (14:20)

School Facilities Overcrowding

Mr. Peter Dyck (Pembina): Mr. Speaker, 42 huts going on 44; students waiting in line to go to the washrooms and, because of the long wait, deciding to go home; gym facilities denied; safety in crowded classrooms should a fire or emergency arise. Last week on Thursday the minister indicated: We put children first. Wow. What a contradiction.

Is this what the Minister of Education calls education in Manitoba, students waiting in hallways and lining up in order to go to the washroom?

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): Mr. Speaker, our school capital program has been unprecedented in the province of Manitoba with \$483 million invested in school capital since 2000.

Now, the member knows, as I've said to the member today, that I did have an opportunity to meet with Garden Valley School Division, just this morning in fact, and we talked about what are some of the immediate needs that could be addressed. Then they'll be bringing forward some proposals on how we could help address some of those immediate needs, and we certainly look forward to those submissions. Certainly, the Public Schools Finance Board will take those requests and look at what can be done immediately.

We should also mention, of course, that we will be adding four additional classrooms to Emerado Centennial school in Winkler to be built this year. I understand there was a request for an additional portable on a Thursday, and the request was met with a positive response on the Friday. We are doing our best to respond to these immediate needs and we'll continue to do so.

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

MEMBERS' STATEMENTS

International Peace Garden Freedom Walk and 9/11 Memorial

Ms. Bonnie Korzeniowski (St. James): Mr. Speaker, on September 11 I had the privilege of speaking at the Freedom Walk and 9/11 Memorial at the International Peace Garden on behalf of the Premier (Mr. Doer). The event was held to commemorate the 7th anniversary of September 11 and to remember the victims of that terrible day. It also marked the first Freedom Walk to be held at the Peace Garden, a symbolic gesture to mark Canada's and the United States' commitment to peace in the world and to our freedom from fear.

I was joined in speaking at the event by federal M.P. Merv Tweed; North Dakota's Senator, Richard Marcellais and Foreign Service Officer, Kimberly Durand-Proud of the U.S. Consulate in Toronto. The keynote address was delivered by Dr. Earl Beal, assistant professor at the University of North Dakota.

With experience in family counselling with the U.S. Air Force, Dr. Beal also provided psychological counselling to families affected by the attack on the Pentagon. Speeches took place in the impressive shadow of 10 twisted steel girders rescued from the wreckage of the World Trade Centre.

Hundreds of people from either side of the border, including members of the Canadian and American Armed Forces, Native leaders, the RCMP and firefighters took part in the Freedom Walk around the garden led by piper Chris Milne of Brandon. Following the keynote address, we were treated to a performance by high school student Emily Custer, who sang a beautiful song called "Thank you" she had composed for veterans. Her song also reminded us of all those men and women who continue to pledge their lives in defence of our two nations' democratic ideals. It was a particularly moving moment in the ceremony, something that touched me and I'm sure many others in attendance.

Mr. Speaker, I would like to take this opportunity to thank Mr. Doug Hevenor, CEO of International Peace Garden, and his staff for their hard work in organizing this event and for maintaining the garden throughout the year.

I was extremely proud to be part of this event and to represent the government of Manitoba's continuing commitment to the International Peace Garden and the values it symbolizes. While the memorial continues a tradition of reflecting on the lives lost to September 11, the Freedom Walk in the garden demonstrated a commitment to peace in our world, our freedom from fear and the democratic ideals we hold so dear. Thank you, Mr. Speaker.

Shared Values Multi-Cultural Celebration of Israel's 60th Anniversary

Mr. Larry Maguire (Arthur-Virden): The State of Israel was established in 1948. Yesterday, Mr. Speaker, September 14, I had the privilege of attending a 60th anniversary celebration that took place at Winnipeg's Pantages Playhouse Theatre, allowing all Manitobans to commemorate this historic occasion.

An initiative of the Manitoba-Israel Shared Values Roundtable, the event was entitled The Shared Values Multi-Cultural Celebration of Israel's 60th Anniversary. Eight performances represented eight different world regions in music and dance, showcasing our global diversity. The afternoon's emcee, Mr. Lyle Smordin, kept the show running

smoothly with the aid of special guests that introduced the acts. The honourable Minister of Competitiveness, Training and Trade (Mr. Swan) brought greetings on behalf of the Province of Manitoba.

The concert was dedicated to Mr. Harold Buchwald, a pioneer of the Shared Values Roundtable, who dedicated his life to support of both his own culture and the larger community. His son, Richard Buchwald, responded to the dedication with the assertion that his father would have replied with gratitude to those in attendance, and rather than focussing on his personal contributions would have thanked all involved for organizing such a special tribute. And it truly was.

Performances included the Hinode Taiko Drummers, the India School of Dance Music and Theatre, Brian Cline and Ray Stevenson of the Walking Wolf Singers and Dancers and Hopak by the world-famous Rusalka Ukrainian Dance Ensemble. Intermission was followed by more exceptional dance groups: Viva Capoeira, representing Brazil, and Magdaragat Philippines Inc. of Filipino culture. Evans Coffie brought West African song, dance and percussion alive, including on-stage audience participation.

However, I am sure the highlight of this multicultural celebration for many was the dance performance with song and musical accompaniment of the renowned Chai Folk Ensemble. Chai is the oldest and largest Israeli folk dance ensemble in North America, with a history of over 40 years. My wife, Beryl, and I are extremely proud of our niece, Elan Marchinko, who dances with Chai.

Mr. Speaker, I want to close by congratulating all the organizers of this tremendous event and pay my special tribute and that of my colleagues to the Israeli community on their 60th anniversary of statehood. Thank you.

St. Norbert Family Fun Day

Ms. Marilyn Brick (St. Norbert): Mr. Speaker, this July, I had the pleasure of co-hosting our fourth annual Barbeque and Family Fun Day with Ken Pisiak, manager of the Newdale Apartments in St. Norbert. Mr. Pisiak first approached me with the idea of a neighbourhood barbeque in 2005 in order to encourage a sense of community among his tenants, many of whom are new Canadians, and to stress the importance of safety in and around the home.

The motivation behind the first Family Fun Day was Mr. Pisiak's concern for the young children in his building playing on and around some nearby train tracks. He decided to create the event as a fun way to teach children about the need to play safely. This year, we continued the theme of safety in the home with a visit from the Winnipeg Fire Paramedic Service safety wagon. The Winnipeg Fire Paramedic department also brought along a fire truck which entertained both children and their families.

Not only is this event a great opportunity for building community, it is also a way to inform many of the tenants who are new to our province of various community safety and protection services. This year's barbeque, held on July 19, behind the Newdale Plaza, was another great success with over 200 people in attendance.

Visitors to our barbeque were entertained by Misha the magician, the music of JUST 2 and our favourite clown, Marianna Banana. Children and their families snacked on free hotdogs, pizza, veggies and refreshments and enjoyed games, music, face painting, prizes, as well as a variety of custom automobiles displayed around the apartment complex.

Once again, our annual summer barbeque could not have been accomplished without the work of our dedicated volunteers and sponsors, in particular, the amazing, ongoing commitment and organizational skills of Ken Pisiak. Our Family Fun Day was a wonderful example of building community in Manitoba, and I would ask all honourable members to join me in recognizing this ongoing commitment to citizenship in our province. Thank you.

Bill Docking

Mr. Ralph Eichler (Lakeside): I'm honoured to recognize an individual who's received the Governor General's Caring Canadian Award. I was pleased to be present as Mr. Bill Docking of Teulon, Manitoba, was nationally recognized for selfless giving towards others. The Caring Canadian Award is given to individuals who provide voluntary care towards the community, and Mr. Docking certainly fits that description.

Bill Docking has been serving the community for 50 years, particularly as a member of various hospital boards in the Interlake region. Docking helped co-found a volunteer transportation service for seniors and persons with disabilities. By transporting individuals with mobility problems,

Docking and others who worked with him have personally contributed to the improvement of these individual lives. The Teulon and District Seniors' Resource Council was established by Docking and other individuals interesting in providing social support for seniors.

As a volunteer driver, Mr. Docking delivers food and Christmas hampers for Meals on Wheels and the Teulon and District Cheer Board. In working with CancerCare Manitoba, Mr. Docking has transported many cancer patients to Winnipeg for treatment. No doubt community members are grateful for Mr. Bill Docking's contributions.

A reception was held to honour Mr. Docking's selfless actions. The Honourable John Harvard presented the Caring Canadian Award on behalf of the Governor General. Mr. Docking received the award on July 28, 2008, at the Teulon Crescent Creek Community Centre. I was present to give a presentation as the MLA for Lakeside. The Honourable John Harvard, M.P. James Bezan and Teulon Mayor Bert Campbell all honoured Mr. Docking with speeches commemorating his contribution to the community.

I'd like to thank Bill Docking for his contributions to the community. The organizations that Mr. Docking supports are notable, and I would like to congratulate Bill Docking as Caring Canadian and all others who volunteer to serve others. Thank you.

*(14:30)

Shared Values Multi-Cultural Celebration of Israel's 60th Anniversary

Ms. Sharon Blady (Kirkfield Park): It's my pleasure to rise in the House today and share with the members of this Legislature a wonderful multicultural event which took place yesterday at the Pantages Playhouse Theatre. Members from both sides of the House gathered with over 900 other Manitobans and guests from Ontario and Saskatchewan, Mr. Speaker, to attend The Shared Values Multicultural Celebration of Israel's 60th Anniversary.

The afternoon concert featured performances by local performers of international calibre, including Hinode Taiko, India School of Dance Music and Theatre, Walking Wolf Singers and Dancers, Rusalka Ukrainian Dance Ensemble, Viva Capoeira, Magdaraget Philippines, Evans Coffie and the Chai Folk Ensemble.

In addition, the guest speakers for the event included the president of the Manitoba Federation of Labour, Darlene Dziewit; Chief Ovide Mercredi; Reverend Robert McLean; the president of the Jewish Federation of Winnipeg, Jonathon Kroft and Winnipeg North Member of Parliament Judy Wasylycia-Leis.

The afternoon was filled with the wonderful music, dance and spirit that we are so lucky to have as a part of the rich multicultural mosaic of this city and this province. Most importantly, it was a rich experience of people from various ethnic and cultural backgrounds coming together to celebrate the anniversary of the creation of the State of Israel and the recognition of the accomplishment of 60 years as a state which shares so many values with the province of Manitoba.

The event was organized by the Manitoba-Israel Shared Values Roundtable. The Manitoba-Israel Shared Values Roundtable recognizes that both societies believe in a strong civil society that creates healthy communities where education in a democratic system of government provides the best methods of achieving these goals. The roundtable mission states: We believe that it is important to recognize and celebrate these values both in the province of Manitoba and in the State of Israel and to celebrate our mutual bonds and common commitment to them.

Mr. Speaker, yesterday's celebration was not only one of shared values and the cultural diversity and strength of our community but also of a leader within the community who was unable to see this dream come to fruition. The concert was dedicated to the late Harold Buchwald as a Shared Values pioneer member. His son Richard spoke of his father's dreams, influence and what this event would mean to him.

In closing, Mr. Speaker, it was an honour and a privilege to be a part of such a wonderful and exciting event and I, like many others, look forward to more exciting concerts and events from this organization. It is a joy to know that as Manitobans we have the privilege of celebrating each other's ethnic background and highlighting our province's rich culture and diversity. It is an exemplification of our nation's multicultural society. Thank you.

ORDERS OF THE DAY

House Business

Mr. Gerald Hawranik (Official Opposition House Leader): On House business, Mr. Speaker.

Mr. Speaker: On House business?

Mr. Hawranik: Yes, Mr. Speaker, and I seek leave to change the private member's resolution that is to be debated this Thursday, September 18.

Mr. Speaker: Does the honourable member have leave to change the private member's resolution that was scheduled for Thursday, September 18? Does the honourable member have agreement of the House? *[Agreed]*

Mr. Hawranik: Mr. Speaker, I'd like to announce that the resolution entitled, Protecting Lake Winnipeg through Sound Public Policy, sponsored by the Member for Lakeside (Mr. Eichler), be considered for debate this Thursday.

Mr. Speaker: Okay, the resolution I'll be dealing with next Thursday is Protecting Lake Winnipeg through Sound Public Policy and that will be brought forward by the honourable Member for Lakeside.

All members agree to that? *[Agreed]*

GOVERNMENT BUSINESS

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, I wonder if you'd call Bill 45 for third reading.

Mr. Speaker: Okay, I'm going to be calling concurrence and third reading of Bill 45, The Teachers' Pensions Amendment Act.

CONCURRENCE AND THIRD READINGS

Bill 45—The Teachers' Pensions Amendment Act

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): Mr. Speaker, I'm pleased to—sorry.

Hon. Dave Chomiak (Government House Leader): Just for clarification, I was going to move and have the bill seconded.

I move, seconded by the Minister of Education (Mr. Bjornson), that Bill 45, The Teachers' Pensions Amendment Act; Loi modifiant la Loi sur la pension de retraite des enseignants, reported from the Standing Committee on Social and Economic Development, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. Bjornson: I'm pleased to rise to speak on third reading for Bill 45 and do so after we've heard questions from the honourable opposition in question

period, which, I thought, was rather interesting that the Member for Springfield (Mr. Schuler) would call this a betrayal to have a two-thirds COLA when their 2007 election plan was a two-thirds plan. So I find that rather interesting that that would be the case.

We know how we got here, Mr. Speaker. In 1977 when the COLA legislation came in, there was a ratio of seven active teachers to one retired teacher. We had among the lowest contribution rates in the country. Retirement age at the time was 65. Today, there are 1.4 active teachers to one retired teacher, and we've seen the first increase in contribution rates, 1.1 percent, the first increase in 25 years. That's actually an 18 percent increase in pension contributions when you factor in the actual amount that impacts the pension—retirement age, 55.

It is quite a journey when you consider that in 1977, the actuarial reduction in pension adjustment was cited in the legislation, and I know part of the debate that we heard over the last few months has been that there was a guarantee or a promise of full COLA. Well, that is not the case, and that was at least recognized through the pension committee hearings that that was not the case, that there was no guarantee or no promise.

In fact, section 8.3(8) of The Teachers' Pension Act talked about the actuarial reduction in pension adjustment. If, in the opinion of the actuary, payment in any year of the total pension adjustment resulted in unfunded liability in the pension adjustment account established for the payment of the fund share of such adjustments, the level of the consumer price index for Canada at the end of the year in which the calculations are based shall be deemed to be at such a level as will, in the opinion of the actuary, result in no unfunded liability in the pension adjustment account.

During question period they also read into the record the fact that actuaries had provided several warnings that to fund the full COLA was to borrow from the future and that, by design, the account could only sustain two-thirds cost-of-living allowance. In *Keep in Touch*, the kit from the Retired Teachers' Association, Tom Ulrich writes that the actuary recommended the contribution increases necessary to sustain both the basic pension account and the PAA. However, neither the government nor MTS wanted to increase teacher pension contributions during a period of economic distress. To defer discussion of contribution increases to a later date when,

hopefully, economic circumstances would be improved, in retrospect, that agreement may have been unwise.

Ms. Marilyn Brick, Acting Speaker, in the Chair

I've said it before, there's a perfect storm: a perfect storm of the number of active teachers to retired teachers contributing to the pension fund versus drawing from the pension fund; the perfect storm that, for the longest time, Manitoba had the lowest contribution rates in the country; in a perfect storm that allowed teachers to retire at 55 with no penalty to that retirement—full pension received at 55 years of age. So, when you take all these things into consideration and the fact that there's an unfunded liability in the main account, the teachers' pension was in jeopardy. There's no question.

* (14:40)

But here we are today, and what have we done today? We've opened the act for the fifth time. This is the fifth time since we've been in government that we've moved forward with very positive, very important changes to the pension act.

One of the things that we did, when I was a teacher I was lobbying the government of the day to fund the unfunded liability. That was not done until we came into office. Now, members opposite were in question period saying how we've increased the debt. Well, no. It's the transparency of having that unfunded liability included in the overall debt.

I have some quotes about that particular measure: It does not increase the province's debt as it reduces the debt associated with the unfunded liability by the equivalent amount it adds to its marketable debt. By issuing debt and gradually building up a diverse portfolio of equity, debt and other assets, the province will likely earn a superior return, one that more than covers the payments on the additional marketable debt, particularly given today's historically low yields on long-term provincial debt. That was from Avery Shenfeld and Warren Lovely's CIBC World Markets economy talking about how prudent it was to take that money and invest it in the unfunded liability. So, currently, 75 percent of that unfunded liability is covered.

Now, members opposite say we're increasing the debt, but that's not the case. But we are addressing something that, historically, has not been funded since 1963. But they say we've done nothing for pensions. Madam Acting Speaker, \$1.5 billion is doing nothing for pensions? Wow. We committed to

matching the contribution rates of new entrant teachers on a go-forward basis as of 2000 so we don't allow the problem to multiply over the course of time and make sure that these unfunded liabilities are now in check. We're addressing that issue.

Increasing the premium contributions by 1.1 percent; as I said, the first time in 25 years and the government, of course, is matching that. So here we are, funding an unfunded liability, increasing the contribution rates. The amount of money that this government has invested in the teachers' pension fund is unprecedented, and it's the responsible thing to do.

Now, to address the cost-of-living allowance. As I said, year after year we've heard from actuaries, the members opposite heard from actuaries that the fund was not sustainable. Members opposite chose to do nothing. I have said repeatedly in this House and I'll say it again that, as minister responsible for The Teachers' Pensions Act, I accept full responsibility for The Teachers' Pensions Act. I accept that responsibility on behalf of every government that has been responsible for that act from day one and we recognize that something needs to be done.

We also recognize that what needs to be done needs to provide balance. It needs to be fair. It needs to be something that retired teachers will see an improvement in their pension adjustment account, an improvement in their cost-of-living allowance. It's something that needs to be done that won't have a negative impact on the active teachers, who already are putting 18 percent more into their pension accounts, and it's something that has to be fiscally responsible for the taxpayers of Manitoba. As a government, we are in a position where this particular piece of legislation will result in a \$130-million investment over 10 years to bring stability to an account that has not been stable for the last 20.

Now, during the debate, I heard members opposite say, we paid full COLA, we paid full COLA. Well, full COLA was paid, against the advice of the actuary. It was the decisions that were made by the government of the day, by the TRAF board of the day, to continue to do so, even though the actuary said, 10 years in a row, if you pay full COLA, you're borrowing from the future; the account is not sustainable.

Now, the legislation hadn't changed to recognize that. The legislation hadn't changed to recognize that you had seven active teachers to one retired when it

was first introduced; now 1.4 to one. Legislation hadn't changed to recognize any penalties for retiring at 55. The top earning years in a teacher's career will be the last 10 years of that teacher's career, but it didn't make any compensation for those changes. Not only that, when you see what happened in the 1990s, there were over 800 fewer teachers that were working and contributing to the pensions, Madam Acting Speaker.

So, over the course of our tenure in government, we've opened the act five times. We've gone through the Teachers' Pension Task Force, we've heard the recommendations from the Teachers' Pension Task Force to make important and meaningful changes to better the benefits for all teachers in Manitoba, both active and retired. We've listened to retired teachers through the Teachers' Pension Task Force by having a member of the Retired Teachers' Association, a retired teacher on the TRAF board and this has resulted in \$130 million-government liability and government investment in the teachers' pension.

Now, during the election, the promise was made by the opposition that it would be guaranteed two-thirds, that it would only cost \$21 million. That's a little disconcerting because the member had brought in some amendments to suggest that we need to make sure we listen to actuaries as a proposed amendment. Well, we've listened to actuaries—unlike the members opposite who didn't listen to the actuaries—who said if you don't increase the funding, if you don't increase the contribution rates, then the pension adjustment account will be compromised. If you don't adjust the pension adjustment account benefit to reflect the true realities of that account, you will see that you are borrowing from the future.

So the member introduces an amendment to suggest that we must, in legislation, listen to actuaries. I found that a little unusual because they didn't listen for 10 years, and the actuaries would tell them that under this current model, this legislation that we've introduced, it's a \$130-million liability. What would they have done with the \$21 million as a guaranteed COLA over the course of 10 years? So it's rather interesting that they say we should have in legislation that we must listen to actuaries.

Now there is a suggestion being made that the right thing to do would be to withdraw Bill 45. The member opposite suggested withdraw Bill 45. Well, I'm not about to roll the dice with teachers' pensions. Bill 45 has been a result of a lot of consultation, a lot of actuarial analysis, a lot of analysis through finance

in terms of the ability to meet the \$130-million commitment. There's been a lot of work put into this particular piece of legislation and the easy thing would be to say, okay, we withdraw Bill 45. That would be easy. Is that the right thing to do? No, that's rolling the dice with teachers' pensions because, under the current piece of legislation, the COLA account would be paying out what it is able to pay with the current financial realities that the COLA account is in, with almost more teachers drawing than there are contributing to the pension fund. Would it be the easy thing to do? Yes. Is it the right thing to do? No, and I'm not going to roll the dice with teachers' pensions.

Bill 45 is a \$130-million commitment. It's a balanced approach. It's bringing stability back to the pension adjustment account that has been lacking over the last 25, almost 30 years. It is the responsible thing to do that will see a doubling of the teachers' cost-of-living allowance, and for the member opposite to say it's a betrayal when they campaigned on two-thirds COLA, I find really rather ironic. But a lot of things have been really fascinating for me, and that's the fact that over the past couple of weeks the members have shown any interest in the teachers' pension because I know during the 1990s they did nothing to address teachers' pension. They did nothing to address the COLA. The writing was on the wall. Nothing was done, and here we are as a government making our fifth major change, and this is a major change to invest \$130 million over 10 years. This is a significant investment in improving the cost-of-living allowance for retired teachers in the province of Manitoba and members opposite have no credibility on this particular issue.

So I would encourage members opposite to vote in favour of Bill 45, as Bill 45 does something that they failed to do. It brings stability. It's sustainability to the account. It is a compromise that is fair to active teachers and the amount of money that the full COLA would require for active teachers to pay into that fund is an astronomical amount of money, and, of course, to ask active teachers to do that when active teachers refused to increase their contribution rates in the '80s and '90s, actually they never had the opportunity to increase their contribution rates in the '90s, they were fighting for their jobs, never mind their pension improvements. So to ask active teachers to do now what active teachers did not do in the '80s or '90s because there was no will by the government of the day or the Teachers' Society of the day is not fair and reasonable. To continue to make

improvements that are manageable, that are a compromise, that are sustainable, that are affordable and that are in the best interest of the taxpayers is fair and reasonable.

So, again, I'd be curious to see if the members opposite will now say that they support a \$130-million investment in the teachers' retirement fund. I'd be curious to see if they would say, we now support the fact that there's \$1.5 billion in the unfunded teachers liability. I'm curious to see if the members opposite say that we should continue to fund new entrants as they go forward and on a go-forward basis so that we don't see an account that has been vulnerable for 20 years be vulnerable once again by choosing not to fund that unfunded liability. So I'm curious to see if members opposite—what else they might have up their sleeves, if you will, because they never played their cards during the '90s with respect to their advocacy for teachers. They never played their cards with respect to making any improvements in the pension throughout the 1990s.

* (14:50)

But, again, as a young teacher advocate at the Teachers' Society annual general meeting, I was more concerned about keeping my job and working as a teacher, because it was a profession that I loved, because the government of the day was doing so many draconian things to the entire profession that perhaps I can see why we weren't advocating more in the 1990s for pension reform, because it was such a distant issue when you consider all the things that were going on with Bill 72: stripping our collective bargaining rights, locking us out, underfunding education, cutting 242 teachers in one spring announcement with a zero percent and minus 2.6 percent funding announcement.

So, again, Madam Acting Speaker, I'd be curious to see how members opposite are suddenly advocates for this profession that I love, that I respect and that I'm proud to be on the side of the House and part of a government that continues to support making improvements to the education system, making improvements for active and retired teachers in terms of pensions. I would like to thank all those teachers who have been advocates on behalf of their colleagues throughout this process, throughout the public committee hearings and thank them for their years of dedication and service to the students of Manitoba and the quality of life that we enjoy here in Manitoba.

Again, I look forward to members opposite supporting Bill 45, fair, reasonable, balanced. Thank you, Madam Acting Speaker.

Mr. Ron Schuler (Springfield): Bill 45 has been a very contentious bill in this Legislature. It is an issue that I've mentioned to the minister over the last couple of months. It's like a tsunami. It's like a storm that's been building and building, certainly, over the tenure of the current NDP government and has been building over previous governments. Really, in the end, what we're talking about is here and now in the present. It's about what individuals do when they are faced when the storm itself hits.

I was listening to the minister give his remarks. He said at one occasion that he spent way too much time talking about tax cuts and tax issues and money issues, and not enough time focussed on issues dealing with the classroom. It was with great interest that I read his comments out of *Hansard* in a debate we had the other day, and that was on Thursday, September 11. The majority of his speech either dealt with bashing governments of history—or the past—or he spent a lot of time dealing with money issues, and that's where the minister gets stuck. Instead of dealing with the issue at hand, and I've mentioned to this House, we have a minister who has the knack for, at best, following a parade, never leading it. This is an issue that the minister should have been leading.

As he was speaking, I was reading through some of the presentations, the gut-wrenching presentations we heard during committee, a committee meeting that was stuck in the middle of summer, placed at the most inopportune time possible. It was chaotic at best, and the minister sat there with a smile on his face knowing full well that it all served a political agenda.

Yet, when you go back and you read the various presentations and you reflect back, it actually scares individuals like myself and, I'm sure, those who are my age and younger who, at this point in time, still don't really pay a lot of attention to our pensions. It's actually frightening when men and women, several of whom, and I'd have to say quite a few of whom I either got to know through my years of working, or were individuals that taught me. They came forward and explained how life had become very difficult for them after they retired. They always mentioned, it was a theme that was through most of these presentations, that they thought that they were going

to embrace the golden years of retirement and then spent year after year after year looking for the gold. They were having a tough time with their pensions. As time went on, they found that their pension was being eroded by inflation.

I know in the last week or so, I've spent considerable amount of time quoting individuals who sent in presentations or made them themselves, talking about that they get a \$10 or \$20 cost-of-living increase, but are faced with hundreds and hundreds of dollars in increases, whether it be from the government's own Pharmacare deductible increases, whether it's MPI, Manitoba Public Insurance Corporation, whether it's fees and duties, whether it's bus passes, and they find that they're actually cutting back and cutting back, to the point where there are things that we take for granted, they now view as a luxury. And it's because their pension is not keeping up.

Again, I've said for myself and many others who are active in the work force, we do not face those particular issues. We don't face those problems because we are in the work force; we're living our lives. Yet, when you come to a committee, like we had this summer, stuck in the middle of summer where it would get the least amount of coverage—and I know that was by design on behalf of this government. But it was very telling, the kinds of individuals and their presentations that came forward, it was all walks of life, all parts of the province, individuals who had participated in all levels of society, worked hard as teachers. They came forward with incredible integrity, and I would like to read some of their voices into the record. I believe that they speak best for them, rather than I speak for them. I think it's far better if we hear what some of them have to say.

I would like to start with one in particular. This is Harvey Kingdon. He comes from Warren, Manitoba. I quote: I would like to have my objection to Bill 45 entered into the record. I retired from my teaching position in June, 1990. I also served as the president of the Manitoba's Teachers' Society in 1973-1974. During the '70s, we worked hard to negotiate the establishment of the pension adjustment account to protect pensions from inflation; 16.6 percent of teachers' contributions were directed to this account, and the investment returns were to pay CPI COLA and the government was to pay the other 50 percent. For several years, a full COLA was paid.

It goes on to talk about the difficulties with the pension plan. Then he ends off by saying: please reconsider this bill and provide the retired teacher with what was a legitimately negotiated agreement with the government in 1977.

I've tried to make it clear to this minister, it's not my words that are calling for this bill to be withdrawn or a hoist put on. It's not the opposition that's calling for this. It is those individuals who paid into this plan, a plan that was negotiated with government, a plan that they retired on and were convinced was a plan that was going to protect their pension with cost-of-living increases. It's their words. It is they who came forward and put these comments on the record.

I would like to quote, and I know I quoted her the other day for the minister, Bertha Norberg, from Carman, Manitoba. The letter was sent to the minister. I know he received a copy; I received a copy that he had gotten: Dear Minister, yesterday I received notice of the increase in my retired teachers' pension cheque. That increase amounted to a grand total of \$7.71. Also, yesterday, I received notice that the rent on my small seniors apartment was increasing by \$11 a month.

The arithmetic isn't difficult. Landlords, MTS, Manitoba Hydro, oil companies have no compunction when it comes to looking after their own interests. No one in the present government appears to care about the retired teachers of this province, Bertha Norberg.

I say to the minister, when you read this kind of a letter, when you get this kind of a response, how can the minister sit by, allow amendment after amendment to be defeated. Very callous approach.

I've said to the minister, it's not myself who's going to benefit from this pension. I'm not one who's going to get one. I'm not going to get a teachers' pension. But these people are. It's not like the minister's hurting me. It's not hurting members of this House. It needn't be a political issue. It's retired men and women, who worked so hard to educate us, who were counting on a fair and reasonable pension, a fair and reasonable COLA. They're the ones getting hurt.

* (15:00)

So the fact that I was the one who put forward an amendment and it was defeated, in the end, I go home, and it doesn't hurt me personally. But I know that the Bertha Norbergs and all the others that we've

quoted and all the others that we've heard from, and all of those who've sent notes and letters and e-mails in, they're the ones that are being hurt. That's why I would encourage the minister, listen to them. If you just don't find anything in what I am saying worthwhile listening to—and that's fine, this is a political chamber—that's the way it is. But perhaps the minister and the minister's government would be interested in listening to these men and women. And, yes, I am here because of the good education I got. I said to the committee, I went to Elmwood High school. We had outstanding teachers, just outstanding men and women who, although it was a tougher school, stood by us and gave us the education that allowed us to go forward, to go into university, and from thereon go into our careers. To them I owe a debt of gratitude. Now it comes time for us to do what's right by them. That's what we're asking this minister and his government to do.

I would like to read from another presenter. Again, the minister will go through and he'll start quoting these as being my own words. But, Madam Acting Speaker, these are not my words. These are words of individuals who came forward and presented at committee. It's titled, Broken Promises, Half Truths, Misleading Statements, Manipulation and Moral Bankruptcy. Not my words. They are those of this individual I am quoting from.

This individual points out, as a retired teacher, past president of the St. James Teachers' Local, past president of St. James Principals' and Vice-Principals' Local, and former superintendent of the St. James-Assiniboia School Division, and the individual goes on to say: I was a working teacher back in the 1970s when we gave up a fully paid disability plan in exchange for an improved COLA. If I remember correctly, that year retired teachers were given a 6 percent increase in COLA when the cost of living had increased 9 percent. We felt this to be grossly unfair to our retired colleagues, and so the working teachers gave up a benefit to improve their colleagues' pensions. Improvement better than 6 percent to 9 percent. Indeed, it was meant to be full COLA. The recent actions—I'm going to move on.

Currently, retired teachers still have the possibility to receive a full COLA and, indeed, did so not so long ago. Bill 45 would restrict retired teachers never to receive a full COLA. This individual came forward and was one of those amongst many who had actually been part of the process where the government and the teachers sat down at a table and negotiated how best to have a

cost-of-living increase. It was a commitment that was made; it was a commitment that was written down and, yes, it's a commitment that this Chamber made, and the problem with that was, then government didn't pay its share into the fund, and we recognize that. The problem then is, who is the one that should suffer because of that. Is it those who paid in more than their share and now, because somehow government didn't live up to their obligation, is it the retired teachers that should pay that? Is it they who should be punished?

That's why I've suggested, from the advice of the presenters at committee—presenter after presenter got up and said, yo, it's taken this long, can we take another six months and maybe iron something out between the different parties? We had an amendment come forward which the minister thought unworthy, and that was putting a retired teacher on RTAM and on the pension task force—have some more discussions. I think we've probably heard from all sides, whether it's retired teachers or active teachers. The process whereby the same family comes and fights at committee is not a healthy process. Maybe now it's a good time to go forward and deal with this issue.

There was a discussion, an amendment that came forward to take the 10-year cap off. We are waiting. Perhaps the government was going to bring forward an amendment dealing with that, but nowhere was there any give on behalf of this particular Minister of Education (Mr. Bjornson), nor the government. At no point in time did we see an amendment coming forward. After all of that, the minister did not have the forewithal to bring in at least some kind of an amendment to give hope to retired teachers.

There's another presentation from Warren Ogen, O-g-r-e-n, is how his last name is spelled: I'm appalled, frustrated, disappointed and angry that our provincial government does not live up to its contracts. It would appear that I'm also very naïve for thinking that when a government enters into a contract, that they would actually abide by it. Teachers negotiated a contract that would see them receive a maximum 100 percent annual COLA in their retirement. The up-front funding of teachers' pensions and COLA has come directly from the contributions of my wife and her colleagues, but the unfunded liability is owed solely by the government. But you already know that.

This individual goes on and talks about how it came to pass. I'd like to go to this last sentence: If it did, the government would honour its agreement with retired teachers of Manitoba by legislating a fair and long-term solution to the underfunded COLA.

Again, I say to the minister, here's a retired teacher, here's someone who will be terribly impacted, someone who's going to feel the brunt of the minister's action and they're looking at the government, they're looking at a massive majority government to, at least, at least, extend some kind of hope to retired teachers, some kind of hope that it's not just a door slammed in their face. I think that's what retired teachers were looking for.

I have previously read to this House, and I would like to quote again. This is a quote from a presentation: To summarize, I ask you to improve your relationship with RTAM and accept and respect its role as an advocate for retired teachers, to reconsider the amendments in Bill 45 that do not give a fair COLA to retired teachers and, in particular, to improve the situation of the retired teachers who received small pensions, the majority of whom are women. Much advice has been given to you in the presentations opposing aspects of Bill 45. There should be room for government to review the amendments in light of this feedback and modify them accordingly. I wish you well in the process.
Dr. Linda Asper.

I said to this House before, Dr. Linda Asper and I were elected the same time, 1999. True parliamentarian, and it would have been very tough for her to come forward to speak against her party and her former government in regard to this particular piece of legislation. Yet she came forward and indicated to the minister that the unhealthy relationship that developed between RTAM and MTS is something that the government should be going back and repairing because it seems to be that it's because of the government that there is the schism between those two organizations, something that none of us view as being a positive thing, none of us view as being healthy.

She calls upon the government to reach out, to extend an olive branch to these individuals. And what did we get from this minister and this government? Nothing. The retired teachers got nothing. None of the amendments that came forward were even considered. The minister basically said no to each and every one of them.

I'd like to refer to one other presentation and that is from Edith Furdievich and I will spell that for *Hansard*, F-u-r-d-i-e-v-i-c-h. She goes on to say: MTS, RTAM and the government need to sit down and work together to solve this problem. We do need to have the government admit that there is a problem. There is plenty of blame to go around for the causes of the problem. We need to get past the blame and on to a fair solution. Other provinces have had a similar problem and worked it out. It makes sense to me that we find out how they did it and, if some of their ideas work for us, then we use these ideas and continue to work together. That solution has to come from all parties concerned. We retired teachers have not lost our ability to think and plan for ourselves. We need to be involved in the solution to this problem.

*(15:10)

I would like to again suggest to the minister that it's not too late to put a hoist on Bill 45 and work with retired teachers. It's not too late to ask for leave to work on some of the aspects of this legislation, but I suspect the minister's mind has been made up. Yet the evidence in front of committee, the evidence in front of this House, evidence in front of this minister proves that there are probably other areas that could have been looked into. There were probably things that could have been explored that weren't explored, that might have come up with a solution. Yet the minister, as in the past, has not shown the courage nor the leadership to deal with these issues and deal with them head on. It's been frustrating for the retired teachers. It's been frustrating for those who have retired in the past.

I'd like to quote from another individual, direct quote: My name is Edward Mann. I'm a retired teacher. I have been retired for 17 years. I'm a member of the Retired Teachers' Association of Manitoba. I thank you for this opportunity to speak and offer my thoughts on the Sale report and Bill 45. He goes on to say, I believe the Sale report is a failure. Its mandate was to provide the opportunity to reach some consensus on measures that might address the inadequate capacity of the current pension adjustment account. Instead of consensus and support, we find we have fixed positions, suspicion and acrimony. The report, then, has failed.

Very clearly, those that were in the gallery that were getting ready to present could see that there were problems with the process. Denis Fontaine writes: It is with some apprehension that I appear

before you at this eleventh hour to reflect upon the fiasco of Teachergate. However, I still hope that common sense will prevail and that this government will do the honourable thing and withdraw Bill 45 which does not bring long-term solution to the teacher pension issue. Any deal, at this time, is no more acceptable than the status quo. And that is Denis Fontaine, a retired teacher.

I have another one, Madam Acting Speaker. Lorne Ferley, spelt F-e-r-l-e-y, and that's for *Hansard*. I understand The Teachers' Pensions Amendment Act, Bill 45, has a number of amendments. I do not have a complete copy of the bill. I am here to express my concerns regarding COLA only. It goes on to say: I've been retired for 17 years and see that the buying power of my pension continues to decrease. The passage of Bill 45, as presented, will guarantee that my buying power will continue to decrease. I believe my government has an obligation to help retired teachers. I remember, in the spring of 1952, that because of a teacher shortage, someone from the Department of Education came to Teulon Collegiate and begged our grade 12 class to help our province by going into teaching. Of a class of 14, 10 went into teaching. Some went teaching on permit in September, the remainder went to the provincial normal school. I gave Manitoba 35 years of service. I believe that we paid for a full COLA but are not receiving it. TRAF actuaries warned over 20 years ago that funding for COLA was inadequate, suggesting action was required. I believe the government has a moral obligation to provide lump-sum funding for a full COLA. It's time to move Manitoba up from the bottom of provincial teacher COLAs. Please amend Bill 45 to provide a full COLA.

Here's an individual who probably didn't earn that big of a wage. Pension is probably not as big as some of us might think, and thus the COLA increase will be significant and will impact that individual substantially.

I'd like to quote from Valdine Johnson, my former principal from Elmwood High School, who wrote: Teachers that had committed their lives to teaching the youth of Manitoba and who are now living on low pensions with an unsatisfactory cost-of-living allowance. Many of these are women who are committed both to their teaching and their families and who could not manage to further their own education, which would have seen them earn higher salaries and, consequently, higher pensions.

That was one of the issues that came forward during committee and during the presentations that we heard: that a lot of women were being unduly affected by not receiving COLA. They are the ones that are being hurt by Bill 45. They came forward one after the other after the other, explaining their individual cases. Quite personal. I mean, there was quite a bit of personal information that was put on the record.

Again, for those of us who are a little further away from retirement, considerably far away from retirement, I know I went home and was quite shocked, and realized that the chances of myself having an early retirement is probably fairly slim, because, from what I've seen at committee, to say that I got cold feet is an accurate statement. I certainly would not want to be stuck like a lot of these individuals, and women, who are now retired, who physically, their health won't allow them to go back to work, who, because of rising costs, are finding it very hard to make ends meet.

I'd like to quote one more and that's from Monique Ting: The money paid for the plebiscite would have better served us by using these funds as a deposit towards the COLA. Other provinces have dealt with this matter. The province of Manitoba ranks the lowest in the country in this matter. Unfortunately, the retired teachers are not part of the decision-making. I urge this government to honour the provisions of the teachers' pension act and consider treating the teachers fairly. I always thought that the NDP supported the working people. Considering the treatment that we have received from this government leads me to question the fairness of the NDP policy towards working people. I sincerely hope that this government will address these serious issues and rectify the problem with fairness. We need a fair COLA.

Again, that's Monique Ting who wrote that.

I'd like to conclude my comments by again suggesting to the minister—we had MTS come forward and RTAM come forward and give very good presentations. I have Pat Isaak, the president of MTS. She put forward a very compelling argument and a wonderful presentation. As did Pat Bowslaugh, who has put forward a presentation, and I note that it's in *Hansard*—as is Pat Isaak's. And both, with credibility, put forward their associations' positions.

It really, in the end, is then becoming of a minister, the Minister of Education (Mr. Bjornson) who is charged with the duty of dealing with this

issue. I would say, unfortunately, the minister has done a poor job on this issue and has failed both sides of the issue.

At one point in time we had young teachers coming forward and saying, well, why should we have to pay for this, it wasn't our fault. They're absolutely right; it has nothing to do with them. This was a decision made before they got into it and a decision made by the government not to pay its share of the pension adjustment account. So it's not up to the current and active teachers to pay for the error of this government and governments past. And that was a position articulated and put forward not just by their present but by other active teachers. On the other hand, we had retired teachers coming forward and saying why are we not getting a benefit that we more than paid for? Why are we not getting a fair COLA?

Unfortunately, this minister and this government decided that they were not going to show the courage of leadership and drive this issue. I would say to the minister, we still have a couple of hours yet today to do the right thing. Whether it's to hoist this bill and allow a little bit more thought on it, or the government, through one of its members, to indicate that they are looking at some kind of a compromise on this.

I suspect that's not going to happen. I suspect that after everything that's taken place, after all the hard work that's gone into this, after all the presentations that have come forward, after all of the lobbying that retired teachers made on behalf of themselves and their organization, I suspect that this government will proceed with the legislation and will go for Royal Assent. That is going to be a sad commentary on the closing of a chapter.

This issue will not go away just because retired teachers now are being shut down by legislation. It doesn't mean that they are going to go away, it doesn't mean that the hurt and the pain is somehow going to get better. I would point out to the minister, just because you put a Band-Aid on something, doesn't mean that the hurt goes away. In fact, I would suspect that the hurt will increase. Those individuals are going to be here, probably not all of the same ones. Ten years from now, when the cap comes off, when the 10-year moratorium comes off, there will be again—this issue will have to be dealt with. All that the minister will have done is delayed the decision by another 10 years.

Now is the time to sit down with retired teachers, sit down with active teachers and try to solve this issue. I recommend to this House that this bill be hoisted and be allowed to sit for six months to be dealt with.

* (15:20)

I'd like to thank all of those who participated, whether it's through Pat Isaak and the Manitoba Teachers' Society, Pat Bowslaugh and the retired teachers' society, this was not something of your doing, but it was something of the doing of this Chamber. The mistakes were not made by you and your organizations, they were made by members of this Chamber, and the courage and the leadership should've come out of this Chamber. This is where the solution should have been made and not foisted on you, and not punishing members who served us in our society so well, the retired teachers. I call on the minister one more time to do the right thing, hoist this and come up with a proper solution for all teachers, active and retired, in Manitoba. Thank you, Madam Acting Speaker.

The Acting Speaker (Ms. Brick): Order. I would like to just remind all members of the public who are with us today in the gallery that our rules and practices of the House do not allow members of the public to participate in the proceedings here in the Chamber, which includes applauding. I appreciate your co-operation.

Mr. Rick Borotsik (Brandon West): Thank you, Madam Acting Speaker. I appreciate the rules of the House and certainly your indication that anyone in the gallery must certainly recognize those rules. Unfortunately, the individuals in the gallery right now have not been heard, whether in this House or whether in committee or whether in the minister's office, so they've not had an opportunity to make their indications known as to how they really feel about this piece of legislation and I do appreciate the fact that you had mentioned that they can't make them known here. They've tried to make them known in other areas and it's failed.

I would like, first of all, to thank the Member for Springfield (Mr. Schuler) for his eloquent dissertation and speech with respect to Bill 45. He's touched on all of the salient points.

The Acting Speaker (Ms. Brick): Order. I hate to interrupt the member. I'm just going to—for the information of all members here in the gallery, I am going to ask, if you don't mind, if you could use the

logue if you have conversations that you would like to carry on. I'm being given some indication that people are having a difficult time hearing the speeches that are being made by members. So I appreciate the co-operation of all members here in the gallery. Thank you.

Mr. Borotsik: Again, the message that goes out should be heard, not only by those people who are most directly affected by it, those people who are no longer going to be able to depend on their pensions that they paid into, but also members of the government side who should certainly listen to other sides of the debate and perhaps, just perhaps, consider doing the right thing when the vote is taken later today. As suggested by the Member for Springfield that perhaps we could take a sober second thought, step back and consider an abeyance for six months so that, in fact, all parties in the negotiations and discussions can in fact be heard.

The Minister of Education (Mr. Bjornson) had indicated in his talk to the bill that he listened actively to all members on that side of the debate. I would question that because I've had the opportunity of talking to members of RTAM who had tried to put their realistic views forward and talk about compromise, talk about negotiation, talk about an opportunity to make this bad situation better without simply having to have legislation forced on them, which they had absolutely no influence in. The minister, unfortunately, did not listen to those presentations of the retired teachers, the RTAM association which represents those teachers, and to stand in this House and say that he had numerous consultations is really not the case. He didn't listen to those arguments more so than say this is the way it's going to be and if you don't like it then that's too bad. We're going to continue in this way and we're not going to be able to look at different solutions. I don't know where he went. Obviously, he's not terribly interested in this. I'm sorry—

The Acting Speaker (Ms. Brick): Order. As per previous information put forward by the Speaker, we cannot reference the presence or absence of members in the House.

Mr. Borotsik: Thank you, Madam Speaker, I accept your warning and I appreciate that.

Let's talk about what has transpired. We on this side of the House, particularly, had an opportunity to listen during committee meetings to some very sensibly placed arguments. We had an opportunity to listen to literally dozens of retired teachers who put

forward their concerns about the erosion of their budgets—budgets, well, budgets as well, but the erosion of their pensions because of the lack of COLA that they'd been promised in the past.

We had a chance to listen to presentations that the Member for Springfield (Mr. Schuler) had quoted from very concerned individuals who believe that the passage of this legislation is going to affect them to a point that their lifestyles that they have grown to accept will not be available to them in the future and that's wrong.

The individuals who in fact are most affected by this are the Retired Teachers' Association themselves who came forward and said, please don't allow this to happen. Now, prior to this minister and this government, COLA, a full COLA, was allowed to retired teachers. Up until 1999, full COLA was paid. After 1999, that was not the case, Madam Acting Speaker. That's when really the problem started and I agree the problem happened on previous governments of all stripes, whether it be our government or previous NDP governments, with respect to the pension and the actuarials. The minister likes to listen to actuaries, but he doesn't like to listen to the people who were affected by his decision. He never listened. He never listened in his office. He never listened in committee, and he doesn't listen in this House and that's wrong.

If nothing else, the retired teachers obviously have some serious concerns about the financial ramifications of this bill, but they also have some serious concerns with the lack of respect that has been shown to teachers who have put their lifeblood into learning, who have spent 35 and 40 years on behalf of this province doing what's right for the students and for the educational system, but there was a lack of respect. That more than anything is what's angered the retired teachers, and that came directly from the minister's office. Madam Acting Speaker, he alone will have to take account of that and be accountable for it.

He talks about a number of changes that have happened under his watch, and he holds up the unfunded liability, the \$1.5 billion that was put back into the pension fund, taken out of an unfunded liability and put into an account which he has control of, but that's a red herring, an absolute total red herring.

There's an unfunded liability on one side of a balance sheet. You take that off, you borrow the money and you move it over to another side of the

balance sheet, and it does nothing, absolutely nothing for the retired teachers. If anything, there's a responsibility of the government, we recognize that, to pay the unfunded liability, whether it be done on an annual basis, whether it be done on borrowing money and putting it into a pot, there's a responsibility and you can't get away from that responsibility, but you can't use that \$1.5 billion as the excuse for taking away the COLA that the teachers in fact paid for. So you can't use that red herring as being a wonderful fiscal manager of the teachers' pensions.

The Member for Springfield (Mr. Schuler) talked about several realistic amendments that were put forward. Under this particular legislation there's a cap of 10 years. We're going to get legislation that's going to put into place rules and regulations that are going to be in place for 10 years, with little and no opportunity to deal with the COLA issue for 10 years. That's wrong. As the member said, we thought that we could at least get some sort of workable solution to change that to perhaps a five-year cap as opposed to a 10, but did the minister even consider that when dealing with the legislation and RTAM? No, it was a game, straight ahead bullying tactics, we are going to do what we tell you to do, and that's the way he went. But, for the life of me, I stand here and I cannot understand why the minister and the government would not accept an amendment that was put forward that said that RTAM, the Retired Teachers' Association of Manitoba, would have the ability to appoint a member to the TRAF board. What a simple little thing. People whose livelihoods depend on their pension should, in fact, have some input as to how those dollars are being administered, but would the minister even give that little bit of an opportunity to show his compassion, if you will, or his working arrangement with RTAM? No, he wouldn't even give that little bit of an opportunity to have the teachers show that their voice means something and that they should be heard.

* (15:30)

The other amendment that was put forward was for the task force to have RTAM place a member on the task force of their choosing to be able to put their position forward during the task force meetings. Would that be acceptable to the government? A simple little thing, showing respect, would that be acceptable to this minister and the government? Madam Acting Speaker, the answer is no. They wouldn't even show that modicum of respect to RTAM.

Now, Madam Acting Speaker, I won't take much longer. I am terribly disappointed in the knee-jerk policy that this minister has demonstrated in his portfolio. He has alienated school trustees. He seems that he wants to operate all of the school divisions out of his office. He doesn't have a lot of faith in school trustees any longer because he demands curriculum changes that don't have any dollars attached to them, and I talk specifically of the mandatory physical education.

So he's alienated school boards. After budgets have been presented by school boards, he's gone back and insisted that those same school divisions rethink their budgets and use their surpluses. He could have done that prior to budgets being tabled, but no, that never happened, so that was a knee-jerk policy.

He's had another knee-jerk policy just recently with the tax incentive grants, Madam Acting Speaker, where he's again alienated school divisions to school divisions. He's alienated trustees from his office, and the worst of the worst is he's driven a divisive wedge between current teachers and retired teachers. That probably is the worst knee-jerk policy of the lot because now he has turned people who should be working together into enemies. That's wrong. That's not co-operation. That's not consultation. That's not working together to try to come up with workable solutions. That's total divisiveness and that's wrong. The minister certainly will be accountable for that.

He asked, when he sat down, if we were going to support this piece of legislation. Well, I can give him a pretty good indication, Madam Acting Speaker, that the chances of that are very slim—not at all. We're not going to support a piece of legislation that has not been well thought out. We're not going to support a piece of legislation that, in fact, impacts retirees and pensioners to the effect where their incomes are being eroded to the point where they no longer can achieve that lifestyle that they've worked so hard for. We're not going to support a minister and a government who lacks respect for individuals who have worked their whole lives for this province, and we're not going to support a piece of legislation that is foisted upon a group of individuals by a minister who simply would not listen to reason.

A hoist suggestion is absolutely perfect. Should we not take, as I say, a sober second thought, step back and give us another six months to try to work out a workable solution? But no, the minister's going

to go forward, unfortunately, without listening to a great section of his constituents.

So, Madam Acting Speaker, I am very disappointed to be here this day. I'm very disappointed to have to stand later today and vote against that piece of legislation. I wish it wasn't necessary. I wish the minister himself would have thought this out a little bit better than what he did. The last thing I'd like to say is I'm also very disappointed in the way that the minister tried to manipulate the process.

A plebiscite that was put forward, Madam Acting Speaker, at the insistence of his executive of MTS and himself in his office, I'm sure that his staff spent hours and days trying to find out some way to be able to justify this injustice, and they did. They came up and spent hundreds of thousands of dollars—\$100,000, I think is the number—to put forward this plebiscite, which really was smoke and mirrors.

Mr. Speaker in the Chair

They tried their best not to get the retired teachers the opportunity to put their vote forward, Mr. Speaker. They did their best in trying to make sure that a lot of the individuals who would like to have voted didn't have the opportunity to. Then they received only a 52 percent plurality; 48 percent of the ballots that actually were returned were against the legislation. So 52-48 is really not what I consider an overwhelming success of the expenditures of dollars as well as the manipulation of a process. The minister should be very disappointed about that and certainly should take that as another reason why he should sit down and negotiate honestly and openly with the retired teachers.

Having this legislation pass—which it probably will—will simply not allow a full COLA, it will allow up to two-thirds COLA, and don't let the minister snow you on that one, either. This is not a guarantee of two-thirds COLA at all—

An Honourable Member: Less than.

Mr. Borotsik: No, no. It's up to—

An Honourable Member: It's less than two-thirds.

Mr. Borotsik: Up to two-thirds COLA is the maximum. That's the legislation. So make no mistake. When he says that it's two-thirds and they'll get much more than what they've had in the past, that's not in fact the case. He can go back, and he can change his mind anytime he wants and say, the only thing that can come out of the PAA account is any

amount that he decides. So it's not up to two-thirds. It's not going to happen that way. The minister knows full well that he is going to impact the pensioners for the next 10 years, and he is going to continue to do that.

I am very, very disappointed that the minister would not, in fact, negotiate in good faith, and that's what this is all about. This is all about disrespect; this is all about not listening; this is all about he and his government bullying a piece of legislation through that has no business being bullied through.

So, Mr. Speaker, thank you for allowing me to put my points of view on the record, and I do know, as they say, that this minister will be held accountable for the actions of him and his government. Thank you.

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, there have been a lot of comments put forward on this legislation, actually, not only in this session, but comments about this issue over the past number of years. I'm not going to reiterate many of the comments that have been made so eloquently by the members on this side of the House, but I will indicate that there are 19 of us in this caucus that are very much in support of the 10,000 retired teachers in this province. We fully believe, and strongly believe, that this government has made a big mistake.

Mr. Speaker, I received an e-mail from somebody named Lana Rinn, and this e-mail was sent on September 7 of this year. This was sent to the Premier (Mr. Doer), to the Minister of Education (Mr. Bjornson), to the Finance Minister and then to all women in this Chamber on both sides of the House. I would just like to read into the record what Lana Rinn has commented on in regard to Bill 45, The Teachers' Pensions Amendment Act, because she said it far better than I probably ever could've.

She said: On the eve of further consideration of Bill 45, The Teachers' Pensions Amendment Act, I am compelled to do something I have never done before, to challenge you all. This is a challenge to all of us, particularly us women MLAs in this Chamber. I challenge the Premier of Manitoba to listen to retired teachers of this province and withdraw this legislation until his minister gets it right. I challenge the minister to honour the commitment and promise that Ed Schreyer's government proffered in 1977 and ensure that a fair and reasonable COLA is afforded to generations of retired teachers. Failing that, to at least withdraw the bill for further consultation.

* (15:40)

I challenge all women of the Legislature to have the courage to oppose this bill that clearly impacts single, widowed women more than any other segment of the retired population. I challenge you all to read carefully the letter forwarded to you by Tom Ulrich regarding the hearings of the Legislature, regarding the pension act and the Sale report. And, finally, I challenge the government to seek the counsel of people who actually know about the history of deliberations and the intricacies of The Teachers' Pensions Act before this retrogressive piece of legislation goes to third reading.

Well, Mr. Speaker, we are in third reading. This is a very, very powerful e-mail message that was sent to us by a retired teacher, and I think this person, along with a lot of retired teachers in Manitoba, is going to be profoundly, profoundly upset by what will later happen this afternoon when this minister passes this legislation.

Mr. Speaker, this legislation that the NDP is basically ramming through unashamedly reduces retired teachers' entitlement from 100 percent COLA to 66 percent, with no guarantees of any amount whatsoever and I think numerous people have put that forward.

I am so disappointed in the NDP's stance on this issue and how they've manipulated the issue and how they're ramming it through. They have no respect for a commitment that was made many, many years ago under Ed Schreyer, under an NDP government. There is a historical commitment, and I think that's why some of us feel that, you know, there are so many times that as MLAs we're not held in the highest regard because promises are made and promises are not kept. I think we have an opportunity here to respect some historical perspective and historical promises that were made and keep those promises.

I'm sorely disappointed that this government does not feel as strongly about this as we do, and that it's time we looked at keeping promises that are made, but I shouldn't be terribly surprised that this NDP government would not have any respect for that because, if we go back to 1999 and see probably the biggest broken promise in Manitoba history when it comes to an election, and that is to end hallway medicine with \$15 million in six months. Well, if there was any promise that was certainly not kept by a government, it was that particular one and their track record all through their nine years in

government certainly speaks to the fact that making promises is one thing, getting a headline is one thing, and then doing something about it and being respectful of the promises that you make and the headlines that you grab with that quick 10-minute sound bite, there's more to politics than that. There is a moral issue here and perhaps an ethical issue that we need to be addressing and should have been addressed in this legislation.

Mr. Speaker, I have huge respect for all teachers and I'm sure this has been an uncomfortable issue for both active teachers and retired teachers. You know, as other members have said, I am incredibly disappointed at the wedge that this government has placed between these two groups of teachers.

I want to say that if I could count on one hand who inspired me most in my life, it was my grade 3 teacher. Then I was blessed to have her again in grade 4. Her name was Shirley Korlich [*phonetic*]. I have stood in this House on more occasions than one or in Estimates and talked about her.

She, basically, as students gave us so many opportunities that I don't think a lot of other teachers might have done in those days, and she taught us to spread our wings in everything that we did. I have incredible respect for this woman and the things that she allowed us to do, encouraged us to do, the innovativeness with which she taught us, the opportunities she gave us. As I look through some of my treasures I have at home—I still have things from grade 3 and grade 4—and I can't believe I was smart enough or skilled enough at that age to actually pull all these things together. The reason I did was because of her, I fully believe. I think she gave me the kind of knowledge and experience and encouragement that took me through everything I've done in life, including becoming an MLA.

She was instrumental, and I'm sure it's not just me because I'm sure there are many other students that she has inspired. She moulded young minds and that's what teachers do. With that we have looked at that issue with great respect for all teachers. We have tried over a number of years—as the NDP have not chosen to listen to retired teachers in Manitoba—and we've tried to amend this legislation over a number of years. We did a number of things with private members' bills, with petitions, with question period, with attending rallies. We have been there and done everything that we possibly could have. As retired teachers can probably see, what we've met with here

is pretty much a brick wall. We have banged our head on that brick wall for a lot of years and certainly not been heard.

We have been to rallies in front of this Legislature where it was freezing cold out, where we had seniors with walkers, in wheelchairs, in mitts and toques and banners and balloons bobbing in the wind, because they felt that this was important enough. This was about their future. This was about the security of their future, and this government did not listen to them.

I have to give the retired teachers a lot of credit, and I think this government should be embarrassed that it came to that, where we had to bring retired teachers, many seniors, some not well but feeling very strongly about it, and put them in a situation where they had to freeze in front of this Legislature to try to get the government's attention. Sadly, Mr. Speaker, they failed to do that.

The public hearings we had and the retired teachers that came forward to speak at those hearings have probably had more impact on me in 10 years in this Legislature than many other presentations that I have been part of here in 10 years. There were many, many nights we sat in that Legislature. Many of the retired teachers came from all over Manitoba. Some of the nights the hearings went very, very late. There were people that were crying. There were people that were begging just for the respect I think that they deserve, for what they believed that they had given up years ago in order to be able to receive a full COLA now.

I think they have some very, very legitimate legs to stand on when they are putting forward their argument because they did give up something before on a promise that they would have full COLA for the rest of their lives. I think we all have an obligation to follow through on that commitment that was made to them years ago. I think it's extremely shameful that this government is not respecting what was put forward so long ago.

It was an emotional roller coaster, and it is an emotional roller coaster for a lot of retired teachers. I think they have a legitimate fear in terms of what their futures hold for them. They deserve to be heard. It becomes more and more obvious that with an NDP government what public hearings are about have become a sham. They have not really listened to the hundreds of people that have come forward, whether it was Bill 37, Bill 38, Bill 17 or even this one now,

Bill 45. They have made public hearings in this province a sham because they are not listening to the people of Manitoba. I think that is an embarrassment and a black mark against this province and this government.

*(15:50)

I think they have done such an immense disservice in so many ways in this province. I would urge them at the end of today, if they want to make something right, put this aside, hoist it as it's been recommended and let's give this more of a chance for retired teachers to be heard and show them the kind of respect that I think they truly, truly deserve. Thank you, Mr. Speaker.

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, and it's my—

Mr. Speaker: Order. Once again, we will remind our guests in the gallery that there is to be no participation. If it does continue, I will have to ask our guests to leave the gallery. We have rules that we all must follow as members, and our invited guests are also expected to follow the rules of this Chamber. One of the rules is the guests in our gallery are not to participate in any way and that also includes applauding. So I hope I have the co-operation of all guests up in the gallery.

Mr. Maguire: Mr. Speaker, it is with "intrepidation" that I stand before the House today to speak about Bill 45, The Teachers' Pensions Amendment Act, that, as my colleagues, I'm only going to take a few moments, but I have to point out a few things as well. If the people in the gallery are discouraged by the process that's been going on, certainly they have to understand where we're coming from in opposition perspective on this because we are disappointed as well.

I think my first meeting with retired teachers was the very first year that I was elected. It was back in 2000 and dealing with this each time since; even the minister indicated that the bill's been opened about five times. Even he, acknowledging that, hasn't met the most simple, I think, of all democratic functions of allowing a member from the Retired Teachers' Association to have a representative on the teachers' retirement adjustment fund. I think that's just a breach of democracy, Mr. Speaker. We've had petitions in this House that we've presented. We've presented many, many circumstances that would have provided some of these opportunities to have been dealt with.

The Member for Brandon West (Mr. Borotsik) indicated earlier today that this is not just a financial bill; as the Member for Charleswood (Mrs. Driedger) just indicated as well, it's also about democracy, and I've made my statement on the democratic side of this, Mr. Speaker. It's unfortunate that the retired teachers are not having the opportunity of being involved in what I consider to be an area, primary source of democracy and that is being allowed one representative at least inside the room when decisions are made on the future of their retirement funds.

I want to say, as well, Mr. Speaker, that the Member for Charleswood pointed something out that I've thought of for quite some time and that is the fact that this bill deals with retired teachers. I know many retired teachers. I have aunts, uncles, relatives that have been teachers throughout Manitoba as well, and we've had family discussions about these issues as well. But primarily I think, the minister may have forgotten that teachers today will be retired teachers someday. I know many teachers today in Manitoba—I have relatives there that have been recently trained as teachers in this province and other areas of Canada that they are now teaching in as well. I find it short-sighted to not be looking down the road as to what the future will be for those individuals.

So, for these reasons, I will be voting against Bill 45 in its present form in the House today. The Member for Springfield (Mr. Schuler), I want to commend him for the work that he's done on behalf of me and my colleagues on this particular issue, but more importantly, on behalf of retired teachers throughout the province. I just want to say that there is a short time left for the minister to hoist this bill. He obviously wasn't going to change it, but he could use six months of sober second thought in deferring this bill on a hoist motion. For retired teachers and citizens who aren't familiar with the hoist, it is a motion to allow the deferral of a bill for six months in the House to come back, albeit maybe unchanged if the government decides to not change it, but it gives an opportunity for further input and another chance to listen to the concerns of retired teachers.

We talked today in question period as the lead-off about the downturn in the economy and what could happen across North America. That's not going to make it any easier for the retired teachers who are finding it hard to have the reasonable lifestyle that they've expected in Manitoba with their fellow citizens to participate in that in the future. There are other ways of making Manitoba a have province, but

I don't think we have to do it here on the backs of retired teachers. I think that that's, you know, the word "bullying" has come into being in this particular debate as well, and I would concur that, perhaps, while I understand that the minister was a very good history teacher in the past, in his previous life that, I think, with this bill he will go down in history.

I understand why the Member for St. Norbert (Ms. Brick) didn't want to get up and speak to this bill when questioned about it today. I understand that she was just correcting the items at her desk, but, when called upon, refused to speak to it as well. I think that it's a concern of the members of the colleagues of the government, the minister, that none of them have spoken out on this bill. I know it's been noticed by myself and others in the process as well that they have great concern over the future of their livelihoods, and they haven't spoken up to take care of concerns of even the teachers and retired teachers in their own constituencies that they represent.

So, with those words, I just want to say that I've enjoyed the work with the retired teachers to this point in regard to any input that I might have had on this bill and listening to them and their protestations and concerns on this type of legislation. But I just want to reiterate that I will certainly be voting against this bill and wish that this bill had had a better outcome. Thank you, Mr. Speaker.

Mr. Ralph Eichler (Lakeside): Mr. Speaker, I want to put a few comments on record in regard to Bill 45. I know that it was all over two years ago when I was in committee with the Minister for Education and the Member for Tuxedo (Mrs. Stefanson), and we brought forward a motion to allow a retired teacher to sit on the TRAF board and at that time it was turned down. In fact, the minister was adamant about the fact that it was not necessary at that point in time.

I know that, as a past administrator of Interlake School Division, when I was helping the board negotiate with the teachers, we had to make sure that the contract was not only fair for both the ratepayers and the teachers, and when we look at the teachers' retirement benefits we have to make sure that they stay in time with the sector as we move forward for those people that had a way of life they were accustomed to and now that has been challenged by the lack of COLA and the way that we need to be dealing with our retired teachers.

I know the Member for Springfield (Mr. Schuler) did a great job in bringing amendments

forward. We saw from this government that in fact they didn't want to listen to those amendments, which is unfortunate because the Member for Springfield did a great job.

I know the Member for Charleswood (Mrs. Driedger) talked about the committee process, and I want to go back to that and highlight just a little bit more. She had talked about Bill 17, who had broken every record in regard to about 300 presentations. We had a committee on Bill 38, Bill 37 and Bill 45 this summer, which is a very busy time when teachers are busy, people are busy and we would've had a lot more presentations had, in fact, the government been forthwith in coming with the presentations and allow those people to actually get their message out and be heard.

I know it's important that the government show leadership on this particular bill. They have not done that. This is a very important issue that's gone on for way too long and we feel that it needs to be dealt with in a timely manner and, unfortunately, we on this side of the House will be opposing Bill 45 as it stands in that particular form.

Also, what we have seen, unfortunately, and I know there are members here from the current active teachers and I know that that's also an issue that's very important to them as well, and what we need to make very clear is that we don't pit the active teachers opposed to those of retired teachers, which is, unfortunately, Mr. Speaker, unfortunate. We know that the government needs to take the leadership role and, unfortunately, we're stuck with this government until 2011 based on Bill 37 in regard to set election dates.

What we have to look at is the way we're going to be able to deal with this legislation. Unfortunately, we got ourselves into a majority government. They're going to do whatever they want with this bill. They haven't shown the leadership that's required. They haven't shown the leadership that's necessary in order to deal with the issue which has gone on far too long.

* (16:00)

Also, what we've seen from this government is lack of leadership for the retired teachers and also those of the active teachers, because what's so important is that we live in harmony in this province. We know that a lot of times we agree to disagree on certain issues. But this is an issue that's been very dear to our hearts, very dear to retired teachers. It's also very dear to those active teachers.

What we need to do is have a solution that's going to be workable for both parties and all of those ratepayers here in the province of Manitoba. So I know there are a number of other members that do want to speak. I stand by our comments that our educational critic has done a great job in bringing those amendments forward, and we're very disappointed in the government, so we'll be bringing this to a vote this afternoon. Those are the comments I wanted to put on the record, Mr. Speaker.

Mr. Gerald Hawranik (Lac du Bonnet): I just would like to put a few brief comments on the record with respect to Bill 45. I, too, commend our Education critic, the Member for Springfield (Mr. Schuler), for bringing amendments forward and trying to make the bill have some sense, Mr. Speaker, and have some support both from retired teachers and current teachers who are active in the province of Manitoba.

Mr. Speaker, we had four days in committee in July, and during that time I was able to join the committee two out of those four days to listen to presentations by retired teachers and active teachers alike. What I saw there really sickened me. I'd never seen such a spectacle before in committee. What we saw was a confrontational attitude between both the current active teachers in the province of Manitoba and the retired teachers in Manitoba. I'd never seen that before, that two groups would come forward and take totally opposite positions and be concerned about what the other group said and disagree entirely with what each group said.

Mr. Speaker, usually when we go to committee, what we see are groups and individuals coming to committee and either praising the government or, in fact, condemning the government for the actions that they've taken, but not in this case. What the government did in the committee hearings and what they did during the presentation of Bill 45 was awful. What they did was to pit one group against the other instead of both groups going after the government and asking for a fair COLA because the current active teachers will one day retire, and they will have to live with the provisions of Bill 45 just as the current retired teachers are as well.

In my view, Mr. Speaker, both groups should have been coming to committee asking the government for a solution and asking the government for leadership on this issue instead of picking at each other's arguments. That was what really astonished me. Instead of coming up with a solution, instead of

showing leadership to try to get both groups together and on the same page, they chose to pit one group against the other. Because of that, we are where we are today.

That begs the question, Mr. Speaker, why didn't government stop this in the first place? Well, there only can be one reason why they didn't want to stop the disagreement between the current teachers and the retired teachers. That's because it wasn't in their best interests to stop the bickering. As long as there was a disagreement between retired teachers and current teachers alike, all it did was take away the focus from the government. Let me make no mistake about it. This problem about COLA for retired teachers lies entirely at the feet of the government. There's absolutely no doubt. They shouldn't have pitted one group, the retired teachers, against current teachers.

It's not a question of whether you support retired teachers or current, active teachers. That's not the question. It's whether you support a fair COLA for retired teachers. And who's going to fund it, Mr. Speaker? The government has a responsibility to ensure that it's there. We, as Progressive Conservatives, up to 1999, funded COLA. There was no doubt about it. Both the current teachers and the retired teachers stated that. After 1999, this government neglected its duties and forced retired teachers to come forward to pressure the government to introduce legislation to ensure they get a fair COLA.

The question is, who pays for it? We're not saying on this side that all the current teachers should be paying substantially more to pay for retired teachers. We're not saying that, Mr. Speaker. What we're saying is it's the responsibility of government to ensure there's a fair COLA, and there was no leadership by this government.

In terms of the atmosphere that I saw at that committee, I'd never seen anything like it before. Really, what it showed me was a successful manipulation by government of two different groups to focus attention not on themselves, who had the responsibility for a fair COLA for retired teachers, but to force that responsibility on either current teachers or retired teachers. That's what was unfair. That's what really sickened me at those committee hearings.

I know the government and the minister will indicate that they borrowed \$1.5 billion in order to fund the unfunded liability for teacher's pensions.

They used that argument continuously, sometimes in second reading debate and sometimes in committee. But that's a red herring; that's got nothing to do with the pension adjustment account, absolutely nothing. The minister knew that but he continued to say, well, look what we did, look what we did for you as retired teachers. We borrowed \$1.5 billion in order to partially fund or mostly fund the unfunded liability. It was a total red herring. The minister knew it but he continued to repeat it. Not a nickel of that \$1.5 billion goes to ensure that retired teachers get a fair COLA. Not a nickel goes there. He knew it, but he continued to repeat it, Mr. Speaker.

It's not a question of support—whether we support retired teachers or current teachers when we vote against this bill. That's not the issue. The issue is that this government and this Minister of Education (Mr. Bjornson) didn't do his job. He didn't do his job; he didn't show any leadership at all. He showed absolutely no leadership to ensure that fair COLA was given to retired teachers and he should not have pitted one group against the other. That's my comments, Mr. Speaker.

Mr. David Faurichou (Portage la Prairie): It is, indeed, a pleasure for me to stand and participate in third reading debate of Bill 45, The Teachers' Pensions Amendment Act.

It is with a great deal of disappointment that I have listened on numerous occasions to the minister's comments in regard to this legislation. It is something that I believe all members know, that why I came to the Legislative Assembly. I was motivated because of the education of the next generation here in the province of Manitoba. I felt it absolutely vital that the government of Manitoba recognize the importance of education and to put the necessary resources behind the provision for an education here in the province of Manitoba.

My background is from a school trusteeship and former chair of the Portage la Prairie School Division where we recognized the needed resources for an excellent education and also too, disagreed with the former administration in requiring some days off during the financial troubled times that this province was experiencing. But I felt, and the rest of the board and the Portage la Prairie School Division did the same, is that education is the future of this province, is vitally important to the prosperity of this province and should not be required to take time away from the most important activity I think that

there is, that is, educating the future generation of this province.

* (16:10)

This government, obviously, has not listened to the teachers and doesn't recognize the important contribution that has been made to this province by the teaching profession. We listened to the presentations that were made in committee, and the retired teachers were very clear in their points of view. This minister refuses to listen to the retired teachers as we have tried to bring forward amendments over the past week that would, in fact, recognize what the minister has said time and time again, but refuses to put into legislation in regard to having representation by the teachers on the board that determines the rate of pay, or as it pertains to cost-of-living adjustment. Why would he not want in legislation representation from the Retired Teachers' Association of Manitoba? He says he already has representation. Well, then, why is he then afraid of putting what he states he is practising into legislation? Obviously, there is something that isn't quite right here, Mr. Speaker, and we should all be very leery of what is being said and what is actually being done.

This government has changed the pension plan over the years, allowing greater flexibility to who can access the pensionable funds, which has weakened the opportunity to pay the cost-of-living adjustment. Also, too, the government has not looked at perhaps what is in practice in other jurisdictions across Canada, and that is providing for administration of the pensionable earnings of teachers and taking that administrative cost off the load of the pension plan. Also, too, this government was a little suspect in its guidance of the pensionable funds as it pertained to investment opportunities.

Ms. Bonnie Korzeniowski, Deputy Speaker, in the Chair

I wonder why, at the latter stages of the Crocus Investment Fund before its trading was halted, would this government say to the Manitoba Teachers' Society and their pension investors, invest in the Crocus Fund. Take \$10 million of teachers' hard-earned, pensionable dollars and invest it in Crocus. It's a good investment. And then within months of that word being placed in front of the teachers, the Crocus Fund suspended trading and we all know what has happened to all those invested dollars in the Crocus Investment Fund.

These are the things that really truly bring question to this government's sincerity when they say that they do listen to teachers and they represent teachers, and that's one thing that I've got to ask myself sometimes in campaigning, that, as tradition would have it, most teachers, and retired teachers included, have supported the New Democratic Party over the years and the caucus of the New Democratic Party has excellent representation of teachers. Why, then, is this legislation before the House in the form that it is? Why has this government voted on five occasions last week to turn down amendments that were brought forward through committee? It is incumbent upon us as members of the Legislative Assembly to listen to committee because that is why we have committee and the process we do.

I think this government is making an extraordinarily bad mistake, but in a few moments we'll see. The Whip will go on and all members of the NDP will rise and vote for a piece of legislation who, I think, if you go one-on-one with each individual member, will say that there are significant deficiencies in this legislation.

I thank you, Madam Deputy Speaker, for the opportunity to participate in third reading debate.

Mr. Kevin Lamoureux (Inkster): I, too, want to get on the record in regard to Bill 45 and, ultimately, what'll likely be happening later on this afternoon in terms of its passage.

Madam Deputy Speaker, we have a great deal of difficulty with Bill 45. One of the biggest problems we have is that the government has really failed to recognize its responsibilities, both past and present, in terms of dealing with the issue of the pensions for retired teachers.

I know that if I was a retired teacher back in 1995, 1998 and I was looking at retirement and I reviewed the past, I would see 100 percent COLA. If I was in tune with what it is that I was being told or my peers might have been telling me, I would have been of the opinion that I was going to be receiving 100 percent COLA into the future even though I know that there were some red flags that were being raised in terms of pension issues. Having said that, I suspect there's a great deal in terms of a number of teachers that retired in that time frame, and who can blame them for having the thoughts that they were having? I believe that there were a great number of teachers that came before the committee and had to be frustrated in terms of what it is that they were

hearing and how government tended to want to blame the retired teachers, Madam Deputy Speaker.

This is why I believe government needs to come clean and indicate and take responsibilities for its actions and lack of actions whether it was the early retirements of the '80s, the actuaries, you name it, a number of areas in which the government should have actually taken some action.

I like one particular quote where, and it was Brian Head that stated: the problem we all face was not created by teachers, it was created by politicians. I'm going to make reference to a number of quotes, Madam Deputy Speaker, yet we tend to want to blame the retired teachers or make them feel like they are the victims.

There was another quote that came from Clarice Gilchrist, and I quote: It's very degrading to be begging. When you look and listened and saw the facial expressions of many of the presenters you could tell that they were quite uncomfortable and felt disappointed that they would even have to come down to the Legislature.

Madam Deputy Speaker, I believe that the way in which this bill came about was fundamentally flawed, that there was no need to have this bill brought in back in May and June, that in fact the bill could have been brought forward in September. If the political will was there, it could be done virtually in one or two days. The critical person in all of this, the linchpin is, in fact, the Minister of Education (Mr. Bjornson) and/or the Premier (Mr. Doer) of the province.

If, through strong leadership, you're able to build upon a consensus, and I believe a consensus—and many might disagree with me—but I believe a consensus is, in fact, achievable, that it was something that was workable. I listened to virtually just as many presentations as anyone else did. I had opportunity to talk to both current and retired teachers in regard to the issue, and I really do believe that it was obtainable, but let's review in terms of what took place.

Mr. Speaker in the Chair

What I found was probably the most offensive presentation that was brought forward was the one that—and first, I must compliment both the president of MTS and RTAM for listening through all the presentations that were there but I want to refer to Pat Bowslaugh's presentation. I'm going to quote directly from it: 11,000-plus retirees are threatened.

Mr. Minister, you will recall your announcement to the RTAM board members when we were summoned to your chamber in February. You told us to agree with all of the Sale report. You told us that if any of our retirees contacted you that RTAM would be blamed for not accepting the package. This was a threat. We felt threatened when you told we must agree to the parameters of the Sale report or get nothing.

Eleven thousand-plus members are hurt. We are hurt that the government and MTS have united and ganged up on us; hurt that the plebiscite was shoved down our throats without us having any say in the decision to this; hurt that the government would side with MTS and pay out of taxpayers' money for a plebiscite process that disenfranchised thousands of people who have money in the TRAF, but never got a vote; hurt that some of our members got their surface mail so late that it would never get back to Winnipeg in time to be counted; hurt that many of us spent thousands of hours working for MTS and/or the Department of Education on committees, attending meetings, paying for buildings on Harcourt Street, only to be thrown aside and disregarded like annoying garbage. Yes, bullying is the perception of the victim, and we feel bullied, very bullied.

* (16:20)

This is something that I think all members of the Legislature, whatever side of the House, we need to be aware of, Mr. Speaker, that it is indeed not appropriate for a minister of the Crown to be approaching stakeholders of this nature. We provided the minister the opportunity to refute the types of allegations that were being made. It was never refuted.

All of us should be concerned when issues of that nature are, in fact, being raised. I posed the question to the minister in terms of, had he met with Tom Ulrich? Tom Ulrich sent an interesting e-mail. Let me get right to it. It was interesting in the sense that I asked the minister if he ever met with Mr. Ulrich in regard to the pension bill, and he'd indicated that, no, that wasn't the case. I think that members of the Chamber need to be aware who Mr. Tom Ulrich is, Mr. Speaker.

I got the e-mail and I'll quote directly from the e-mail. I believe all members were sent this, but if it's felt necessary to table it, I can table it and maybe the pages can get me an extra copy of it. I quote: I felt it incumbent upon me as someone who spent 30 years working in the area of teacher pensions in

Manitoba to try to shed some light on this subject. I believe I am also the only person left in Manitoba who was party to all the discussions leading to the establishment of the pension adjustment account in 1977. I hope that the attached memo will lead to taking a second look at Bill 45 and the information used to support it.

The letter, Mr. Speaker, is fairly lengthy. I'll go to the last paragraph of the letter that was attached with this e-mail. I quote: You don't have to take my word for the information contained in this memo, but please, before you continue with this travesty of tragedy that is Bill 45, request actuarial and historical advice so that you have accurate information on which to base your decision. Please honour your fiduciary responsibility to the teachers of Manitoba. Respectfully submitted, Tom Ulrich.

Listen to the credentials of this individual, Mr. Speaker: 1999 to 2004, president and CEO of TRAF; 1974 to 1999, the Manitoba Teachers' Society; '96 to '99, assistant general secretary; '94 to '96, co-ordinator, benefits program; '93 to '99, member of TRAF board; '76 to '99, member of pensions taskforce; '75 to '99, administrative staff; '74 to '75, member, provincial executive, and chair of pensions committee. The Minister of Education (Mr. Bjornson) didn't see fit to be able to incorporate discussions with an individual of this nature, given the presentation of Bill 45.

We know what actions the Minister of Education took with one of the major stakeholders, that being the Retired Teachers' Association. When I came to this Chamber in second reading on this particular bill, I had indicated that tentatively this was something that we could support because we thought everyone was on side with it, only to find out some of the background and some of the travesties that have, indeed, occurred.

I've learned two things through this process, Mr. Speaker, and particularly with this Bill 45. First and foremost, the issue of respect. This government has not demonstrated respect to our retired teachers. I believe that is shameful. The second issue is the need for us to reform our committees. It was not appropriate the way we rammed through the teachers and retired teachers in the middle of summer for six hours. We had someone that would have been listed as 4 or 5 on that list on opening night and would have been there, because out-of-town presenters, for hours on end before they even provided the opportunity.

We had 111 people present; 158 people either gave up or just submitted their written presentations, Mr. Speaker. The need for reform is there. I would suggest that it would be best for the Minister of Education (Mr. Bjornson) to do the right thing in regard to Bill 45, and any other issue dealing with, whether it's a current teacher or a retired teacher, and that is to demonstrate more respect and start listening and acting on the advice that these people have to provide. Thank you.

Mrs. Bonnie Mitchelson (River East): I'm glad to have the opportunity to put a few comments on the record on Bill 45 once again and indicate how this is not a great day for Manitobans. When we look at the kind of legislation that's going to be passed, going to be rammed through in this House today in just a matter of a few minutes, that has again—and I've made these comments before. I listened to the Member for Inkster (Mr. Lamoureux), and I think we both, and many of us would agree that this bill shows absolutely no respect for those retired teachers in our province today that have contributed so very much to educate all of us and to ensure that we had the basics, and more than what we needed, in order to thrive and to grow and to learn.

Mr. Speaker, we're seeing today an arrogant government, I think, who believes that the electorate out there really doesn't matter that much anymore. It doesn't matter what people believe. It doesn't matter what common sense they bring to an argument or to the table. It doesn't matter to this government because they're beyond now caring about what the electorate, and many of those in the electorate that, I would think, have worked on behalf of the NDP government and tried to get this government into power.

What are they seeing today with the power that's been given to this government? They're seeing a government ignore completely the many, many presentations, those that were made at committee, and those that were submitted because people just didn't have the ability to wait the long hours that our committee process requires.

Mr. Speaker, they've seen first-hand the lack of respect, the lack of attention that this government has paid to their very legitimate issues. I don't think any of us in this House are happy with the situation that we find ourselves in today. Is there any government without blame? No, there isn't.

We collectively had a responsibility to find a solution that would satisfy retired teachers and that

would satisfy practising teachers; instead, we have a division, a rift that has pitted one side against the other. This can't be a proud moment for this Minister of Education (Mr. Bjornson) or this government. I would hope, Mr. Speaker, they would hang their heads in shame as they stand.

We've had an opportunity to contribute. We contributed at the committee process by asking questions, by listening intently to the presentations that were made. But what have we heard from the government benches of this Legislature on this piece of legislation? Where are the teachers on the government side of this House standing up and advocating for those that are retired today in that very same profession that they were in before they found themselves elected to this Legislature? Why aren't they standing in their place, Mr. Speaker, and standing up for retired teachers in this province that have given us so much?

*(16:30)

Mr. Speaker, I say, and I will close by saying, it's a sad day in this Legislature when we see a government that's lost touch with the electorate and the people that they are supposed to serve. It's with great sorrow that I stand here and say that I know I will not be on the winning side of this argument. I know that the government will have their way with this legislation.

Mr. Speaker, all I can say is that, on balance—and I know the Minister of Education (Mr. Bjornson) likes to talk about balance—on balance, there is no balance to this legislation. Thank you.

Mr. Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Mr. Speaker: The question before the House is concurrence and third reading of Bill 45, The Teachers' Pensions Amendment Act.

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

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

Mr. Speaker: Okay, all those in favour of the motion, say yea.

Some Honourable Members: Yea.

Mr. Speaker: All those opposed to the motion, say nay.

Some Honourable Members: Nay.

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

Formal Vote

Mr. Hawranik: A recorded vote, Mr. Speaker. *[interjection]*

Mr. Speaker: Order.

Mr. Hawranik: A recorded vote, Mr. Speaker.

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

Order. The question before the House is the concurrence and third reading of Bill 45, The Teachers' Pensions Amendment Act.

All those in favour of the motion, please rise. Order, please.

Before we have the vote, I want to make a statement. We have pages here that are doing their first votes ever, and I know, if I were in their shoes, I would be very nervous. I know they are very calm, but I would be nervous. So I am asking the co-operation of all honourable members for some silence, please, so they can concentrate. Thank you very much.

Division

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

Yeas

Allan, Ashton, Bjornson, Blady, Braun, Brick, Caldwell, Chomiak, Dewar, Doer, Howard, Irvin-Ross, Jennissen, Jha, Korzeniowski, Lathlin, Mackintosh, Marcelino, Martindale, Melnick, Nevakshonoff, Oswald, Reid, Robinson, Rondeau, Saran, Selby, Selinger, Struthers, Swan, Wowchuk.

Nays

Borotsik, Briese, Cullen, Driedger, Dyck, Eichler, Faurshou, Gerrard, Goertzen, Graydon, Hawranik, Lamoureux, Maguire, McFadyen, Mitchelson, Pedersen, Schuler, Stefanson, Taillieu.

Madam Clerk (Patricia Chaychuk): Yeas 31, Nays 19.

Mr. Speaker: I declare the motion carried.

House Business

Mr. Chomiak: Mr. Speaker, I would like to announce that the Standing Committee on Private Bills will meet on Wednesday, September 17, 2008, at 5:15 p.m., with the agreement of the House, to consider the following bills: Bill 232, The Public Schools Amendment Act (Anaphylaxis Policies), and Bill 300, The Royal Lake of the Woods Yacht Club Incorporation Amendment Act.

Mr. Speaker: It has been announced that the Standing Committee on Private Bills will meet on Wednesday, September 17, 2008, at 5:15 p.m., with the agreement of the House, to consider the following bills: Bill 232, The Public Schools Amendment Act (Anaphylaxis Policies), and Bill 300, The Royal Lake of the Woods Yacht Club Incorporation Amendment Act.

Is there agreement of the House? *[Agreed]*

* * *

Mr. Chomiak: Royal Assent, Mr. Speaker.

* (16:50)

Mr. Speaker: For all members of the House, the Lieutenant-Governor will be coming into the Chamber very shortly.

ROYAL ASSENT

Deputy Sergeant-at-Arms (Mr. Blake Dunn): His Honour the Lieutenant-Governor.

His Honour John Harvard, Lieutenant-Governor of the Province of Manitoba, having entered the House and being seated on the Throne, Mr. Speaker addressed His Honour the Lieutenant-Governor in the following words:

Mr. Speaker: Your Honour:

At this sitting, the Legislative Assembly has passed a bill that I ask Your Honour to give assent to.

Madam Clerk (Patricia Chaychuk): Bill 45, The Teachers' Pensions Amendment Act; Loi modifiant la Loi sur la pension de retraite des enseignants.

In Her Majesty's name, His Honour assents to this bill.

His Honour was then pleased to retire.

Mr. Speaker: Please be seated.

* * *

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, I wonder if there might be agreement to call it 5 o'clock.

Mr. Speaker: Is it the will of the House to call it 5 o'clock? *[Agreed]*

The hour being 5 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow (Tuesday).

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, September 15, 2008

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