



Fourth Session - Thirty-Fifth Legislature

of the

**Legislative Assembly of Manitoba**

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**DEBATES  
and  
PROCEEDINGS  
(HANSARD)**

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41 Elizabeth II

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Fifth Legislature**

**Members, Constituencies and Political Affiliation**

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

## LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, April 21, 1993

The House met at 1:30 p.m.

**Mr. Clerk (William Remnant):** It is my duty to inform the House of the unavoidable absence of Mr. Speaker and to request the Deputy Speaker to take the Chair in accordance with the statutes.

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

### PRAYERS

#### ROUTINE PROCEEDINGS

#### PRESENTING PETITIONS

**Ms. Rosann Wowchuk (Swan River):** Madam Deputy Speaker, I beg to present the petition of William Ledoux, William Ducharme, Virginia Church and others requesting the Family Services minister (Mr. Gilleshammer) consider restoring funding to the friendship centres in Manitoba.

**Mr. Doug Martindale (Burrows):** Madam Deputy Speaker, I beg to present the petition of RoseMarie Hamilton, Fred Hoffman, Rose Pitzl and others requesting the Family Services minister (Mr. Gilleshammer) consider restoring funding for the friendship centres in Manitoba.

**Mr. George Hickes (Point Douglas):** Madam Deputy Speaker, I beg to present the petition of Ruby Miness, Brad McGillivray, Andrew Bik and others requesting the Family Services minister (Mr. Gilleshammer) consider restoring funding for the friendship centres in Manitoba.

**Mr. Conrad Santos (Broadway):** Madam Deputy Speaker, I beg to present the petition of Murray William Blacksmith, David Blacksmith, Betty Mousseau and others requesting the Family Services minister (Mr. Gilleshammer) consider restoring funding for the friendship centres in Manitoba.

#### TABLING OF REPORTS

**Hon. James Downey (Minister of Energy and Mines):** Madam Deputy Speaker, I would like to table for members' information the booklet, Energy in Manitoba; as well, Northern Manitoba: Women and Sustainable Economic Development.

**Hon. James McCrae (Minister of Justice and Attorney General):** Madam Deputy Speaker, I am tabling today the Twentieth Annual Report of Legal Aid Manitoba.

### INTRODUCTION OF BILLS

#### Bill 26—The Expropriation Amendment Act

**Hon. James McCrae (Minister of Justice and Attorney General):** Madam Deputy Speaker, I move, seconded by the honourable Minister of Finance (Mr. Manness), that Bill 26, The Expropriation Amendment Act; Loi modifiant la Loi sur l'expropriation, be introduced and that the same be now received and read a first time.

**Motion agreed to.**

\* (1335)

### Introduction of Guests

**Madam Deputy Speaker:** I would like to draw to the attention of all members of the House that we have with us this afternoon in the public gallery from Red River Community College, 25 journalism students, under the direction of Mr. Donald Benham. This school is located in the constituency of the honourable member for Wellington (Ms. Barrett).

Also this afternoon, we have with us 17 students from the English program at Red River Community College. These students are under the direction of Mr. Jim Badger. This school is located in the constituency of the honourable member for Point Douglas (Mr. Hickes).

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

### ORAL QUESTION PERIOD

#### Carter Report Government Position

**Mr. Gary Doer (Leader of the Opposition):** Madam Deputy Speaker, my question is to the First Minister, the Premier, the Chair of our Economic Development Committee and Minister responsible for Federal/Provincial Relations. The Carter recommendations on barley are running into

tremendous opposition from a number of farm groups across western Canada. This report has major implications for producers in Manitoba, for farmers in Manitoba. It has implications for the Wheat Board which has 400 employees in the city of Winnipeg. It has implications for malting operations. It has implications for the Port of Churchill.

I would like to ask the Premier (Mr. Filmon), in light of the fact that Saskatchewan has taken a position on this report and so has the Province of Alberta, what recommendations will this Premier and his government be making to the federal minister responsible for this issue, the Honourable Charlie Mayer?

**Hon. Glen Findlay (Minister of Agriculture):** Madam Deputy Speaker, I would like to tell the member opposite the position we have taken is the same today as it was the last number of days. We are concerned that we maximize our penetration of the North American market, that we maximize the income at the farm gate for producers. The report does cast some very significant statements, conclusions that the farmers are losing 17 percent of the value at the farm gate and not penetrating the market to the extent possible. As I said yesterday, we will be finding out the degree to which these statements are true; we want to verify them and ask for all the information to be gathered from the industry, and those letters are in the process of being put together.

I look forward to the comments from everybody in the industry. The member should also know that the Wheat Board does export around the world and only 10 percent of their exports are currently to the United States. The other 90 percent are elsewhere in the world. I think it is very important that we be sure that the farmers in Manitoba and western Canada be well served in terms of market penetration and price at the farm gate.

**Mr. Doer:** Madam Deputy Speaker, we will await the recommendations from the Province of Manitoba, and I hope that the timeliness of this issue will be of importance to the Premier (Mr. Filmon) because it is a very major issue and it is a very major issue with the federal government.

### **Carter Report Plebiscite**

**Mr. Gary Doer (Leader of the Opposition):** Madam Deputy Speaker, the federal minister responsible, in questions in the House of Commons yesterday, has said absolutely no to a plebiscite for producers in western Canada.

He has said that he is going to use the same old Mulroney tactics of having closed-door consultations and meetings and making a decision in the secrecy of the cabinet room.

The Premier in his Speech from the Throne in 1990 said Canadians are tired of the back-room elite ways, the old ways.

I would ask the Premier today: Will he recommend to the federal minister that he change his position and agree to a plebiscite so farmers can have a vote on this very, very important issue facing producers in western Canada?

**Hon. Gary Filmon (Premier):** Madam Deputy Speaker, the process that is being followed is one of consultation that allows people to have their views heard on this issue. That is why 14 different groups have already commented on it. That is why the study has been put out publicly for consultation, for confirmation or argument over the facts and the figures that are in there. That is why there is an intent on the part of the Minister of Agriculture (Mr. Findlay) to meet with all the different relevant organizations in Manitoba, whether it be the Keystone Agricultural Producers or the Farmers' Union, all those things.

That is certainly not a closed-door process. That is a very open and extensive consultative process and we believe that it is appropriate under circumstances like this.

\* (1340)

**Mr. Doer:** Madam Deputy Speaker, the Premier should know that every one of those groups that is being consulted by the federal minister now wants and is calling for a plebiscite to determine the final decision on this issue.

Many of the organizations, the Pools in western Canada, KAP, many other groups are calling for a plebiscite, Madam Deputy Speaker, because they do not trust what will happen with the consultation at the end of the day in terms of the back-room Mulroney government decision.

### Impact on Port of Churchill

**Mr. Gary Doer (Leader of the Opposition):** A final question to the Premier: The Port of Churchill has been impacted by the shipment of barley through its port. In fact, in 1988-89 some 89 percent of the shipments through the Port of Churchill were barley. Last year the number was much less than that. In fact, one ship out of the seven ships that went through the port were shipping barley.

My question to the Premier is: What is the impact of this report and the recommendations to go to a continental market? What is the impact on the Port of Churchill?

**Hon. Gary Filmon (Premier):** Madam Deputy Speaker, I should remind the member opposite that last year it was wheat that was shipped through the Port of Churchill. I should also remind him that one of the biggest difficulties that was faced by not only this administration but the administration of which he was a part was to convince the Canadian Wheat Board of the economics of utilizing the Port of Churchill.

In fact, I might say that the evidence is that the Wheat Board was one of the biggest stumbling blocks to greater utilization of the Port of Churchill. We were constantly having to meet with them, but if they are not using it, what difference does it make? If they believe that the economics do not dictate that we ought to use the Port of Churchill, why would you deal with the Canadian Wheat Board? That is the sad reality of it, so on both counts his facts do not support the allegation that he makes.

### Health Care System Reform Reporting Process

**Mr. Dave Chomlak (Kildonan):** Madam Deputy Speaker, despite what the government states, there is considerable confusion, uncertainty and fear in this province concerning the minister and the government's health care plans.

Will the minister today provide a commitment to this House and to the people of Manitoba that he will provide reports on a quarterly basis to this Chamber outlining amongst other things, the number of beds closed, proposed job layoffs, community services to be put in place and effect on the community, so that we can provide our constituents and the public with information about what is happening in health care reform?

**Hon. Donald Orchard (Minister of Health):** Madam Deputy Speaker, I will even go one better. As we make decisions and accept the advice of professional groups, advisory committees and other individuals who are participating very actively in the changes that the health care system is undergoing in the province of Manitoba, I will hold news conferences with full and complete information available, much of which in the past has been provided exactly as my honourable friend is requesting.

Madam Deputy Speaker, I will make that commitment to continue that process as decisions are made to explain what they are. I would only ask my honourable friend that when decisions are made by government, that he present the accurate information that is given to the media and Manitobans instead of the penchant maybe for less than accurate communication my honourable friend is engaged in.

**Mr. Chomlak:** Madam Deputy Speaker, the minister's concept of public meetings is news conferences now.

### Public Hearings

**Mr. Dave Chomlak (Kildonan):** My question to the minister: Will the minister undertake today, since it appears that his \$3.9-million consultant will be laying off people on an ongoing basis over the year as she works on her \$3.9-million contract, to make sure those two institutions that are affected, namely the Health Sciences Centre and St. Boniface, hold public meetings with the public, the patients and employees prior to those changes taking place, so that the public has input into the changes, not via press conference?

\* (1345)

**Hon. Donald Orchard (Minister of Health):** Madam Deputy Speaker, I think if my honourable friend, and I may have to stand to correct myself, but I think if my honourable friend would take the time to read the contract that was arrived at between government and APM, my honourable friend—and I might add, that is the first time that a consulting contract with anybody has ever been laid out at a press conference for everyone to see. But that was not the circumstance I inherited of course when I found to my chagrin in 1988 that the New Democrats hired American consultants to undertake health care consulting. I mean, that does not matter now.

Madam Deputy Speaker, my honourable friend might find just such a process proposed as part of the process and agreement at both hospitals.

### Community-Based Health Care Funding

**Mr. Dave Chomiak (Kildonan):** Madam Deputy Speaker, my final supplementary to the minister: Will the minister, since he will not change the decision on user fees for colostomies and supplies and he will not change the decision on the 74-percent increase in nursing home fees, at least commit today that any savings in the health care system that are somehow realized by this process, will go into community- and health-care-based facilities, something that has not been done to this point in time?

**Hon. Donald Orchard (Minister of Health):** Madam Deputy Speaker, that is entirely the frustration that I have with my honourable friend in his presentation of questions, because you might recall that my honourable friend posed similar questions and when I answered those similar questions some two weeks ago, I indicated exactly what my honourable friend wants, that the contributions on the ostomy program in terms of the Home Care Program were not stripped away from the Continuing Care Program, but were reinvested to provide exactly the enhanced levels of community care that my honourable friend wants.

I indicated that to him two weeks ago. My honourable friend is never satisfied with an answer that happens to disagree with the propaganda he and his party want to spread.

### Instrument Check Pilot School Relocation

**Mr. Reg Alcock (Osborne):** Madam Deputy Speaker, all jobs are important, but particularly high-quality, highly skilled, high value-added jobs are particularly important in a small economy like this, and in an industry like aerospace.

I wonder if the Ministry of Industry and Trade can tell us why the federal government is choosing to relocate the Instrument Check Pilot School to Ottawa from Winnipeg—from Winnipeg to Ottawa.

**Hon. Eric Stefanson (Minister of Industry, Trade and Tourism):** Madam Deputy Speaker, for a change I agree with the preamble of the member in terms of the importance of the aerospace sector to

the economy of Manitoba. We certainly recognize that it is one of the six strategic areas that a great deal of time and effort is being focused towards.

In terms of the specific question asked today, I will take that as notice and provide him with the further details.

**Mr. Alcock:** Madam Deputy Speaker, perhaps the Minister for Transportation (Mr. Driedger) can tell us—it is the school that trains military pilots in the use of instruments while they are making night landings. It employs about seven highly trained professionals, as well as technicians and others. Now there has been an examination of the decision by the military to move the school to Ottawa. We have lost 151 federal jobs in the last five years.

I would like to ask the Minister of Transportation: Is he aware of this decision?

\* (1350)

**Mr. Stefanson:** I already indicated to the member for Osborne in terms of taking that matter as notice and providing him further details. I also confirmed the importance of the aerospace sector, outlined for him some of the things we are doing, not unlike the initiative of relocating the Stevenson Aviation School to Portage la Prairie and combining it now with the Centre of Aviation Technology, and the many positive initiatives that are taking place, and the ongoing dialogue we have with the aerospace association represented by both tier two and tier three companies in Manitoba.

Madam Deputy Speaker, it is an important sector. We are doing very well in that sector. We still have the third largest aerospace community in all of Canada. It is a sector we continue to promote and support, whether it is EH101 contracts and the \$300 million to \$400 million of work that can come to Manitoba, and a series of initiatives.

I have indicated I will take that question as notice and get further particulars, Madam Deputy Speaker.

**Mr. Alcock:** Madam Deputy Speaker, this government purports to be an activist interventionist government.

To the minister again: Is there no mechanism by which they are informed of decisions of this magnitude by the federal government?

**Mr. Stefanson:** As a rule, Madam Deputy Speaker, the answer would be yes. I have indicated, the association that we are a part of which is the aerospace association of Manitoba, that we

are represented at the table with members from the industry. So by and large, yes, we do get advance notice, whether it is an initiative by the federal government or whether it is an initiative by a private sector company in Manitoba.

Certainly, going over the past two and a half years, the member for Osborne does not bring many surprises to the floor of this House when it comes to economic initiatives, whether it is in aerospace or any other sector. I have indicated to him I will get further details. It is an important sector. We are doing well in that sector.

I referred to the EH101, and I certainly hope the member for Osborne will support that initiative and take that message to the leader of a party that he is considering running for in the next few months, because that is another important initiative for the economy in Manitoba, some \$300 million to \$400 million and hundreds of high-tech jobs in Manitoba, Madam Deputy Speaker—hundreds of jobs. He can do his part to be supportive in that area, I would hope.

### **Education System School Dropout Rate**

**Ms. Jean Friesen (Wolseley):** Madam Deputy Speaker, one of the indicators of a productive society is the number of young people who are able to complete school.

I want to ask the Minister of Education: What is the school dropout rate in Manitoba?

**Hon. Rosemary Vodrey (Minister of Education and Training):** Madam Deputy Speaker, there have been a number of federal studies that the member may be referring to, but the difficulty in the term "dropout" is that the term is not well defined, because the issue of dropout does not allow for those students who take a temporary leave of absence from school and then in fact reintegrate or start again. It may be for a semester period or it may be for a full school year. So perhaps she needs to clarify the question.

**Ms. Friesen:** Madam Deputy Speaker, I do not think the question could be any simpler.

What is the school dropout rate in Manitoba? There are Statistics Canada numbers on this which are standardly surveyed across the country. I want the minister to tell the House what is the school dropout rate in Manitoba.

**Mrs. Vodrey:** Those statistics are not well defined or consistently defined, and the important feature is that we know how many students who in fact do leave school are able to be successfully reintegrated into school, and if they leave school in Manitoba because their family has moved do they happen to enter school in another province.

**Ms. Friesen:** Madam Deputy Speaker, there are Statistics Canada—

**Madam Deputy Speaker:** Order, please. Question.

**Ms. Friesen:** Will the minister tell the House what the dropout rate is that her department is working with in Manitoba?

**Mrs. Vodrey:** As I said, yes, there are dropout rate statistics by Statistics Canada. However, this government is very interested in making sure that we understand by definition in Manitoba exactly what we mean by students who leave school, leave school permanently or leave school to be integrated.

Consequently, during the Estimates process I will be happy to talk about the new tracking system that we will be integrating in this province.

### **Corrections System Community Release Program**

**Mr. Paul Edwards (St. James):** Madam Deputy Speaker, my question is for the Minister of Justice.

We have been advised this morning by staff at Headingley Jail that the government is intending—and they have been advised by their supervisors—to implement a plan whereby no person sentenced to a sentence of less than six months would be incarcerated, but rather would be dealt with through the Community Release Centre, which would mean that a person sentenced to a sentence of less than six months would not spend a day in jail.

Now, Madam Deputy Speaker, can the minister tell members if in fact the government is intending to implement this plan and if so, when?

**Hon. James McCrae (Minister of Justice and Attorney General):** In response, Madam Deputy Speaker, to the need for inmates in our jails to do something useful with the time that they have to spend while they are serving a sentence, we think it is appropriate that they be put to work, and through community release programs we can put inmates to work doing useful things in the community and

maybe in that way helping to repay their debt to society.

\* (1355)

**Mr. Edwards:** The first and foremost responsibility of this minister in the law enforcement system is protection of the public. Rehabilitation is very important but protection of the public is first.

My question for the minister: How can he guarantee the protection of the public when these individuals convicted of very serious offences, impaired driving, for instance, sexual assault, domestic assault—how can he ensure the safety of the victims when these people, albeit maybe working, but are in the community?

**Mr. McCrae:** As we develop any plan for dealing with people incarcerated in Manitoba in our provincial Corrections system, the department is very well aware of my concerns, as minister, for protection of the public. That is the whole idea. In my view, of incarceration, is protection.

Corrections, on the other hand—the philosophy of Corrections is to try to ensure that these people are not going to be recidivists, people who go out and commit crimes again. Anybody who is going to be part of a program of community release is going to be very carefully screened and assessed so that the public's protection is assured. That is paramount in our thinking.

**Mr. Edwards:** Let me get this straight with the minister. Is he intending to put into place an arbitrary system whereby someone with less than six months, regardless of screening or what the offence may have been—is that his intention, that he is going to set a cap at six months, and everyone who falls under it, regardless of the offence, is going to be allowed to go through the CRC, the Community Release Centre, and if so, how is he going to protect victims and get them to come forward and testify against these people if those people will be back in the community the next day?

**Mr. McCrae:** I have already said, Madam Deputy Speaker, that the paramount concern of this minister and this department in the area of Corrections is protection of the public. The honourable member often gets certain bits of information, usually somewhat incorrect to begin with, and by the time they end up in this Chamber, they are far from correct.

So we have to be careful with this honourable member because for five years, he has been consistently bringing incorrect information to this House.

### Point of Order

**Mr. Edwards:** Madam Deputy Speaker, I received information and I brought it to the minister, and I am asking him whether or not—

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

### Farmers Alfalfa Products Government Assistance

**Mr. John Plohman (Dauphin):** This government's policies in rural economic development have been demonstrated to be a failure, and they were again yesterday by my colleague with the loss of 25 jobs in a woodworking plant in Winnipeg, as well as in the failure of the government to respond in a timely way to the needs of the alfalfa plant in Dauphin with another 25 jobs on the line.

In light of the minister's promise of last week that he would follow up on this issue this afternoon—I quote from Hansard—will he indicate to the Legislature today precisely what mechanism he has put in place to ensure a timely response which is about one week now, because he has failed to act quickly earlier when he was asked about this? What mechanism he has put in place to ensure—

**Madam Deputy Speaker:** Order, please.

**Hon. Eric Stefanson (Minister of Industry, Trade and Tourism):** Contact was made last week; officials from my department met on Monday of this week. We were up in Dauphin meeting with the company and I expect to get a full briefing later this afternoon.

**Mr. Plohman:** Madam Deputy Speaker, in light of the fact that the Minister of Agriculture (Mr. Findlay) said this is a top priority, and the need is for bridge financing immediately to operate this year, I want to ask the Minister of Industry, Trade and Tourism what mechanism he is putting in place to ensure immediate response with regard to the short-term needs, not the long term, which was what the meeting was about, but right now for operation this year.

**Mr. Stefanson:** I am not so sure that you can separate those two issues, because in the final



analysis, we want all Manitoba companies and entities to be long term and to create jobs, not just for today but for years into the future. So in terms of finding a viable solution for any Manitoba company, you do not just look at a short-term patchwork approach; you look at the long term and how you can maintain it on a stable basis.

This harkens back to the kind of philosophy that we have seen from this member when he was a part of a government—short-term, make-work jobs, instead of creating an environment and a climate that creates long-term, stable jobs so that Manitobans have a job today and five years from now and ten years from now, unlike the kinds of jobs created when he was in cabinet.

\* (1400)

**Mr. Plohma:** That is a disgusting slur on farmers of alfalfa products.

I want to ask this minister a question. In light of the fact they have been operating for over 20 years and are not a fly-by-night operation, what action is this minister going to take right now to ensure that they stay in operation now, this year, so they will not lose all of the markets they have built up over these years.

**Mr. Stefanson:** There was certainly no disgusting slur on the farmers or agriculture here in Manitoba. I suggest the honourable member for Dauphin (Mr. Plohma) should just look in the mirror. He need look no further, Madam Deputy Speaker.

I have indicated, in terms of the priority that we are talking about, we are talking about long-term jobs, long-term solutions. That is how we deal with any economic situation in terms of the viability of entities and companies in this province. I indicated I will get a full briefing this afternoon and we will be dealing with that issue.

### Fisheries Act Amendments

**Mr. Oscar Lathlin (The Pas):** Madam Deputy Speaker, my questions are directed to the Minister of Natural Resources.

Last week, the minister expressed in the House a regret about the lack of support that he was getting for trying to keep support for fishermen in northern Manitoba. Following up on that crucial issue in northern Manitoba, I want to ask the minister whether he has dropped plans to amend The

Fisheries Act in view of the opposition his officials have met so far in public meetings.

**Hon. Harry Enns (Minister of Natural Resources):** Madam Deputy Speaker, I have had a considerable amount of discussion with representatives of the fisheries industry. Different senior officials of the department have had public meetings with various commercial fishing groups along the lakes, particularly on our major fisheries on Lake Winnipeg. We have looked very carefully at the impact of proposed legislation and will be presenting legislation to this House in due course.

### Northern Freight Assistance Program Government Commitment

**Mr. Oscar Lathlin (The Pas):** Madam Deputy Speaker, since prices for virtually every kind of commercial fish have dropped this year and at the same time the cost of fishing has gone up so dramatically, what efforts has this minister made to restore the funding for the freight subsidy program so that some of our fishermen in the North can afford to keep operating this year?

**Hon. Harry Enns (Minister of Natural Resources):** Madam Deputy Speaker, the honourable member is aware that \$250,000 of taxpayers' money that is provided to offset the freight costs is virtually exclusively assigned to the northern fisheries.

If any of the commercial fishermen in the province have a complaint and they are voicing them to me, it is those in the southern fisheries, namely again in the Lake Winnipeg area, who are experiencing difficulty.

The whitefish industry is not in good shape, not in good health, and they have lost most of the freight assistance that the province provides. We did that on the rationale that it would be fairer to provide the more distant, the northern fisheries who have the bigger freight bill to pay. They are the recipients of virtually all of the \$250,000 of assistance that is ongoing and has been ongoing, despite the hard budgetary times that we all face.

### Fishing Industry Government Support

**Mr. Oscar Lathlin (The Pas):** Madam Deputy Speaker, my final question is to the same minister.

I would like to ask the minister if he will commit himself and this government to getting the same

support for fishermen in this province, particularly in northern Manitoba, as what is happening in the Maritimes?

**Hon. Harry Enns (Minister of Natural Resources):** The honourable member raises an interesting point. It is a matter that I have raised directly with the federal minister, the honourable minister of federal Fisheries Mr. Crosbie, at the time that a very significant and substantial support program was announced by the federal government. I believe it was some \$500 million for the serious difficulties that the eastern offshore fisheries, principally in the Newfoundland-Nova Scotia area, find themselves in. I, at that time, approached the federal minister directly that some relatively modest proportion of that applied to our own inland fisheries here would go a long way in helping out some of the difficulties that I acknowledge our fishermen have.

I will, Madam Deputy Speaker, continue to try to convince anybody and everybody who is prepared to listen that our fisheries are in some difficulty, particularly our whitefish industry and the northern fisheries have a problem getting their product onto market. We keep hoping that there are brighter days in the future. I have discussed some of the options with the representatives of the Freshwater Fish Marketing Corporation, but I will continue working in that direction.

### **Workers Compensation Board Jean Rochon Case**

**Mr. Daryl Reid (Transcona):** Madam Deputy Speaker, Mr. Jean Rochon, a gentleman in his mid-fifties, sustained a workplace back injury in 1985 which left him permanently disabled. He now uses canes and a walker and is currently receiving Canada Pension Plan disability benefits. In September of 1992, the WCB threatened Mr. Rochon with termination of his WCB benefits if he did not seek work.

My question is for the Minister responsible for the Workers Compensation Board: Why has the WCB videotaped, pushed and threatened this individual to return to the workforce when his personal doctor indicates that he has a total permanent disability?

**Hon. Darren Praznik (Minister responsible for and charged with the administration of The Workers Compensation Act):** Madam Deputy Speaker, I would say to the member for Transcona,

I would invite him to take up this particular individual's case with the chair of the board. There are three labour appointments to the board. There is an appeal process on a variety of decisions. As I have said in this House before, we have a Workers Compensation Board with a nine-member board with three labour appointments who are very, very capable people, who set the policies, who are responsible for the administration of the board.

I would suggest that he raise it with those board members, including Mr. Bruno Zimmer who is a member of that board appointed by labour, who are responsible for these kinds of issues. That is the process as opposed to raising this matter directly in the House. I would suggest he use that format.

**Mr. Reid:** Madam Deputy Speaker, the reason I raise this is that the minister is the last person left in the chain of command here to which I can raise these concerns, because others in WCB have ignored that. [interjection] He just does not want to take the responsibility on it.

My question, Madam Deputy Speaker, is for the same minister. Can the minister explain why the Workers Compensation Board is now forcing this injured person to attend psychiatric evaluation and counselling by the WCB staff, or the people they appoint, without the presence of the individual's spouse, whom they refuse to allow into the room, and is now forcing the individual to attend a U.S. pain clinic when his personal doctor indicates that these actions will undo everything achieved to date? Why is the WCB attacking this individual?

\* (1410)

**Mr. Praznik:** Madam Deputy Speaker, I want to point out to the member for Transcona that many of the issues he has raised here on the floor of the House, including the use—I am not sure, but I believe—of the Sister Kenny pain clinic which is a well-respected pain clinic, he may oppose it because it happens to be south of the 49th parallel, but it is a valid clinic. All of these issues are administrative matters.

I have had occasion to sit down with members of the board of directors, including Margaret Day, who is a member of the Manitoba Government Employees' Union; Bruno Zimmer from the Food and Commercial Workers; Marla Niekamp, who is a member of the Manitoba Nurses' Union, who were all nominated by the labour community, including the Federation of Labour. Those decisions that you

are raising are policy matters in which they contributed to. In discussions with the chair of the board, I understand that virtually every policy matter settled by the board is done on a unanimous basis, a consensus basis. There have not been split votes.

So I would suggest that, since he belongs to a party that claims to have an affiliation with labour, he raise some of these matters with those members of the board of directors. I am prepared to follow up with some questions to the board, but I would indicate that it is a joint board including labour representatives who develop those policies that he today is coming here and questioning.

### **Environmental Concerns Contaminated Soil**

**Hon. Glen Cummlings (Minister of Environment):** Madam Deputy Speaker, yesterday I was asked a question for which I did not have the answer regarding soil contamination, how many of the property owners are paying and how much.

Eighty percent of the cost is paid up-front, and the balance of 20 percent is collectable and is collected. The site at Elmwood Motors is within guidelines. Hespeler Auto has been issued an order and is in the process of clean up. Petro-Canada is treating soil onsite by vapour extraction.

I also take great pride in the fact that on environmental matters we are always forthright with the information, Madam Deputy Speaker.

There was a question from the member for Radisson (Ms. Cerilli) about whether or not the department had made available information. I want to put on the record that on December 16 the Department of Environment's Freedom of Information officer phoned the member for Transcona (Mr. Reid) to indicate that the files he had requested were available. The return message was left, but the member for Transcona did not return the second message that went to him. The files are still available if he wants to come and get them.

### **Deputy Ministers Salary Increases**

**Mr. Steve Ashton (Thompson):** Madam Deputy Speaker, Manitobans are increasingly questioning the "fairness"—and I put that in quotation marks—of the Conservative government. No group of Manitobans is questioning the fairness of this

government's actions more than the many civil servants who have had their wages frozen, are having now the involuntary days off, which is effectively a wage cut.

Yesterday, questions were raised even to the Minister of Family Services (Mr. Gilleshammer) asking, in terms of salaries in terms of deputy ministers within departments of government. At that time, the minister said that deputy ministers were being increased at the rate of the MGEU contract. Well, Public Accounts indicates that deputy ministers have in fact, while civil servants have been cut, been getting significant increases, and in the minister's department an increase of 14.9 percent over the last two years.

I have a very simple question. Is it fair to expect 100,000 civil servants to take pay cuts and pay freezes and at the same time to have increases to senior staff of in excess of double digit figures? Is that fairness, Madam Deputy Speaker?

**Hon. Clayton Manness (Minister of Finance):** Madam Deputy Speaker, I do not know to what document the member is referring. Certainly, the Public Accounts for year-end '93 are not even yet brought together.

If the member is trying to introduce into debate, by way of question, Madam Deputy Speaker, '91-92 year-end records, I say to him, that has nothing to do with Bill 22, which, by the way, I will be introducing for second reading once we move into Orders of the Day. The member cannot stand here and try and compare those two sources of information because they come from two different periods of time.

**Mr. Ashton:** Madam Deputy Speaker, perhaps the Minister of Finance should check the figures between 1990 and 1992 where civil servants had a pay freeze and a 3 percent increase and now a 3.8 percent—

**Madam Deputy Speaker:** Order, please.

**Mr. Ashton:** Madam Deputy Speaker, I will ask the Minister of Finance, how does he justify deputy ministers getting increases, in this particular case of 14.9 percent, at the same time when civil servants were being cut?

**Mr. Manness:** Madam Deputy Speaker, I do not know what the member is trying to indicate. He is trying to indicate that there has been some increase within the higher senior levels of government, where

have been significant reclassifications throughout the whole civil service.

I dare say, if the member wants to pick and choose specific indications he can go about doing that all day, but he is not going to be able to contribute to the debate. He is not going to be able to suggest how it is that we have been able to freeze the taxes in this province for six years. He is not going to be able to point out how it was we brought probably the fairest budget down in all of Canada at this point in time.

### Deputy Ministers Salary Increases

**Mr. Steve Ashton (Thompson):** My final question to the Minister of Finance is: Will he not recognize the inherent unfairness of treating employees who make \$20,000 a year one way, cutting them back, and having senior civil servants getting increases?

Will he now at least be consistent and not have this unfair system that we are seeing with senior civil servants getting double digit increases over a two-year period?

**Hon. Darren Praznik (Minister of Labour):** Madam Deputy Speaker, just to add to the answer to this question, the member for Thompson very conveniently in his question forgets to mention a thing called reclassifications which happen from time to time. He may laugh, but there were over 500 members of the civil service, of the MGEU, who had reclassifications.

If he is proposing that should not happen I am sure the MGEU would take a very different position from him. As well, there is one-third of the public service which has merit increases that still apply which the member also tends to forget and leave out of this debate. So I think what he is doing, quite frankly, is comparing apples to oranges. He is not making a fair comparison at all.

If there was one deputy minister—and we do not even know if his facts are accurate—had that increase, it could have been a reclassification. But there were at least 500 members of the MGEU who had positions reclassified who could have had even larger increases than that.

Now, if he is proposing that not happen, that not be a tool available, then I would suggest that he take it up with the MGEU because they have never, never suggested to us that we should not have a process

to properly reclassify positions with their responsibilities.

**Madam Deputy Speaker:** Order, please. The time for Question Period has expired.

### ORDERS OF THE DAY

**Hon. Clayton Manness (Government House Leader):** Madam Deputy Speaker, would you call second readings of the following bills: Bill 22, Bill 23 and Bill 25.

### SECOND READINGS

#### Bill 22—The Public Sector Reduced Work Week and Compensation Management Act

**Hon. Clayton Manness (Minister of Finance):** Madam Deputy Speaker, I move, seconded by the Minister of Justice and Attorney General (Mr. McCrae), that Bill 22, The Public Sector Reduced Work Week And Compensation Management Act (Loi sur la réduction de la semaine de travail et la gestion des salaires dans le secteur public), be now read a second time and be referred to a committee of this House.

#### Motion presented.

**Mr. Manness:** Madam Deputy Speaker, I am introducing Bill 22, The Public Sector Reduced Work Week and Compensation Management Act.

Before I get too far into reading Bill 22, I would just like to react to the last question put by the member for Thompson (Mr. Ashton), and I will do so in the context of Bill 22.

#### Point of Order

**Mr. Steve Ashton (Opposition House Leader):** Madam Deputy Speaker, I do believe the minister would be out of order, but if the minister wants to continue with Question Period on that I would be glad to do it if he wants equal treatment. Otherwise he is out of order.

**Mr. Manness:** As I indicated in my answer, the very essence of the question put by the member for Thompson will flow quite consistently with the rationale behind Bill 22. So I cannot be ruled out of order if indeed the response I give for second reading Bill 22 indirectly answers his question from Question Period just a moment ago. It seems though that because the cameras have now left the Chamber, the member is not interested in answering.

\*(1420)

**Madam Deputy Speaker:** Order, please. I thank the honourable members for their advice, and I am sure that the honourable minister's remarks will indeed be relevant to his bill.

\* \* \*

**Mr. Manness:** Madam Deputy Speaker, as members are aware, the Province of Manitoba, like governments across Canada of all political affiliations, is facing serious fiscal challenges, and whereas some would try and portray by using a specific example and trying to make it look like it represents the average for a whole group of senior civil servants and tries to make it appear that individuals at the higher level are receiving remuneration above everybody else, I say the very essence of Bill 22 will attempt to provide the fairness that all Manitobans of all stripes, regardless of whether they are working for government or not, are wanting to see their government bring into place at this point in time.

In the past few weeks, several governments have announced measures to reduce or limit public sector compensation through layoffs, wage reductions and reduced workweeks. Other governments, while not formally announcing public-sector compensation restraint programs, have publicly indicated they are considering a variety of measures. While I can assure members that this government is not blaming public servants for the fiscal difficulty it faces, the reality is that the vast majority of provincial expenditure goes towards wages, either directly to civil servants or as a funding for wages in other areas of the public sector, including the priority areas of health and education. The Manitoba public sector, excluding employees of the federal government and its agency, employs over 100,000 individuals with a payroll of approximately \$3.4 billion.

Madam Deputy Speaker, I just ask members of the House for a moment, try and understand the magnitude of those numbers. We have approximately in Manitoba 450,000 tax filers. Yet, a public sector represents 100,000 of those tax filers. So, those who through their activities and through the provision of services that they provide for the public are ultimately paid directly or indirectly, either through rates that they pay on their telephone or their hydro or indeed by wages that they receive

directly or indirectly through government; 100,000 of that number make up the public sector.

Madam Deputy Speaker, in addition, payments to physicians which were not included in that 100,000 under the fee schedule total an excessive \$250 million per year. Therefore, each 1 percent of the public sector payroll represents approximately \$36 million. In February, I announced a reduced workweek program for the civil service. At the same time I indicated that I expected Crown corps and other government-funded entities to adopt similar approaches. In announcing funding levels to education and other sectors, my colleagues have recommended this model as a means to meet financial requirements.

A number of employers in the public sector have indicated significant interest in the reduced workweek model as an innovative way to meet financial requirements without significant layoffs and with the least impact on priority services. Indeed, some have entered into tentative agreements with their employees on the implementation of reductions. However, many are concerned that existing legislation agreements may hinder the application of this model in their organization.

Madam Deputy Speaker, to digress only for a second. When I brought down Bill 70 almost two years ago, there was some request from across Canada to understand more fully what it is that we were intending to do within the Province of Manitoba. What happened when I served notice that the government was going to bring down this model, the reduced workweek model, from across Canada significant support and credit came for this type of approach from all governments. It was private to me. I will not say who they are, but the reality is this was seen as a very innovative and probably the proper model to adopt in today's context.

Madam Deputy Speaker, other examples, the Manitoba Association of School Trustees, at their recent meetings, requested the province introduce legislation to facilitate days off without pay. In addition, they also requested legislation to reduce the rates of pay of teachers.

While we were not prepared to legislate reduced rates of pay, we are responding to these concerns with legislation that provides an innovative mechanism that can be utilized by public employers

to assist them in their efforts to control compensation costs, while at the same time minimizing the need for significant staff reductions.

In addition, the legislation will reduce the compensation paid to MLAs and appointees to the government boards and commissions. It will also limit the total payments made to Manitoba physicians.

In developing this legislation, the government was guided by several principles, as we usually are, Madam Deputy Speaker. Our legislation is almost always governed by principles.

In developing this legislation, the government was guided by: (1) we sensed that the legislation should provide a mechanism for public employers to meet financial requirements without having to layoff significant numbers of employees; (2) that the decision on whether or not to utilize the provisions of the legislation should be left to each employer following an assessment of their specific requirements; (3) that a consultation process be provided to ensure that the views of the employee representatives are sought and agreements between the parties are made possible, and, as the legislation shows, that has to be at least 30 days, has to be directed to those efforts; (4) that impediments to consistent treatment throughout the public sector be removed; and (5) that other aspects of employee compensation, such as benefits, be protected to the extent possible.

Key provisions. The legislation is divided into three parts: (1) reduced workweek and reduced compensation; (2) medical practitioners' compensation; and (3) the part dealing with the members of the Legislative Assembly.

First of all, the reduced workweek. The legislation will allow employers, following consultation with employee representatives, to implement reduced workweek programs during which employees would take unpaid leaves of absences for up to 15 days or portions of days totalling 15. These programs could be put in place for up to two consecutive 12-month periods commencing in 1993.

The number of days of leave of absence and the mechanism for achieving the leaves would be established and fixed in a notice filed with the Minister of Labour (Mr. Praznik).

The legislation will facilitate the application of the reduced workweek to all employees, including those

in essential-service areas. In the absence of the legislation, many employers could only provide essential services and still achieve financial objectives by having those at the lower end of the seniority scale bear the brunt of the work reductions through the layoff mechanism.

We believe that significant additional layoffs can be avoided through a mechanism which will require all employees to share in the reduced workweek program.

The legislation will not impact on negotiated increases in rates of pay and benefit plan provisions, nor will any provisions of collective agreements not related to the introduction and implementation of reduced workweek programs be affected.

In order to protect employee benefits to the extent possible, the leaves of absence will be deemed by the legislation to not constitute a layoff. Under many collective agreements, benefits cease upon layoff. However, under these agreements, some grace period is provided in the case of leaves of absence without pay to allow for the continuation of benefit coverage.

Reduced compensation. In order to ensure that all groups are treated in a consistent manner for the '93-94 fiscal year, members of Crown agencies, boards, commissions and committees and other individuals appointed by the Lieutenant-Governor-in-Council will have the amount paid to them reduced by 3.8 per cent. For the '94-95 fiscal year, the amounts will be reduced by an amount equivalent to the effect on pay that the reduced workweek program will have on civil servants for that year. The groups affected will include political appointees and Provincial Court Judges. Wherever practical, it is expected that these individuals will also take the corresponding number of days off.

\* (1430)

Before moving on to Part 2, I would like to clarify briefly for members the province's intent with respect to reduced workweek program for civil servants. All civil servants will be required to take 10 days of leave of absence without pay. Government offices will be closed for seven Fridays in July and August and three days between Christmas and New Year's. Employees involved in essential services or areas with seasonal imperatives such as highways construction will take the days off on a scheduled basis or at alternative times of the year.

Fee schedules under Part 2. Total payments to physicians under the fee-for-service program for '93-94 will be capped at 98 percent of the '92-93 level. This is consistent with the funding reductions which have been applied to other sectors. It is also consistent with a desire to have the impact of the fiscal restraints shared throughout the public sector. Under the fee-for-service program, the total payments are a function of two factors: the amount paid for each service according to the schedule, and the number of services provided. Since the number of services provided can vary year to year, it is impossible to know precisely what impact the number of services will have on total payments. Therefore, the legislation will allow the Minister of Health (Mr. Orchard) to adjust the amount paid for each service during the year to ensure that the funding available for '93-94 is not exceeded.

I would like to stress that this legislation will not restrict access to medical services. A fee will continue to be paid for each insured medical service provided to Manitobans. At the end of the '93-94 fiscal year, a reconciliation will take place, and if less than the amount available has been expended, physicians will receive an additional amount up to the full value of the fee schedule. If the available amount has been exceeded, the excess amount will be recovered from physicians. A similar process will also apply to the '94-95 fiscal year with the funding cap established by regulation as a percentage of the '93-94 expenditure.

Third part, MLAs. Part 3 of the legislation will reduce the indemnity and the allowance paid to MLAs under The Legislative Assembly Act by 3.8 percent. Constituency and access allowances will also be reduced by 3.8 percent. These sections will put into legislation the changes already agreed to by representatives of all parties on the Legislative Assembly Management Commission.

Madam Deputy Speaker, in conclusion, as I indicated previously, this legislation is intended to make available to public-sector employers a mechanism that will allow them to meet their financial requirements without significantly reducing jobs. The decision of whether or not to utilize the mechanism will be made by each employer based on an assessment of their particular circumstances. By that I mean, in some cases if there are other ways of achieving the target on the salary line, of reducing it in a manner consistent with what the government has had to do and what Crowns of government have

had to do, then indeed this model may not need to be used; but, if other ways cannot be found, then we would expect this model, some variation of this model, to be used by any group which draws its funding, direct or indirect, in a significant fashion from government.

Madam Deputy Speaker, in addition, legislation does not preclude employers and employees from agreeing to alternate ways to meet the financial requirements. Indeed, I understand that several employers are presently discussing voluntary agreements with their employees. The mechanism provided by this legislation should provide employers with an innovative and equitable means to avoid the substantial job cuts that could be required in some areas to meet their required financial requirements, and it will allow all employee groups to be treated in a consistent fashion. Consistency was what we sought. The government knew and has been saying for some period of time that unless employees, direct or indirect, all people who draw their livelihood in a sense from the public purse, felt that they were treated in some consistent and fair manner, nobody would buy into the concept that they had to do their share.

Madam Deputy Speaker, what we have found out since my speaking notes were prepared is that there are groups within government, there are groups within the Crowns, who once they have seen that everybody will be treated fairly, they have come forward. Not that anybody likes to give away a portion of their disposable income and see a reduction, nobody likes to do that, but the reality is everybody understands, except for the opposition parties for the most part, that we have problems that have to be dealt with on the expenditure side.

Madam Deputy Speaker, I pay tribute to those employee groups and to those union leaders who have seen that they have a role to play, who have seen that they have a responsibility in fair sharing of the difficulties that we have and who have worked towards an agreement and now who are trying and who are selling this type of approach amongst their employees. That is why this province is going to lead this nation with respect to industrial relations for the years to come and with respect to the fiscal framework so necessary to build the economic future for our children. Thank you very much.

**Mr. Ashton:** Madam Deputy Speaker, I wonder if I might ask questions for clarification on second reading.

**Madam Deputy Speaker:** The honourable member for Thompson, the honourable Minister of Finance has agreed to answer questions for clarification.

**Mr. Ashton:** As much as I would like to debate, it is not going to be anything in terms of that. It is strictly for clarification.

I would like to get some indication from the Minister of Finance who made reference in his comments to essential services. This is a concern that relates not just to the general civil service, but also Crown corporations as well, because obviously Telephones, Hydro, also provide essential services.

I would like to ask who defines essential services, how that is decided, and whether this act sets up any particular mechanism that will provide for some analysis of what is an essential service and, under the minister's explanation, will be treated differently than other services.

**Madam Deputy Speaker:** Order, please. Procedurally, I beg the indulgence of the House. I need to clarify whether indeed there is leave for the member to pose the question.

**An Honourable Member:** Leave.

**Madam Deputy Chairperson:** Leave? Agreed.

**Mr. Manness:** Madam Deputy Speaker, the question is well put. Certainly, government is trying to more clearly define what it means by essential services. In the context of corrections, in the context of certain dimensions of the health care system, we can readily indicate what essential services are, but still throughout the various departments of government there are other essential services, I think, particularly in Justice, a small area within the Land Titles for the filing of registrations for month-end closings. I mean, we are going to have to maintain an individual or something and that, in essence, would be deemed an essential service.

So we are going throughout all of government, and indeed officials through departments are bringing these examples to us. We know, for instance, the jails are essential services. Those are the easy ones, but we are combing throughout all of government and trying to more clearly define, under the criteria that we have in place, to try and give greater dimension to that. Ultimately, we will go as far as we can and as far as necessary to provide the services, but the government will leave upon itself

the ultimate right and therefore the ultimate responsibility and therefore the ultimate criticism as to whether we have included too much or whether we have not included enough.

**Mr. Ashton:** Just one further clarification on essential services. Presumably there are two possible dimensions in the case of essential services. One would be not following the seven days in the summer and three days in the Christmas-New Year period, which is the standard amount that was indicated by the Minister of Finance (Mr. Manness). The second would be, presumably, that some individuals might not have the 10 days off with leave.

I would like to ask, when the minister talks about essential services, which of those two scenarios is he looking at in the act, or is he looking at potentially both? Will there be some cases where, say, conservation officers may have a different time-off period but some conservation officers may be working throughout the year? I am just wondering when the minister talks about essential services what he is referring to exactly.

**Mr. Manness:** Well, again, my first answer holds, although again there is good reason to have some flexibility. The member talks about conservation officers. Yes, there are areas, particularly in Natural Resources and within Highways, where there is good reason that we will not force the hard rule of seven days in the summer and three days in the Christmas break.

For example, I look into transportation. I mean, we are building roads in the summer, so if we need engineers in place on site to build a road, we are not going to shut down the road construction on a Friday in the middle of summer because we do not have a highways engineer there. Obviously, common sense would dictate that that will be deemed an essential service for that day for that particular occupation.

The same in Natural Resources. We are not going to close down the ticket booths or the toll booths coming into parks on a Friday. I mean, well, common sense is going to prevail here, and I make no apology for that.

The guiding rule throughout all the departments will be seven days off in July and August. All administrative offices, for sure, will be expected to close by the general guideline, which is seven days in the summer and three days at Christmastime.



**Mr. Daryl Reid (Transcona):** I move, seconded by the member for Broadway (Mr. Santos), that debate be adjourned.

**Motion agreed to.**

**Bill 23—The Retail Businesses Holiday Closing Amendment, Employment Standards Amendment and Payment of Wages Amendment Act**

**Hon. Eric Stefanson (Minister of Industry, Trade and Tourism):** I move, seconded by the Minister of Northern Affairs (Mr. Downey), that Bill 23, The Retail Businesses Holiday Closing Amendment, Employment Standards Amendment and Payment of Wages Amendment Act (Loi modifiant la Loi sur les jours fériés dans le commerce de détail, la Loi sur les normes d'emploi et la Loi sur le paiement des salaires), be now read a second time and be referred to a committee of this House.

**Motion presented.**

\* (1440)

**Mr. Stefanson:** Madam Deputy Speaker, I am pleased to rise on Bill 23. Members of this House are aware that on March 26, 1993, our government announced its intention to introduce legislation to extend the trial period of Sunday shopping in Manitoba with the purpose of allowing municipalities in this province to determine whether they wish to have liberalized Sunday shopping in their communities. Accordingly, we are introducing several amendments to The Retail Businesses Holiday Closing Act, The Employment Standards Act, and The Payment of Wages Act.

These amendments come in the form of Bill 23, which is to be considered by the House in two parts, Madam Deputy Speaker. In effect, Part 1 would amend the three acts to extend the previous trial period from April 12, 1993, to September 30, 1993, and would maintain the full effect of those earlier amendments.

Part 2 would amend The Retail Businesses Holiday Closing Act to enable municipalities, as defined in the legislation, to pass a by-law permitting stores in their jurisdictions to remain open on certain holidays, including Sundays. In light of the various issues related to economics, social realities and community values, we believe this approach to Sunday shopping reflects reasonable, realistic and flexible choices for all involved. Indeed, one of our primary concerns throughout this discussion has

been to broaden the range of choices available to all Manitobans.

Briefly, the effect of this legislation, if passed, will be as follows: The existing trial period would be extended to September 30, 1993. All provisions under the earlier amendments regarding Sunday shopping would remain in effect. As well, retailers will have the choice of whether or not to open on Sunday. Also, Sunday shopping will not be allowed prior to 12 noon or after 6 p.m., and as well, employees in retail outlets formerly forced to close on Sunday will retain the right to choose not to work on Sunday.

Madam Deputy Speaker, as of September 30, 1993, the former regime regarding Sunday openings would apply, except in municipalities that had passed by-laws to permit Sunday openings, that is, municipalities that do not pass a specific by-law on this issue would be governed by the previous legislation that only allows specifically designated retail outlets or those with four or few employees to open on Sundays. However, municipalities may pass such a by-law at any time before or after September 30.

Our rationale, Madam Deputy Speaker, for this new set of amendments is driven by similar considerations that prompted our undertaking of the first trial period. We believe Sunday shopping is something that many Manitoba consumers have been calling for, and we believe that it can provide greater convenience and some measure of economic benefits for all. At the same time, we have recognized that Sunday shopping may also have implications for community activities, values and desires.

With changes in employment patterns and demographics, many families are finding it increasingly difficult to confine all their shopping to one full day, that is a Saturday, and with more and more two-income families and single-parent families, for many Manitobans, the weekend is the only realistic time to do some shopping.

Moreover, research shows that in terms of personal preference, the majority of Manitobans support the introduction of Sunday shopping. In a survey conducted last year, three-quarters of Manitobans responded favourably towards liberalized Sunday shopping when certain conditions were attached. These conditions might include limited hours or certain seasons, and not

surprisingly, people who describe themselves as cross-border shoppers were amongst the most supportive of wide-open Sunday shopping.

This brings me to the economic rationale for our approach. When we introduced a trial period, we suggested that Sunday shopping had significant potential for economic benefit. We were particularly concerned with countering the effects of cross-border shopping in certain areas of our province. However, we were also impressed with economic studies indicating the general positive impact of Sunday shopping. In light of these realities, we felt it was even more important to allow local communities themselves to weigh the pros and cons of Sunday shopping and make their decisions based on the actual feelings and needs of their residents.

Let me turn for a moment to what our assessment of the trial period has told us so far, Madam Deputy Speaker. In December 1992 actual retail sales in Manitoba were \$57 million higher than in December 1991, an increase of around 9 percent. This represents the second highest growth in Canada for that period behind only British Columbia.

Sales tax revenues were 10.6 percent higher in December '92 than in 1991, and this increase held for all regions of the province.

There was no change in retail bankruptcies in December 1992 compared to the same period in 1991. There was also no significant change recorded in the consumer price index. Canadian shoppers travelling to the United States declined by 35 percent as compared to the previous year.

Some of these changes may appear to be significant increases. However, Sunday store openings were of course not the only factor differentiating 1992 from 1991. Besides these detailed economic studies, the Manitoba Bureau of Statistics conducted a survey of over 500 retailers from all areas of the province. It found, Madam Deputy Speaker, amongst other things, that 31 percent of retailers felt Sunday shopping had a favourable impact on the economy, and 17 percent said it had a negative impact. However, 35 percent also felt it had no impact.

Seventy-five percent of retailers felt the decision to open on Sunday should be left to each individual retailer. That is a very important message, Madam Deputy Speaker. As well, 11 percent of those

retailers who opened on Sunday hired additional staff.

We also considered other factors and issues in reaching our decision. We were aware, of course, that public opinion seemed to favour some sort of relaxation of the current legislation. Seven other Canadian provinces currently allow Sunday shopping on some basis. This has provided us not only with some models for legislation which I will speak about in a moment but also a growing base of public opinion research to consider as well.

Most of this research has shown strong support for expanded shopping on Sundays. In Toronto, Ontario, Goldfarb Consultants conducted a research project designed to identify the level of support for Sunday shopping amongst Ontario residents. The key findings of their study conducted in 1990 include, over three-quarters of all respondents favoured Sunday shopping. Over three-quarters of those who work on Sundays favoured Sunday shopping, and support is highest amongst single parents, working women and those who work irregular hours. As well, a large majority indicated that Sunday shopping does not interfere with family activities.

From results such as these, we have concluded that complete restriction on Sunday shopping, rather than simply creating an inconvenience, would actually place considerable hardship on certain groups in our society who face significant time constraints and others.

I hasten to point out that while Manitoba is quite different in population make-up from Ontario, demographics continue to show increases in the number of Manitobans who are single parents, working women and/or people who work irregular hours.

As mentioned, the Goldfarb study addressed some of the potential negative impact of Sunday shopping. In particular, it found most people did not see Sunday shopping having a detrimental effect on their family, personal or religious life or, indeed, the quality of life in their own communities. Of these same respondents, a full 90 percent said they do not spend any less time with their families because of Sunday shopping and, furthermore, two-thirds agreed that Sunday shopping allows families to better organize their weekends, so there is actually more family contact time.

\* (1450)

Across Canada today, Madam Deputy Speaker, we find a variety of approaches to the Sunday shopping issue. In British Columbia, Alberta, and Saskatchewan, the other western provinces, municipalities determine whether retail outlets may open on Sundays and on what conditions. This approach appears to be working well in those jurisdictions. In Quebec, the only limitation is that stores may not open before 8 a.m. or after 5 p.m. In Ontario, a bill to allow unrestricted Sunday shopping is now before the Legislature and expected to be passed.

Some provinces have unrestricted Sunday shopping in certain seasons. New Brunswick allows Sunday shopping from Labour Day to Christmas, while in Prince Edward Island, the season is from the last Sunday in November to Christmas. Only Newfoundland and Nova Scotia have more limited Sunday shopping, where openings are restricted to smaller retail outlets. Size may be determined either by the number of employees or the physical size of the store. As well, Madam Deputy Speaker, 50 United States states have expanded Sunday shopping.

After careful consideration of all the economic and social issues and the models offered in other jurisdictions, we have arrived at the municipal option. We feel it allows for individual communities to weigh the same factors that we did and assess how they would affect their community. It also offers them some latitude, as municipalities would be able to allow Sunday shopping on a limited or seasonal basis if they so wished.

As a government, we truly feel Sunday shopping has proven to be one of those issues where a uniform province-wide solution is not appropriate and where local communities must have the opportunity to decide what is the best solution for them. We have not required municipalities to pass a by-law outlawing Sunday shopping. Those municipalities that do not pass a by-law allowing Sunday shopping revert, as of September 30, 1993, to the old regime.

We have extended the trial period of liberalized Sunday shopping for another six months for two fundamental reasons: firstly, to give municipalities time to assess the issue and pass appropriate by-laws if they so desire; and secondly, to give municipalities an opportunity to assess the economic impact of Sunday shopping during the high tourist traffic months of June, July and August.

Nearly two-thirds of United States' visitors travelling to Manitoba come here during those months.

As well, Madam Deputy Speaker, we have maintained several basic restrictions on Sunday shopping that will apply to all businesses that employ five or more people in those municipalities that opt in. These restrictions have applied throughout the initial trial period and will still apply in the continued trial period and after September 30 to municipalities that permit Sunday shopping.

Finally, I should note that as with the earlier amendments, the changes allowing for Sunday openings after September 30 would not apply to the statutory holidays of Christmas Day, New Year's Day, Good Friday, Easter Sunday, Canada Day and Labour Day.

It is our hope, Madam Deputy Speaker, that this proposed solution to the question of Sunday shopping will address what we see as at least three key issues: firstly, the need for local community decision making; secondly, the need for sensitivity towards specific groups; and thirdly, the need to find creative ways to stimulate our retail sector. Thank you, very much.

**Mr. Steve Ashton (Thompson):** Madam Deputy Speaker, I must say that it is hard to know where to begin in this particular bill, because what a tangled mess this government has wrought in terms of Sunday shopping in this province. I want to deal with the mess this government has created in terms of this. I want to deal with the real reasons why we are seeing this bill. I want to deal with some of the arguments brought forward by the minister, supposed arguments for introducing this current bill.

Let us start by putting this bill into perspective. This bill, Bill 23, I was tempted to call it the sequel for the first Sunday shopping bill, but even Hollywood lets the original movie run before it gets into the sequel. In this case, they put out the original movie, Sunday Shopping I, and they ran into problems. First of all, it was clear that there were splits within their own caucus. [interjection] Oh, never, they say, Madam Deputy Speaker.

Is it not interesting that the second reason they were afraid to deal with it, there were splits in many of the communities that they represent? If they say never, I ask one very simple question. Why, when the opposition took the unprecedented step of passing the original Sunday shopping bill through to second reading before Christmas, when we had the

opportunity to have intersessional hearings—we could have had hearings in Winnipeg, we could have had hearings in Brandon, in Thompson, in Flin Flon, in Dauphin, in rural communities throughout Manitoba—why did the government not take up that unprecedented offer by the opposition?

Madam Deputy Speaker, I know in other bills we are criticized in the opposition for giving thorough time and discussion to bills, but you know where we sit on Sunday shopping.

I spoke in this House in December. I said, what a great opportunity, when we are dealing with what was introduced as a trial period, what a good opportunity to have the public of Manitoba speak before this bill is passed. Even though there would have been some retroactivity, there is no reason why we could not have had those public hearings and then either had the bill dropped or voted upon, passed or defeated prior to the end of the trial period.

What did the government choose to do? They had a bill that was retroactive to begin with, that they had plenty of opportunity to deal with in terms of the trial period itself, but they deliberately chose not to call the bill before committee until the trial period was over.

I mean, let us put the cards on the table here. Let us recognize what happened. I would say they could not even get their own caucus to agree to call it for second reading. That is the real reason that they have not yet called that bill and that is the real reason we are seeing now, if not a 180-degree turn, it is certainly a 90-degree turn in Bill 23.

Let us deal with that first question, the procedural question. I have never seen a government twisted around like a pretzel to the degree this government has on the Sunday shopping issue.

Well, let us go one step further. What is this bill? Well, this bill is sort of a trial period. There is a further trial period built in. Then it is basically a pass-the-buck bill. It is an interesting construction. They must have spent a lot of time in their caucus on this one. I do not know who came up with this brilliant compromise. He is brilliant, Madam Deputy Speaker.

We are now dealing with a bill that is sort of a trial period but is actually a pass-the-buck bill, a trial period that really, in this particular case, is going to lead nowhere in terms of this Legislature because this government has already made up its mind that

it wants to pass the issue over to the municipalities. You know, what it leads in once again is confusion.

I had the opportunity yesterday to speak, along with the Leader of the Opposition (Mr. Doer) and the M.P. for Churchill at my high school in Thompson to a Grade 11 and Grade 12 class, and there were a lot of good questions.

You know, I am just glad they never asked me on Sunday shopping, because I do not know how I would have explained to them how a government could bring in a bill that was a trial period, that was retroactive, the bill is still on the order paper and the trial period is over, and now they are bringing in a bill that is going to have another trial period, then pass the buck, that once again is now going to be passed, if it is passed in this House, after the trial period has begun.

I am sure the young people there would have said, how can they do this? How can you bring in retroactive bills to begin with, but how can you then turn around and end up with this dramatic change of direction?

I mean, Madam Deputy Speaker, what happens on the original Sunday shopping bill or on this bill if members of the House say no? What are we going to do?

People have been open for the last number of Sundays since the trial period began. What kind of chaos would we end up with? Would people then have to return all the merchandise they bought on Sunday? I mean, that would never happen, we know that. What would happen? What would happen is we would be the laughing stock of this country.

I must say, and this is an editorial comment, after what has happened on the tree issue in Winnipeg with the movie company, I would say that we could then add to it. We would certainly put ourselves on the map with this kind of, at first you say you do and then you say you do not, back-and-forth type of discussion that we are getting in this.

\* (1500)

In this case, we would be the laughing stock of the country. We might end up in the pages of the National Enquirer, but what a dubious honour that would be.

I mean, Madam Deputy Speaker, let us get serious here. This government brought in a bill because of the—well, is it not interesting? They are

calling for the question now when they have not called the original bill to committee for the last three months. Boy, are they brave from their seats—are they brave.

But this is the problem. There was a struggle within the caucus. Let us be up front about this. There was a struggle within the caucus in the same way—and this must have been very difficult for the Conservatives, because the Winnipeg Chamber of Commerce was on one side of the issue and the Manitoba Chamber of Commerce was on the other side of the issue.

For Tories that has got to be awful confusing, because Tories are usually fairly close with the chamber of commerce agenda. It must have been very difficult within the caucus between those that wanted to follow the Winnipeg Chamber agenda and those who wanted to follow the Manitoba Chamber. I think that is what happened. The urban side won out; the Winnipeg Chamber of Commerce won out. The rural members lost the first round.

Then what happened? I am sure people told them, do not worry. [interjection] Well, the member for Lakeside (Mr. Enns) said he sulked for a while. He laid himself down to rest and then he came back to fight another day. We have seen that with round No. 1.

Round No. 2, the reaction comes from the rural communities, and it was very clear that many rural communities, particularly in areas represented by members opposite, were not happy with the decisions.

Madam Deputy Speaker, they said to their members that this was unacceptable to bring in this kind of legislation, particularly retroactively, without any kind of consultation with rural Manitobans.

So that was round 2. Rural Manitobans said, whoa, wait a sec. Well, what did the Conservatives do? They knew they were in difficulty. Round 3 came when we passed the bill. That must have been a shock to some of the Conservative members who probably had been told by the strategists over there, do not worry, the opposition will never put this to a vote on second reading. I do not know how they would have come to that conclusion, because we were very clear from the beginning. We said, we want this to go to the people, we want public hearings.

Then they had a difficulty. It was passed through second reading. What were they going to do?

Well, then came the fourth round, because the pressure continued from rural communities. I know in Brandon there were many concerned citizens, because we happened to be in Brandon, our caucus, within a day of the Conservative caucus. We have talked to people and church groups, community groups who wanted to make a presentation to the Conservative cabinet, the Conservative caucus, when it was in Brandon, and they were told no. In fact, eventually they went to Brandon City Council, so round 4 was the pressure continued.

Then something happened. All of a sudden, we do not see the public hearings. Then a bill appears on the Order Paper—Bill 23, round 5. Well, I said in the first round, the Winnipeg Chamber view won out. In this one, I do not know really who won out but somewhere along the line some—and I use the word “brilliant” strategist again. I think what happened was, they persuaded themselves that now they had the really courageous decision of passing the buck. Throw that hot potato over to the municipalities, and they did not have to worry about it anymore.

Madam Deputy Speaker, what a courageous—and I use that again—courageous government here. After the mess of having a retroactive trial period that has since expired, now what they are doing before we have even decided on that bill, they are going to now have another trial period and then pass it over to the municipalities. Is that the way to deal with public policy in this province? [interjection]

Madam Deputy Speaker, the Minister of Northern Affairs (Mr. Downey) says, what have I got against local autonomy? Is it not interesting the same government is introducing a bill that takes away local autonomy in terms of school boards? That is hypocrisy, and if the Minister of Northern Affairs wishes to defend that, I look forward to his speech on this issue. We have been looking forward to speeches from members on this issue since this supposed debate began, but it is interesting that very few of them have chosen to speak on this issue.

We look forward to the Minister of Finance (Mr. Manness) saying how he would have voted on the original bill, how he will vote, how he will vote on this bill, and other members of this House, because they were strangely, eerily silent throughout this entire process. [interjection] Well, the Minister of Highways (Mr. Driedger) says, I do not know the half of it. I have talked to some of his constituents and I know their half of it. I know what half the minister is talking

about, Madam Deputy Speaker. I know that he was under some pressure, and I think that would be an understatement on this particular bill.

But, Madam Deputy Speaker, let us look at this. We have seen that there have been no public hearings on this bill, none whatsoever. So today we have the minister come in and introduce his rationale for the sequel, for Part 2, for the get-us-out-of-this-mess bill, so they hope.

You know what I found interesting, Madam Deputy Speaker, is here on the one hand, on the one side of the ledger, we have a government that will not go to the public for public hearings, as is required under the rules of this Legislature, all major public bills. Will not go to the public. I am not just even saying to rural Manitobans. They could have had a meeting here in the Legislature itself and invited people in to give their presentations. So what did the minister do instead? The minister trotted out, and he did it twice, talked about surveys and polling results. Surveys and polling results?

He quoted surveys from Manitoba and polling results from Toronto. Madam Deputy Speaker, it is interesting because members opposite should look very carefully when they run surveys, as all of us should when we run surveys, because let us look at what the real issue is in Manitoba. Is the real issue--[interjection] Well, the Minister of Northern Affairs asks me, what is the real issue? I know he has no idea what it is, and I will be quite glad to get into detail what it is. The real issue in Manitoba, if one looks at where the current bill came from, is that we have limited Sunday shopping in Manitoba. Anyone, to my mind, in this debate, who suggests that it is an issue between wide-open Sunday shopping and no Sunday shopping at all is missing the reality of the current law.

It is a law that goes back many years. There have been a number of versions of it, and it is interesting because when one looks at the history of Sunday shopping laws, it was in many ways an attempt by a combination in those days of many people within churches and many people within trade unions, an attempt to give working people the opportunity to have often what was their only day off in that period of time. That was the origins of the law.

Originally, of course, it was a religious focus, in terms of Sunday obviously being the Sabbath for those of Christian faith in Manitoba. It had that focus. In the Sterling Lyon period, there was a

limited compromise in terms of allowing, I believe it was, two employees in a store. What then happened was that in the mid-1980s the Charter of Rights was used in a court case; the defence said, you could not have this Sunday off as a religious-oriented move because of the recognition that there are Manitobans of other religions, and Canadians of other religions, that being part of the Charter of Rights itself.

So we sat down in this House—we were in government at the time, the Conservatives were in opposition, there was one Liberal member—and we came up with a compromise that dealt with the concerns of the Supreme Court and, Madam Deputy Speaker, dealt with the question as to what degree there would be Sunday shopping. That is where we ended up with what is still the legislation of four people, the requirement of no more than four workers. That was based on consensus in this House, consensus, one of the few cases I can remember where there has been that degree of consensus in that time period. It was a very volatile and polarized time period.

\* (1510)

Madam Deputy Speaker, it is interesting because, you know, when the minister who is bringing this bill in talks about polling results from Toronto, he should recognize that they have had different legislation and they currently have different legislation. If you ask a question on Sunday shopping, under the current legislation limited Sunday shopping is available, so if you ask, are you in favour of Sunday shopping, a good number of people who will say, yes, I am in favour of some degree of Sunday shopping, given a choice between this law, the current law and Bill 23 or its predecessor, the original trial period, a lot of people would then say, no, we are in favour of the current law as it stands. So any information you bring in from Ontario is misleading.

The minister talks about those people who do look to Sunday shopping in terms of demographic groups within society. Indeed that is the case, but under current law, many of those individuals are able to buy groceries, are able to certainly go to restaurants, are able to have access to a certain number of services. That is very clear. The bill we have currently is a compromise in that sense and was a compromise developed by all parties. So the real issue here is between the existing law and the kind of structure outlined in Bill 23. So any results you

have from Ontario are misleading. It is the same thing here in terms of surveys. The minister threw out all sorts of survey results.

I would like, Madam Deputy Speaker, as a courtesy, if the minister could table who conducted the surveys, the methodology that was used, the exact questions that were used, because that is important. Without that knowledge base, really no one should be quoting those kinds of statistics in this House. I mean, it is important to lay out the cards that way, and I look to the minister to table that information. It is very important for purposes of this debate.

You know, Madam Deputy Speaker, I go beyond that because I am dealing with the validity of the survey results. Let us deal with the validity of government by survey. You know, I remember, when John Diefenbaker was Leader of the Conservative Party, he had various descriptions for opinion polls at that time, which I will not repeat in the House, but I know some members will recall them. The problem, when you get into that trap of only governing by survey results, by whomever they may be conducted, is, it depends on the questions you ask, whom you ask in terms of the impact you get.

On the other hand, is that really what democracy is all about? I would ask, Madam Deputy Speaker, members of the House, look at the answers, even of some of their own ministers on other issues, because in the end result, as representatives of Manitobans, we have to make the final decision based on consultations with our constituents and also the unique fact that we are the only province that has hearings on public legislation in the country, mandated hearings in which any member of the public can come and express their views to our committee. That is not an empty process. I have been in this House 11 years. I have seen bills withdrawn or amended significantly. I have seen bills that have been amended in a subsequent year, in a lot of cases, based on feedback that was brought in the previous year.

It is a very important part of our political process in terms of the public hearings. The point of having public hearings and the point of having the system we have of three readings is that at each stage, there is an opportunity for members of the public to, first of all, have notice of the bill in the case of the notice that appears and in first reading, which is an opportunity to signal the intent. Then the bill is

printed and is an opportunity for members of the public to see it. Then, of course, we have second reading, where there is debate on the principle. Then we have the committee hearings at which members of the public get to express their views. We then have the opportunity as members of the Legislature to move amendments to bills. Then we have the report stage, and we have the final third reading stage. There is a reason we have that process.

I say to the government on this issue, the only appropriate way of dealing with a public policy mechanism of this kind is not through surveys and opinion polls, Goldfarb and associates from Toronto, it is not through the kind of political maneuvering that has been going on within the Conservative caucus trying to avoid the kind of public embarrassment that they put themselves in by proceeding down a course and not recognizing the kind of reaction that they would get, Madam Deputy Speaker, it would have been to put it to public hearings.

I will go further than that, Madam Deputy Speaker. I would suggest, there are many other issues that could also go to public hearings, some of which are dealt with by legislation, some which are not, video lottery terminals being a good example, where major policy decisions are made and we deal with the consequences after. Regardless of that debate, I am referring to the fact that there is a reason for that.

Madam Deputy Speaker, I would go even further than just talking about specific issues. There is a lot of talk about the need for parliamentary reform. We are at a point where there is a growing cynicism about the political process. Does this kind of Bill 23 process help? No, it contributes to the cynicism, because instead of giving the public the opportunity to use our committee structure—I would say it would have been innovative to go throughout the province to hold hearings on this bill. Instead, the public have been denied, up to this point in time, the opportunity to speak, and when it is discussed, many of the decisions will have been fait accomplis.

So it goes beyond the public process in terms of individual bills. It deals with parliamentary democracy. I would note that all parties in Ottawa were talking about it. We have been talking about it here. We have to start practising what we preach. We cannot talk about improving accessibility and accountability. We have to show action on that. That is one of the reasons why we passed this bill,

the original bill, through second reading before Christmas.

We came in in a fall session. That is something that has not been the standard practice in this province. I think it should be. I think we then should be in the process of having more legislation dealt with in the fall at second reading and then have that legislation put over for intersessional hearings that in some cases can be held across the province. We tend to pass 90 percent of legislation the last week, sometimes the last day, the last day that we sit.

We do not, I think, do the kind of justice to the kind of system we have when we do that. In many cases, I have seen bills literally rammed through the public hearing process and the public hearing process being seen as nothing more than an obstacle to getting the bill passed. That, Madam Deputy Speaker, may be the temptation of all political parties in power. The point, though, is that there is a better way, and this bill and the original Sunday shopping bill, in terms of the public hearings, was an excellent example of that. It could have gone to the public hearing process. So that is, I think, something that is wrong about this bill in terms of the political process. I think that should be dealt with.

I also want to say, in terms of some of the arguments that were used, Madam Deputy Speaker, that it is important to analyze those arguments, netting out the survey results, because as I said before, that I think is misleading, and it is not really the key issue here. I know, in my own case, I have talked to people in my own constituency, and there are people on both sides. There are people on both sides of the issue. There are some interesting discussions and debates that have taken place.

I just want to get further in terms of some of the arguments that the minister opposite is talking about. I found it interesting that the minister talked about Sunday shopping in the context of cross-border shopping, because it is interesting. He quoted statistics showing that cross-border shopping is down significantly and then quickly afterwards said, well, that of course cannot all be attributed to Sunday shopping.

Well, Madam Deputy Speaker, not only can it all not be attributed to the Sunday shopping trial period that they brought in, that in fact has very little to do with it. The situation with cross-border shopping across the country has been that there has been a

Canada-wide decrease in the amount of cross-border shopping over the time period the minister referenced and including the time period in which the trial period was in place.

Why is that the case? It is because of exchange rates, it is because probably of tighter enforcement at the border in terms of Customs. There are a number of factors that have gone into that—probably the recession as well. The bottom line is, there has been an overall decline. I do not think the minister can point to the trial period as being a factor in that the evidence suggests that it is to the contrary.

It is interesting, Madam Deputy Speaker, because that takes away one of the arguments. To a certain extent, that would be presumably less of an argument anyway in terms of the kind of structure that this current bill looks at, which, if it were to be enacted, puts in the place where municipalities can go, which direction they wish, subject to some other pressures I will reference in a minute. There might be a situation develop where communities close to the border might remain open on a Sunday. It really, I do not think, is a factor in the discussion. So let us take that out.

\* (1520)

Let us deal with the question of sales and costs, because I have talked to a number of small-business people in my own constituency, Madam Deputy Speaker. You know, they say it is sort of a mixed bag. If they do not remain open on a Sunday but their competitors do, they lose business. If they remain open on a Sunday what happens is, they spread the existing business out over that period of time. They may get the occasional shopper they might not otherwise have had, but they have to in many cases either spread the existing labour force and salary budgets equally or in some cases have to increase their costs of operation. So the net impact on the bottom line for many businesses, I would suggest, is not clear at all and certainly is not positive when you look at the cost factors and you look at the revenue factors.

In my own area, the chamber of commerce has been very opposed to the Sunday shopping proposals of the government. I have talked to a number of people in the chamber of commerce. They are quite vociferous.

It is interesting, Madam Deputy Speaker. Some of the strongest opposition has come from women. There are a number of women very active in the



chamber of commerce in Thompson. They have said that part of the problem is that women in particular, in small business and the same way in the workforce, face additional family responsibilities, often have far more child care responsibilities, responsibilities in terms of the household generally, in spite of all the changes in society, and they are the ones who are put in that difficult position if they do have to work on Sunday, either as an employee or as a small-business person, of having less time with their families.

It is interesting because that is one of the main reasons why many of the people in the Manitoba Chamber of Commerce opposed the original proposal of the government to have wide-open Sunday shopping, and many still remain opposed. Now of course the focus will shift to the municipalities.

I want to go further, because there was an interesting comment in what they said, and this relates very specifically to this bill, Madam Deputy Speaker. The comment that I got from a number of small-business people was, they said, you know, the problem with this is once again that if your competitor opens up you have to open up. It is as simple as that. That is not just competitor in terms of within the community. It is competitor in terms of the surrounding community. The business people in Thompson have less difficulty because there is no other trading centre in the area.

I asked the Minister of Highways and Transportation (Mr. Driedger), if one of his communities was to have wide-open Sunday shopping and another community that is within half an hour away was then looking at the decision, would not that be a factor? Is there not going to be that pressure on business people in the other community who are going to have people from their own community drive the half hour, potentially, for services in the other community? The bottom line is, I think the Minister of Highways and Transportation (Mr. Driedger) knows that is going to be the case, and to talk about there being a voluntary process under this bill, it may be voluntary, it may not be voluntary. It depends on which situation you are in.

I know a lot of business people feel they do not really have much choice. I know even in the case of Winnipeg I have talked to some people here who have opened up. They feel they have no option whatsoever, particularly in the case of malls. One

has to remember, too, that many leases in malls are very stringent in terms of what has to be open and what has not to be open. It is quite within the realm of possibility to have businesses essentially told that they have to remain open on a Sunday. Whether they have to or not in the sense of their lease obligations, there is pressure once again because, if they do not remain open, somebody else will.

It goes beyond that too because I think—and this gets to the real bottom line again of the impact this bill is going to have. We know the Winnipeg Chamber of Commerce has strongly supported wide-open Sunday shopping. We know that the Manitoba Chamber of Commerce has strongly opposed wide-open Sunday shopping. What is one of the main factors between that difference? It is because, Madam Deputy Speaker, and I will say this upfront, I believe that the Winnipeg Chamber of Commerce knows that if there is Sunday shopping in the city, it is going to add business in the city from surrounding rural communities. Let us not forget the trading area of Winnipeg. The minister probably, if he does have this information, could provide more accurate statistics than I can. There are many communities within an hour radius of Winnipeg that are going to be affected by this. The Winnipeg Chamber of Commerce and many Winnipeg business people know that they are going to be attracted into the city.

What is going to happen to a community that says no for reasons of belief, for reasons of concern with family time, for reasons to do with concern over employees? What happens if they say no? Is there not going to be an impact on those communities? I ask that question because I know the answer, Madam Deputy Speaker. There will be. I know that is the answer that is coming from many small business people in those small communities.

So essentially what this bill does is that it takes away the responsibility from the government that has found that it has a political hot potato, but it does not detract from the underlying dilemma that we are faced in this province if we look at a change in the existing law. We are looking at moving under what the government is proposing from a compromise that I would suggest has worked relatively well, has provided some of those services that the minister has said the people are looking for, but at the same time has not had wide-open shopping to the point where there has been the kind of pressure that we have seen in other jurisdictions.

I would point out, by the way, that it is interesting even the minister himself noted, but in passing, in his opening comments that many other provinces have some sort of a compromise on Sunday shopping. I recognize the Americans have wide-open Sunday shopping, but they have a different tradition from us. They do not have medicare. They do not have many of the labour laws that we have, employment standards. Does that mean that we are going to follow their lead on those other areas? No, Madam Deputy Speaker, we make our own laws in this country, and provinces have done that. We have done it in liquor legislation. We have traditionally had more restrictive liquor laws in this province than many American jurisdictions because we come from a different tradition. I know the Minister of Highways and Transportation (Mr. Driedger) knows that because many of the communities in his area have a very different attitude and different outlook on liquor legislation.

It is our differing tradition. That is an important point. Other provinces have compromises, and in this case what the government is doing is throwing out what I think has worked relatively well and is going to be bringing in a system that, to my mind, will, through the backdoor, essentially and eventually bring in pretty well the same sort of impact that the original bill would bring in in terms of wide-open Sunday shopping. I think most businesses will be forced to remain open on a Sunday.

You know, Madam Deputy Speaker, we are talking about a pretty significant policy shift here, and I think this is what is going to happen. I think this is a political tactic to avoid doing it directly but to do it through the back door, but I ask this question because—to the member for Osborne (Mr. Alcock) I ask this question, who asked for the change? How much public pressure was there for changing the Sunday shopping laws?

Madam Deputy Speaker, I raised this in the original debate and I will raise it again. I know there was pressure from the Winnipeg Chamber of Commerce. I know there has been pressure from, for example, SuperValu that could not remain open, while some of the smaller Safeways could because of the restriction of four people.

You know, Madam Deputy Speaker, I do not think I have ever had one constituent of mine ever lobby me for a change in the existing law. When I say the

existing law, I mean the compromise. I have had many comments since this debate has begun and, as I said, on both sides. I have had people phone my office. I have talked to people in my own community. I have taken the time to go and talk to people as well, and there is a debate that is continuing now, but no one would have put Sunday shopping anywhere on a list of 100 issues that they felt this government should deal with. [interjection] Oh, yes, says the Minister of Northern Affairs (Mr. Downey). How many phone calls did he get on this issue prior to the government bringing in the bill? [interjection] Private information, he says.

Well, it is interesting, Madam Deputy Speaker, because in the original debate, the Minister of Northern Affairs, I said, how many calls have you had on this issue, and he said, zero, so it has gone from zero to private information. The bottom line is, it was not what should have been on the public agenda as a major issue.

Madam Deputy Speaker, if it was going to be on the public agenda, I would have suggest here is how we could have proceeded with it, because there is a point to be made and I will make this argument, not just in terms of this issue but on other issues. There are a number of bills that I think cross party lines in terms of public debate, and have traditionally. Sunday shopping is one of them. You have some strange alliances on this, and I recognize it up-front. You have small business in rural communities and trade unions and you have many religious groups on the one side. You have some small businesses, yes, and some of the larger businesses working on the other side, the urban/rural, the differing aspects of regions. So you have some interesting dynamics.

The first thing I said to do with the liquor legislation, let us talk about it in the context of parliamentary reform. Why not, in this particular case, not even have a bill brought in which forces the issue and pushes the debate through and rams through this type of action? Would it not have been possible to get an all-party committee together? I recognize it is a relatively nonpartisan issue. There are differing degrees. It should be made clear in that sense. Most of the members of our caucus supported the previous law. I know the Liberal caucus was split and I suspect there were splits within the Conservative party too, although they follow the whip in terms of that. I am not saying that as a political shot. That is the reality. There

obviously were debates that went on within the caucus.

\* (1530)

But why not have had a committee that could have gone around the province without having the fait accompli of a bill that was already being implemented, that has not even been passed? Why could we not have asked Manitobans, we have this law in place since the mid-1980s, some people have said it should be changed, and then have public hearings, and then decide whether it should be put on the public agenda. In other words, before you put something on the agenda, establish whether there is a need for it even to be on the public agenda to even be discussed as an issue in 1993, given all the other issues we have to deal with.

I suggest, Madam Deputy Speaker, we can do the same with liquor legislation. We have not had an overall review of our liquor laws for a considerable period of time. There are always pressures on the one side and on the other side in terms of liberalization, in terms of restriction, and there has been a history in Manitoba going back a number of years where there have been these kind of—you know, 20, 30 years ago it was not uncommon for this kind of matter to be dealt with through, if not an all-party committee, it would be called into a royal commission federally.

You know, there is I think a real positive aspect to that. We did it on the Constitution. We had an all-party committee that went around the province, and I am not suggesting it is on the same scale, but I thought that process worked well. It forced the people that came to the committee to be constructive and to give their real views, and it gave them the freedom to do that. In many cases, if you remember, we went around this province before there was any final proposal, the Charlottetown proposal, and I found the public hearings to be very, very useful. [interjection] Well, the Minister of Northern Affairs (Mr. Downey) says that one party was forcing the other to have the public hearings, Madam Deputy Speaker. That is not the point. There were public hearings. There were all-party hearings. Wally Fox-Decent chaired it, which I felt was an excellent move, brought in that kind of objective perspective, and there were good discussions that took place.

Could we not have done that on Sunday shopping? Could we not have had public hearings

without a bill on the legislation? Could we not have gone to Thompson and Swan River and Dauphin and Brandon and Emerson and Morden? Could we not have gone to communities and asked them? That is the question that I raise.

You know, Madam Deputy Speaker, because of these concerns that I have in looking at this bill, I hope that we will have significant debate on this. I hope that we will get to the public in terms of public hearings fairly soon, but I will say that I cannot support what is a hastily patched together political compromise within the Conservative Party to what they cannot do through the front door and are going to do through the back door.

I say, let us do the right thing. Let us put together an all-party committee. Let us have real consultation throughout the length and breadth of this province, and let us have proper public process, not public decision making by opinion polls. Let us involve the people of this province, and let us have what I think is going to be a good example for us to show some real reform in terms of our parliamentary system and democracy in Manitoba by doing the right thing, something which Bill 23 is not.

Thank you, Madam Deputy Speaker.

**Mr. Kevin Lamoureux (Inkster):** Madam Deputy Speaker, I wanted to put a few words on this particular bill.

The first thing that comes to my mind is something that the Minister of Natural Resources (Mr. Enns) had said inside this Chamber a while back. He talked about what he termed as scofflaws, and he said that it is important that government bring in legitimate laws, how important it is that you review what is currently on the books, and you take out those laws that are in fact completely being ignored.

I ask myself why this government brought in Bill 4, and we talk about the process. This government introduced to Manitobans that they were going to open on Sundays for wide-open Sunday shopping. In order to legitimize what they were doing, what they did is, they brought in a bill that in fact tried, if it would have passed, it would have then made it legitimate, it then would have been legal for the stores to be open on a Sunday. But, Madam Deputy Speaker, without that bill passing, what you saw was a law which, using what the Minister of Natural Resources (Mr. Enns) would have said, was being scoffed at, that it was not being followed, that the government by introducing this Bill 4 tried to tell

businesses throughout the province of Manitoba that it was okay to ignore the laws that have been set by this Chamber.

Madam Deputy Speaker, I was very disappointed in that, and, as an opposition party, we try to find out how legitimate this government was in dealing with the Sunday shopping issue. I recall pushing to get this bill, Bill 4, into committee prior to the Christmas-New Year break. There was a significant push; in fact, you had both opposition parties that were prepared to allow it to pass so that it would go to committee and at committee the public could have input, and after the input, the government could do whatever it wanted to do, if it was able to make a decision.

But, Madam Deputy Speaker, the government never had any intention of doing that. They did not have any intention of doing that because they knew it was a divisive bill amongst their own caucus, and the only purpose of bringing in that bill was to demonstrate that the government was not going to prosecute or lay charges on any businesses scattered throughout the province that decided to open on Sunday. They brought it in, in order for the people to start shopping on Sundays.

We had attempted to allow this bill, and in speaking to this bill—and I would say the same thing, Madam Deputy Speaker. I was asked how I would be voting on this particular bill. I, too, would like to see it go to committee, and I will vote accordingly. Nothing has changed in terms of I would like to see the whole Sunday shopping bill being debated inside the committee room, find out what the public has to say about it, and I think everything has to be taken with a grain of salt.

Madam Deputy Speaker, the member for Thompson (Mr. Ashton) talked about political reform, and I too wanted to see some political reform or to see the prestige of the Chamber raised to another level in terms of public perception. This bill does nothing for that. In fact, I would argue that both the Conservatives and the New Democrats did a disservice with respect to Bill 4. The government, on the one hand, with respect to the law, the New Democrats with respect to the whole concept of a free vote. We as a caucus made a decision that we would allow our members to have a free vote on this particular issue. If you take a look, and I cannot recall the exact vote, I believe it was almost a dead split within our caucus.

What you saw was, there were a couple of members of the government who were absent on that day, and one has to ask why it is that some of them—and I cannot make reference to who they were, but I can say that the individuals who appeared to be absent—who were absent, not appeared—who were absent really were not strong advocates.

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

It is interesting, but I can respect that. You know at times you might want to tread very carefully on certain issues, and, for a number of them, they decided to do that. What did surprise me on that particular vote was that there were two caucuses or opposition parties that said that they were going to be in fact having a free vote, and to this day, I still do not understand how you could get a caucus of 19 all voting the same on one particular issue.

\* (1540)

I question whether or not it was a free vote within the New Democratic caucus. Because this is something that one could argue from principle, lifestyle or whatever it might be, it just seemed rather odd to see that, and it was unfortunate in that sense.

I wanted to make reference to the survey because I know the member for Thompson (Mr. Ashton) made reference to surveys and polls, and the Minister of Finance (Mr. Manness) says, the survey says. Well, the survey that I had said yes to Sunday shopping, but, Mr. Acting Speaker, the member for Thompson is quite right in his assessment, whether it is a poll, whether it is a survey, that we should not read too much into them, that we do have a responsibility to ensure that those surveys do in fact reflect what the will of the constituents whom you represent actually are wanting.

There are other factors that need to be taken into account, other factors such as the individuals who are going to have to work on those Sundays, things of that nature. So when I approach this particular issue, I can say that the survey that I did in my own constituency does have an impact in terms of the decision or ultimately the decision that I will make on this particular bill, but it is going to be weighted, because you do have, as I say, the responsibility in terms of hearing the pros and the cons from all different aspects and to ensure the validity of any survey or any poll that is being done.

Mr. Acting Speaker, I did not want to say too much on this particular bill, so I am going to end my comments on that. I look forward to it going into committee to hear what type of response that we do get. As I say, I will be voting as I did on Bill 4 and again stress some disappointment in the government and the manner in which they are treating this particular issue, because I do not think it does service to this Chamber or the laws that we have currently have. Thank you, Mr. Acting Speaker.

**Mr. Dave Chomiak (Kildonan):** I move, seconded by the member for Broadway (Mr. Santos), that debate be adjourned.

**Motion agreed to.**

### **Bill 25—The Public Schools Amendment Act (4)**

**Hon. Rosemary Vodrey (Minister of Education and Training):** I move, seconded by the Minister of Family Services (Mr. Gilleshammer), that Bill 25, The Public Schools Amendment Act (4); Loi no 4 modifiant la Loi sur les écoles publiques, be now read a second time and be referred to a committee of this House.

**Motion presented.**

**Mrs. Vodrey:** I am pleased to offer a few brief comments on the substance of Bill 25, which is tabled for second reading.

Bill 25 seeks to place, through an amendment to The Public Schools Act, a format for the election of school board in the Frontier School Division No. 48. That format, which has been in place for many years, is at present outlined in Manitoba Regulation 118(91), Frontier School Division No. 48, school board election regulation.

Unlike other school divisions, the Frontier School Division No. 48 has in place a structure for indirect trustee elections. The division has divided itself into five areas, and each community where a school is situated has a Local School Committee or an LSC. These LSCs make recommendations to their area superintendent on the hiring of principals, teachers and other school staff personnel, recommendations on proposed capital construction projects, the proposed annual budget and monthly expenditures, recommendations on short- and long-term priorities for their local school and recommendations on the transportation of students.

Membership on the LSCs ranges from four to 11, depending upon the size of the school area. The members are elected by eligible resident voters in that school area. This round of elections occurs at the same time as other school board elections in the province, the fourth Wednesday in October, with members serving two-year terms.

Once the Local School Committee members have been elected, members from each LSC elect, from among themselves, one person to sit on an Area Advisory Committee or an AAC. There are five AACs representing each of the five areas in the division. Membership on the AACs range from four to 11 members. The committees are empowered to make, among other things, recommendations respecting the hiring of the area superintendent, review and make recommendations on the short- and long-term capital construction projects, review and make recommendations on the proposed annual budget and monthly expenditures, review and make recommendations on the short- and long-term priorities for their area.

It is from each of these five Area Advisory Committees that the composition of the Frontier School Division No. 48 board of trustees is determined. From each of the five AACs two members are elected to serve on the board of trustees. This gives the school board a membership of 10. The process to become a trustee in the Frontier School Division No. 48 is, as I have explained, an indirect one. No trustee is able to sit on the school board without being a member of the Local School Committee and on an Area Advisory Committee as well.

The reason behind this amendment is strictly one of administrative clarification. Although the substance of Bill 25 is already contained in large part in Manitoba Regulation 118(91), it is the view of departmental legal counsel that such a system for indirect elections more properly belongs within the body of The Public Schools Act.

This amendment is supported by the school division and represents a format for trustee elections which is currently used and enjoys the support of the residents of Frontier School Division. Thank you, Mr. Acting Speaker.

**Mr. Steve Ashton (Thompson):** I move, seconded by the member for Interlake (Mr. Cliff Evans), that debate be adjourned.

**Motion agreed to.**

**Hon. James Downey (Acting Government House Leader):** Mr. Acting Speaker, would you call Bill 16, please.

## DEBATE ON SECOND READINGS

### Bill 16—The Public Schools Amendment Act

**The Acting Speaker (Mr. Laurendeau):** To continue adjourned debate on Bill 16, The Public Schools Amendment Act; Loi modifiant la Loi sur les écoles publiques, standing in the name of the honourable member for Thompson (Mr. Ashton).

**An Honourable Member:** Stand.

**The Acting Speaker (Mr. Laurendeau):** Stand? Is there leave for this matter to remain standing? [agreed]

**Ms. Becky Barrett (Wellington):** Mr. Acting Speaker, I appreciate the opportunity to rise to speak on this bill and hope that I can give it the full attention that it deserves and that my voice does not give out on me before my comments have been concluded.

Bill 16 limits the rights of school divisions to raise funding from their tax base. This is one major concern that we have with this piece of legislation. One of the main principles that Manitobans and Canadians have followed in their dealings with the public school system and the provincial governments is that there are local school divisions for a number of very legitimate reasons.

You need to have local school divisions with locally elected school boards because, while the basics of education are considered a provincial responsibility and the basic standards and other elements need to be a provincial responsibility, it has always historically been recognized that local situations, local concerns and local needs need to be addressed. That is why quite basically very effectively the balance has been maintained up until the introduction of this bill between provincial standards and provincial guidelines and an overall provincial concern for education and responsibility for education with the corresponding concept and principle of local autonomy and local authority wherever possible.

It is an interesting principle and one that is difficult and has been difficult in the past to maintain. There is always a creative tension in these kinds of situations where you have a provincial jurisdiction

attempting to work with local jurisdictions. As in all human endeavours, we never achieve perfection but we strive for it, and we strive to maintain and live up to the principles that we espouse.

\* (1550)

It can be argued that a public education system is one of the if not the single most important thing that a provincial government does. Along with the basic social service network and the health system, the public education system is the bulwark and the framework that provides the people of Manitoba with an educated and competent citizenry.

It cannot be overemphasized, I do not believe, Mr. Acting Speaker, the importance of a well-run, well-functioning public education system. In the past five years that this government has been in power in the province of Manitoba, we have seen a series of reductions in financial support for the public education system. We have seen the concept of reform talked about. We have seen the government make major pronouncements in education and give lip service to the principles of the importance of the public school system in the province of Manitoba. As we see with Bill 16, their actions do not follow the pronouncements and the platitudes that they have stated.

The public school system is, as I stated, one of the bulwarks and one of the foundations of a good quality of life and the ability of Manitobans to be assured of quality education so they not only can be trained for jobs in their futures but so they have an understanding and a basic education that they are in educated citizenry. It has been stated over hundreds of years that if you do not have an educated citizenry, your chances of maintaining a democracy are greatly diminished. The less you spend and the less care you give to educating the children, the young adults—and more and more these days, people throughout their lives—to their education, the less concern that you pay to education, the more trouble you have as citizenry in maintaining the basic standards of living that we have so correctly in the past said have made Manitoba a wonderful place to live and the more difficulty you have with maintaining the democratic structures upon which we base our lives.

Again, as I stated, the public school system is a major component in this education process, in this life-long learning that we have embarked upon. The province has continued to cut funding for the public

education system, as they have announced they have cut a further 2 percent in this year's budget. This is in direct conflict with the acknowledged additional crises that the public school systems in the province of Manitoba are facing, largely due, I might add, to the inability or unwillingness of this provincial government and the federal government—carrying the same political stripe as the provincial government—to provide adequate resources and to put their money where their mouths are when they talk about the importance of education in our system.

From one end of the spectrum, the school divisions are being curtailed by the amount of grants that the provincial government is giving to them. On the other hand, the school divisions are being told, through the elements of Bill 16, The Public Schools Amendment Act, that they cannot raise funds from their local tax base over 2 percent. This is an piece of legislation. This is maybe unprecedented in the province of Manitoba that a provincial government—well no, provincial government has the right and the obligation to make funding decisions using its own money. There is no question about that. We have debated for eight days in this budget and for eight days in the other five budgets that this government has brought down since its election in 1988 that very principle.

We have never stated that the provincial government does not have the right and the responsibility to make spending decisions and to make decisions on revenue. That is one of the basic functions of a government.

We have discussed and debated and argued with this government about the decisions and the choices they have made, but we have never said that it was not their obligation to make those choices.

On the other hand, while we say we disagree completely with the provincial government's decision to cut 2 percent off the provincial funding to the public schools of Manitoba, we have stated time and time again in this House, we disagree with that decision, but we never have disagreed with the government's right and obligation to make that decision.

This bill, however, goes far beyond that legitimate provincial government duty. This bill takes and begins the process of dismantling the local autonomy that has been a major element in the

public schools of this province since their inception. It begins the potential process of taking complete control over the public school system by the provincial government and, we feel, has a potentially devastating effect on the public school system in the province of Manitoba.

The reason we feel that way is that, as I have said before, it is essential for a locally delivered public education system to have local autonomy. If the provincial government can, with the simple introduction of a bill, take away the ability of a school division to levy funds on its citizens to provide the education services that it and the members of its school division feel are necessary, then there is nothing to stop the provincial government later on from saying, we do not like the fact that you are spending your resources, human and financial, on providing mandatory education services in your school division, or, we do not like the fact that you are spending some of your resources on allowing the children in your school division to have access to special field trips or additional kinds of schooling.

The provincial government can say, you must deliver the education program that we demand of you, you have no control over the content of what you teach, what you do with your class size, what you do with the length of your class day, what you do with any extracurricular or course and other activities that are less narrowly defined than perhaps the provincial government would like to see it.

This is the thin edge of the wedge, Mr. Acting Speaker. By this provincial government's actions and Bill 16, they are taking away one of the basic rights that a local school division must have. The government can say no, no, we are not eliminating local autonomy. The school divisions still have the right to spend the money that they have been given and spend the money that they can ask from their local tax base. If they want to private fundraise, fine, they can go and do that. We are not saying that they do not have local autonomy.

\* (1600)

It is the same thing that they have done with Child and Family Services agencies, with child care programs, with, I suppose, you could even say the health care system.

It is a very deceptive kind of argument that the provincial government is making in all these cases. It is they are saying that the local school division

retains local autonomy. Mr. Acting Speaker, the local school division cannot retain local autonomy if the provincial government ties its hands and says that it cannot raise local school board taxes beyond a certain point. This is constriction of local autonomy, not an enhancement of it and certainly not a maintenance of even what they had before.

Mr. Acting Speaker, one wonders at the reasoning behind the government's decision to introduce Bill 16. We have not exactly heard what the rationale is behind the introduction of Bill 16, but what I can say is that we on this side of the House and, I am sure, many of the local school boards and school divisions in this province wonder if it is not an attempt on the part of the provincial government to take away public anger at their decisions regarding funding for the public school system.

By the government saying that the local school divisions can only add 2 percent to the locally assessed school levy, the government is saying that this means that an individual taxpayer will not be asked to pay more than a very small additional amount of money. Therefore, the school boards cannot say to the local taxpayers, we have to assess in order to maintain the programming and the quality of education that you in this particular school division have come to expect or that we were elected to provide to you. In order to do that, we have to raise your local school levy higher than the 2 percent, because the provincial government over its mandate has continually reduced the effective amount that they are giving to each school division. Perhaps that is an argument that the government would care to refute, and we would certainly be interested in their response to that issue.

There is no question, in our minds, that the provincial government is instituting Bill 16 to protect themselves politically. There is also no question in our mind that the ulterior motive behind the introduction of Bill 16 is not going to succeed. The Province of Manitoba, the government led by Mr. Filmon, has repeatedly stated over the past five years that they have not raised taxes. Mr. Acting Speaker, if it were not going to be ruled unparliamentary—[interjection] I can call that a lie, that statement. That statement, as it has been stated in this House and in public by members of the government over the last five years, is patently not true.

**An Honourable Member:** Some might say it is a lie.

**Ms. Barrett:** Some might even say it is a lie. Mr. Acting Speaker—

**The Acting Speaker (Mr. Laurendeau):** Order, please.

### Point of Order

**Hon. James Downey (Acting Government House Leader):** Mr. Acting Speaker, I believe that the statement made in the speech from the member opposite is unparliamentary and should be withdrawn.

**Mr. Steve Ashton (Opposition House Leader):** Mr. Acting Speaker, there is some difficulty in dealing with a point of order where the minister gets up and basically does not even make a specific reference to a particular word that was used. I am not sure quite what the minister is referring to, but I think in terms of the context, the member is talking about debate over what the reality is and that has been considered parliamentary.

It is not parliamentary to, for example, call an individual member a liar or accuse a particular member. We have had many references in this House to "the big lie." I think the Minister of Northern Affairs (Mr. Downey) in his career may have even used similar language too, but that would be a little too close to home. If that was what the minister was referring to, it is not unparliamentary and I think the minister perhaps might have misunderstood, perhaps not heard the comment. The member for Wellington (Ms. Barrett) made no accusation against any particular member of the House.

**The Acting Speaker (Mr. Laurendeau):** I thank the honourable member.

**Mr. Reg Alcock (Osborne):** Mr. Acting Speaker, I would like an opportunity to speak on this.

**The Acting Speaker (Mr. Laurendeau):** On the same point of order?

**Mr. Alcock:** On the same point of order. I did overhear the remarks that the member made and have asked for clarification. I think it is within the bounds of debate in this House. I do not think there was any intention or any suggestion that it was deliberate or intended.

**The Acting Speaker (Mr. Laurendeau):** I would like to thank all honourable members for their input. I will take the time to peruse Hansard and I will return to the House with the ruling.



\* \* \*

**Ms. Barrett:** Mr. Acting Speaker, I would like to suggest that the government's rising on a point of order that turned out not to be a point of order is an example of this government's extreme defensiveness on this issue among others.

As I was saying, the government has stated throughout its mandate that it has not raised taxes. Well, the people of Manitoba, Mr. Acting Speaker, know better. The people of Manitoba do not believe the government when it makes that statement. When the Premier (Mr. Filmon) of the province of Manitoba stands in his place day after day after day and says in response to questions from people on this side of the House when we ask questions about the decisions of this government that lead to bills, such as Bill 16, when we ask the Leader of the government, whose ultimate responsibility the budget of the province of Manitoba's government is, why his government, why he continues to say they have not raised taxes when it is patently obvious to anyone who earns a pay cheque and to many who do not that this government has raised taxes time and time again.

Mr. Acting Speaker, Bill 16 is another in that long line of inaccuracies and hidden agendas that this government has embarked upon. It is another one in a long line of these actions that the people of Manitoba are seeing through and will not tolerate. The people of Manitoba within the next two years will have the opportunity to speak out about the issues that we have been raising on this side of the House for five years about the inability of this government to follow through on its campaign promises and will tell this government what they think about their ability to govern the people of Manitoba.

The Province of Manitoba is in such difficult economic shape that it needs to cut back. The government feels it needs to cut back 2 percent in public education and feels that it needs, for some obscure reason, to introduce Bill 16 to eliminate the local autonomy of school divisions, precisely because of this government's inability to properly govern the people of Manitoba.

\* (1610)

It is perfectly logical, Mr. Acting Speaker, when you realize, as we do, having listened to the government in Question Period, in debate on bills, in public hearings and in Estimates, that the

Progressive Conservative government in Manitoba does not really believe in governing. They really believe, as the First Minister (Mr. Filmon) has said, that in order for economic development to occur, they must step aside. They really, truly believe that if individuals really want to be educated, they will go and find that education themselves.

This government really does not believe that it has the responsibility to provide services to the people of Manitoba. They would like nothing better than to be able to preside over the elimination of services to the people of Manitoba. Frankly, Mr. Acting Speaker, they are well on their way to achieving that goal.

We on this side of the House are very concerned that before the people of Manitoba have an opportunity to speak out on the way this government has not governed, they will have dismantled so many of the basic fundamental programs and services that the people in Manitoba have come to expect as their right that there will be nothing left to govern by the time this government leaves office.

Bill 16 carries along that tradition. You may think that I am creating a contradiction here, because I have said earlier in my remarks that Bill 16 actually allows the provincial government to meddle in the affairs of local school divisions, which is not, one would say, on the surface of it a diminution of provincial authority, but rather an extension of it. However, it is not really a contradiction, because what the government wants to do in the area of Bill 16 is to disguise their inability to govern, their unwillingness to govern, their unwillingness to take the responsibility for their own decisions. They make the decisions, the spending decisions, the program-cut decisions, and then they say yes, but it is up to the agencies, it is up to the people of Manitoba to find other options. Bill 16 is only one example of this.

I would like to share with the House another example that I think is a blatant example, again, in the education system about this government's unwillingness to participate in a pro-active, positive way with the people of Manitoba in the educating of their citizenry, and that is in the decision of the Minister of Family Services (Mr. Gilleshammer) to eliminate all funding for student social allowances.

The Minister of Family Services, to his credit, did come out and speak to the rally that was held in front of the steps of the Legislature, unlike any of the

members of his government who chose not to participate in the demonstration by over 4,000 people against the government's entire budget. I digress slightly, Mr. Acting Speaker.

But, on the occasion of the minister's comments to those who were speaking in front of the Legislative steps on the cuts to the student social allowances program, when asked by some of the people who will be affected by this change why the minister did that or what the minister would do, would suggest that they do in their situations, the minister said, let them do what I did. I lived at home with my family until I graduated from university, and I worked part time.

Well, Mr. Acting Speaker, the reality of life in Conservative Manitoba, in Conservative Canada federally in 1993, is that many young adults do not have the opportunity or the ability to do either one of those things. They cannot, for a number of reasons—

**The Acting Speaker (Mr. Laurendeau):** Order, please. Could I ask the honourable members who want to carry on a conversation to do it out in the hall or in the loge so that I can hear whether or not the member for Wellington (Ms. Barrett) is being relevant, because right now I cannot hear a word that she is saying.

**Ms. Barrett:** Thank you, Mr. Acting Speaker, and I would suggest that some members of the government upper benches might do well to listen to my remarks, because I always listen attentively and quietly to their remarks. If you believe that, I have a bridge to sell you; however, back to the serious discussion at hand. I do hope the Minister of Family Services continues to listen to my comments on this issue.

The comments made by the Minister of Family Services (Mr. Gilleshammer) to those young people whose lives have been potentially irreparably damaged by his actions are exactly the kind of comments and remarks that have been made in the context of the discussion around Bill 16. The idea that school divisions in the province of Manitoba today in 1993 can exist and support the services and programs that they need to on 2 percent less funding than they had last year is ridiculous in the extreme. But then to say to these same school divisions, thou shalt not tax more than 2 percent, is piling indignity upon indignity. School divisions in the province of Manitoba are as disparate as the province of

Manitoba is, and as the member for Thompson (Mr. Ashton) has said, they are desperate as well.

Perhaps the Minister of Education (Mrs. Vodrey) and the ministers on the government benches would do well to actually visit some of the areas in this province and see and talk to real people about the impacts their decisions and their cutbacks are having on the schools in the province of Manitoba.

(Mr. Jack Reimer, Acting Speaker, in the Chair)

As I stated earlier, it is one thing for the government to cut its funding by 2 percent. That is its responsibility, and it will answer to the bar of public opinion for that decision and others like it.

It is quite another thing for the Province of Manitoba to say to duly elected local representatives, we are not going to give you the authority that you have had throughout the history of the province of Manitoba to decide for yourselves the kind of resources that are needed for your own local school division.

This is absolutely unheard of. These individuals are elected by their constituents, by the members who reside within those local school divisions. They have the right and the responsibility and the obligations, just as the provincial government does, to make decisions within their sphere of authority.

\* (1620)

Now, what this bill does is it circumscribes to an unconscionable degree the ability of those locally elected school boards to make those decisions. In effect it says to locally elected school boards, we are going to tell you what you can do. I find this unbelievably ironic, Mr. Acting Speaker, given that it is a government that always talks about the fact that we on this side of the House espouse big-brother government, that we say government should be intrusive in all parts of a person's life, that we are the party that eliminates freedom of choice.

Excuse me, but through Bill 16 this government is taking one of the major basic tenets of our public education system, developed in North America over the last 300 years, and destroying it—destroying it, Mr. Acting Speaker.

The ability of this government, through Bill 16, to tell school divisions they cannot tax past a certain rate is unbelievable and is a massive intrusion into the long-held rights of local school boards to make those decisions. The local school boards were elected to provide services and to make decisions

on funding and service provision in their local school divisions.

The individuals and the voters of each local school division who elect them should have the right to demand accountability on the part of their locally elected school board members to make the decisions in their best interests of the local school divisions and the needs in those local school divisions.

This bill will take away one of those main rights that locally elected school boards have. This is, as I have stated earlier, potentially only the first intrusion into what should be local autonomy. It comes on the heels of other changes to education that this government has implemented in this last budget. It is not only the local autonomy issue which is of major importance, but this bill eliminates local school divisions from deciding that the needs of their students demand a major or a larger than 2 percent increase in the locally levied school tax largely due to the enormous cuts that have been made by this provincial government in education.

When we have cutbacks to the education system that Bill 16 is going to put into place, if we take into account that funding for literacy is down \$24,000, if we take into account the student social assistance that was totally eliminated, if we take into account the fact that the access programs have been cut by \$1.2 million, if we take into account the cuts in rural Manitoba to the diagnostic and assessment services that this minister has put into place, a \$2.4-million or 37 percent cut, if we take into account the cuts that have taken place, while this is not specifically K-12, the Red River Community College programs that dealt with all of women's concerns, if we take into account the cuts to university funding, if we take into account all of these cuts that just in this budget, the ramifications and the implications of Bill 16 are magnified.

The reason they are magnified is, this bill does not allow an individual school division to make a decision that says, the needs of our children are such that we are willing as a community to put more of our local resources into schools to make up for some of these cuts that the provincial government has undertaken.

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

Bill 16 does not allow local school divisions to have that right so that those rural school divisions

that would like to be able to hire those people who provide the diagnostic and assessment services that the government has cut back cannot do that, Madam Deputy Speaker, unless they make a decision imposed on them from outside to cut somewhere else.

The impact of the 2 percent cut to the general resources of the provincial money into the public school system coupled with the ability of school boards to only raise their local taxes by 2 percent means in effect that the amount of money for virtually every school division in this province is going to be exactly what it was last year. This, coupled with the other cuts that the provincial government has made, means that schools will not be able to provide the level of service to their communities that they were last year even though if this bill had not been in place they could have made the decision themselves as to whether they wanted to ask their communities to provide resources based on their local ability to pay and the needs of their students.

This bill is an unconscionable intrusion into the rights and the responsibilities of local school boards. As I said earlier, it is potentially the opening wedge into what could be a massive takeover of local school boards' ability to make decisions that have the best interests of their children at heart. Again, as I have stated, Madam Deputy Speaker, this is from a government that says it does not tax. This is from a government that says it does not tax. This is from a government that not only taxes individuals and families and particularly low-income people, this is a government that cuts the heart out of many of the programs that provided assistance for those same most vulnerable people in our society to get out of the cycle of poverty or the cycle of violence.

This bill is an abomination, Madam Deputy Speaker, and should, under no circumstances, pass through the Legislature of this province. The school divisions of this province and, most particularly, the children of the province of Manitoba, the students of the province of Manitoba, deserve far better from the government that they are going to get in Bill 16, and we urge the government to rethink its incredible insensitivity and blindness and revoke this piece of legislation before it is too late. Thank you, Madam Deputy Speaker.

**Ms. Rosann Wowchuk (Swan River):** Madam Deputy Speaker, I would like to also make a few comments on Bill 16 and the impacts that it is going

to have on school boards and school trustees and what I feel is a lack of consideration by this government when it comes to dealing with school boards.

People who decide to give their time to serve on school boards go through the elective process. People have a right to choose whom they want to sit on their school boards, and they have a responsibility to deliver the best possible education for the children of this province and other provinces as well. They have school boards that do the same thing. But what this government is doing is taking away the autonomy of school boards.

It is amazing that first the government can offload close to \$50 million worth of taxes onto school boards, extra costs they are going to have to pick up and then, Madam Deputy Speaker, restrict their ability to raise these funds.

As I say, school board members, school trustees have a sincere interest in the education of children, as should members of this government. I mean, that is one of the most important things we can do for our children, is offer them the opportunity to get an education to whatever ability they have. They should have opportunity put to them, that they would have the opportunity, whether it is to fit into the workforce—and most people want to fit into the workforce. They must have that opportunity, and school boards must have the ability to deliver those choices for them, but by restricting that ability and by restricting their ability to raise funds, we are seeing changes and inequities in the education system.

I have three school divisions in my constituency, Madam Deputy Speaker, and I have spoken to many school trustees who very much resent what this government is doing with this legislation. They also very much resent many of the other things that his government is doing when it comes to education.

\* (1630)

We see less and less opportunity for them to be able to deliver, and we see less of a commitment on the part of this government, particularly when it comes to distance education. That is a very important feature, important service that we should be offering to northern and rural children at all levels.

As the population becomes more sparse in rural communities, it becomes more difficult to have enough teachers to offer all programs. We have to

look at new and innovative ideas on how we can bring the courses, the opportunities to all children.

The more you restrict funding and the more you restrict the school trustees, the school boards' ability to raise funds, the more you restrict the opportunity for children to get an education. That is what we are seeing by this government. Not only are we seeing the restriction of the ability to deliver courses, but we are having a lot of other services that are causing frustration to school trustees, Madam Deputy Speaker.

The removal of clinicians and offloading those onto school boards has caused some hardship. Although the minister says that there are funds, that school boards can hire these people and the funds will go along with them, as I look at a letter that I received from representatives of school boards, in fact, all the funds are not going.

It says, under the former grant formula, those divisions that elected to own their own clinicians received a clinician grant, plus 10 percent administration grant per clinician, as recognition of the extra costs necessary to deliver this service.

This is not being passed on with the new formula. That is a matter of concern, and it is misleading to the public to have it say that—so it is a concern when we have the services reduced, and it is a concern that we are having many other services reduced by this government.

An important program we had that was delivered to the school was the dental program delivered through the school but made children healthier. Of course, if you have healthier children, you have the better ability to learn. We now have that service taken away, and we see that this government is moving away from providing equal opportunity to all children.

I think it is the inability of the school boards to be able to deliver education in a fashion that they see meets their needs, and each division is different; that is a real concern here. I guess one of the questions is, what will happen to a division that chooses to offer extra courses, chooses that they are more interested in providing quality education for their children, that that is the most important thing they can do?

What if they decide that they are going to raise the levy anyway? They are going to collect the extra taxes, and they are going to provide fair education. What is the government going to do? Are they

going to fire the school board because the school board cares more about the children and the education of the children than this government does? That would be a very interesting scenario on how they are going to handle that.

I am sure, Madam Deputy Speaker, we are going to see some of those instances where we will see divisions say, no, what we want is to provide the best basic education that we can and we are going to fund it no matter what happens. What is this government going to do? Are they going to follow what we saw happening in British Columbia in the '90s under the Socred government, where government slashed funding and they restricted school boards' ability to raise money? In fact, they fired several school boards who would not co-operate. Is that what we are going to see is going to happen with this government, that they will have their ability taken away from them?

Madam Deputy Speaker, education, as I said, is a very important responsibility that we have, and I wonder where this government's priorities are. They can find money to pay all kinds of consultants. They can find money to pay people who are going to cut back on our health care system. They can pay, as I said, money for a consultant, money that is going to go off to the United States, but we cannot find the money for education. It is unfair that this funding should be cut to the extent that it is and then the government says in its throne speech and its budget speech that education is the most important thing to them.

This government's most important agenda I believe is to cut back on services and nothing to do with job creation and nothing to educate our children other than to put money into the private sector for their own agenda on job creation.

Madam Deputy Speaker, they are not prepared to invest in the public school system, and it is the public school system that has to be supported because that is the one that everybody has an access to and that is the one that we should be supporting. To decrease funding to the public school sector and increase it to the private school sector is unfair because there are only a very limited number of children who can afford in many cases the private school.

Madam Deputy Speaker, to move funds from the public school sector and support to a greater extent the private sector is unfair. There are many areas

of the province that do not have private schools. There are many people who cannot afford to go to private schools. [interjection] The member across the way says, they do not have to. That is right, they do not have to go to the private school system. They go to the public school system, but we should offer them every opportunity in the public school system, and we are not doing that now. By reducing the funding we are restricting the number of courses that are available, and there is not the opportunity for many children in the province. [interjection] Nobody is saying to close 74 schools.

Madam Deputy Speaker, the member across the way seems to be saying that we should close down all private schools. Well, I want to set the record clear. I never did say close all private schools. What I did say is that the public school sector is the one that everyone has access to and that is where the majority of our funds should go, because the majority of people cannot afford the private schools, and the majority of people do not have access. There are many areas.

Madam Deputy Speaker, we have to look at the remote areas of the province, to the rural areas of the province and see that all people have—I think that no matter what we do, what we are very concerned with here is the autonomy of local school boards. Local school boards have been elected and have the interest of the students, the children of their communities. They know the needs of their area, and they should be able to make decisions on what is happening in their division. It is unfair to restrict the money that they have, to cut back on the money and then tell school divisions, no, you cannot raise your own money. That is where the unfairness in this bill is.

\* (1640)

I attended the school trustees' convention, and I talked to many trustees there who did not believe that what was happening here was right. They did not think that there should be restrictions, that they should be left to use their own best judgment. I have to say that I trust school trustees. If you look back at the records, at the work the school trustees are doing—they live within the community. They understand what the tax base is there, and not very often have they increased the taxes to an unrealistic level, but if there is a need to raise the taxes, they should have that ability to raise those taxes. They should not be restricted by government.

If government is going to restrict their ability, well, then maybe they should be filling in the shortfall. There are many shortfalls that have to be filled in because of this offloading. I look again at rural communities, and the other division that is in my constituency is the Duck Mountain Division, a low economic base, an area that is becoming more and more sparsely populated, partly because of the economics and partly because of the lack of support this government shows to rural communities.

If this government would show some leadership and fulfill some of its commitments to economic development in rural Manitoba and reinvest some of the money in rural Manitoba that they have said they would do, then there would be people out there to pay taxes and there would be growth in rural Manitoba, but we have had nothing from this government. All we have had is lip service for economic development in rural Manitoba. We have had a government that continues to drain revenue out of rural Manitoba through the VLTs. They keep draining and draining that money. They will not reinvest it that we have jobs in our rural communities. Then they go and restrict the school board's ability to do their job.

Madam Deputy Speaker, lots of the reasons for a low tax base throughout my constituency are due to lack of action on the part of this government. In the Swan River constituency, we had a promise from this government that we would have jobs through Repap. That was going to be our major economic development, with 250 new jobs. Can you imagine the economic development we would have had? Can you imagine that extra tax base we would have had to levy on and support education if we would have had those extra jobs and extra property owners and all of those things, but this government has broken its promise. They broke their promise on Repap, and they have broken many other promises that they have made to rural Manitoba.

I can think of many of them. I think about the commitment—as I say, Repap is a major one. They made commitments to jobs; they were going to reinvest. They said all monies raised from video lottery terminals would be reinvested in rural Manitoba. Well, there is over a million dollars, well over a million dollars, just being drained out of the town of Swan River, not the surrounding communities, but is this government reinvesting anything back in that community?—nothing. We

have had no reinvestment from this government. All they are doing is draining money out.

Madam Deputy Speaker, the logging industry is suffering. The agricultural industry is suffering. We have had no jobs. I look also at the fishing industry. We have raised the issue many, many times with the Minister of Natural Resources (Mr. Enns) and said that there are serious problems in the fishing industry, but we have had no commitment from this Minister of Natural Resources.

What we do have is a government that is offloading the costs in revenue onto seniors. My constituency, the constituency of Swan River, has a very high senior population, a very high low-income population, and the seniors are now going to be paying that special levy. The \$175 that they were getting in exemption on school levy they are now going to have to pay. This is how this government deals with getting revenue into the province, on the backs of the seniors, on the backs of those who can least afford it.

Now, the minimum tax of \$250. For some people, it may not sound like a lot of money. For the majority of people in my constituency, their taxes were very low, and, in some cases, they were paying maybe \$50, \$100 which would be high taxes, but they had very low services, many cutbacks from this government. You have poorer roads; you have no sewer and water; you have no garbage pickup. Many times you do not have your roads plowed. You live with those things, Madam Deputy Speaker. You do not expect all those services, but now, along with having no services and even additional cutbacks in services by this government, you are going to have a minimum tax of \$250. That is a tremendous increase in tax, and this government says that this is fair. It is a fair distribution of the taxes. Everybody has to carry their fair share.

Well, it is not a fair share, and this is a tremendous increase in property tax for people of rural Manitoba by this government. People of rural Manitoba are quite upset. They are quite angry with what this government is doing and what they are not doing. They are upset with the increased taxes they have to pay. They are upset with the services they have cut back, and in particular, Madam Deputy Speaker, they are upset with the services that have been cut back for the children, the cutbacks in the dental program. They are upset with the cutbacks in clinicians. The minister has said that school boards can just go and hire the clinicians and the funds are

there. Many divisions are not in a position where they can share a clinician, particularly in the rural areas. The areas are very big; distance is too great. These are just unreal situations.

With the declining rural economy, we are going to see fewer people living in rural Manitoba. This government is doing nothing to stop that migration out from rural Manitoba, and, as we see that, it will be more difficult for school divisions, and school divisions must have that ability. School trustees must have the right to make the decisions. It is part of—they must have the ability. [interjection] The Minister of Northern Affairs (Mr. Downey) refers to Sunday shopping.

Well, Sunday shopping sure is not going to help the rural communities, let me tell you, and he should go out and listen to the people of rural Manitoba because they are very concerned about what this is going to do. They are going to drain the money out of rural Manitoba again. [interjection] That is right. The member says that they can have public hearings. That is the government's responsibility. They should go out and listen to what the rural people should do. [interjection] He talks about school boards. School boards are elected people. They have to make a decision but that is a whole other issue that we can discuss under another bill.

What we have here is a government that is draining money out of rural Manitoba, not prepared to invest in rural Manitoba, and they are not looking at the consequences of what this is. They have found that they can drain tremendous revenues and create false hope for people, but they are not prepared to address the real consequences of taking that money out of rural Manitoba.

They have deliberately misled rural Manitobans on the whole video lottery terminal issue. They said that they would put all the money back in. They said there would be economic development. Well, yes, we have some economic development in the hotel industry. The hoteliers are happy with the video lottery terminals, but that is doing nothing to help economic growth in rural Manitoba.

Madam Deputy Speaker, again, as I look at this bill, clearly this government has no plans for reform. They talk about educational reform, but what we have seen is a deterioration in the quality of education.

There are many very innovative and progressive school divisions out there. One of the most

progressive, I believe, is the Swan Valley School Division. These people have some excellent ideas on how we should help people get an education.

\* (1650)

One of them, I wish I had the program with me here, they have put in a teen parent program, where the young mothers can bring their children with them to school. They have a daycare program set up right in the school and they can continue their classes but they also have the responsibility of looking after their children between classes. It is an excellent program but the school division has shown the leadership. They have said, yes, we care about our children; we care about our young women. They have put money into this.

If this government continues to restrict school boards on their ability to raise funds, is it going to mean that school divisions will not be able to put programs into place like that? Are we saying that, no, this government is going to put restrictions on school boards, they can only raise so much money, and they cannot put in new and innovative programs?

The program, just as I have outlined, we have in the Swan River School Division, because this school division cares about young people, they want young people to get an education even if they have the responsibility of raising a family at the same time. They care, but this government is restricting the ability of school boards to carry on those things.

I wonder what this government will do if other divisions or if the Swan River School Division decides that they want to do other more innovative programs that are going to cost money and they decide that these programs are worth implementing even if they have to raise the special levy. Is the government going to say, no, you cannot do this, no, we are going to fire you and we are going to take over?

That is not fair, but then this government does not know very much about fairness. They do not know about whether it is fair to have some services—to cutback on services to those people who cannot afford them. They do not care about cutting back on services to communities that do not have any access to services. They do not care.

Another example of where they do not care, Madam Deputy Speaker, is they do not care about the fishing communities. They have cut off auditing services in the fishing communities. The

fishermen's co-op, who are some of the poorest people in this province, have had their services cut off by this province because they do not care. They do not care about people.

Madam Deputy Speaker, this government does not care or listen to many people. Farmers, for example, who want to earn a fair income and think they have a fair service right now, excellent service through the Canadian Wheat Board which allows them to get a fair return for their product through a pooling system, are feeling that they are having this service taken away from them, but this government will not stand up for them because they do not.

To go across the board and just say we are going to restrict the school boards' ability to raise taxes to 2 percent is not taking into consideration the great variation that we have from division to division to division. It is not taking into consideration the fact that last year there were divisions that had cut back on their spending and this year are going to be punished for it.

When you look at educating our children and school divisions, you have to take into consideration the great variance there is across the province. Some divisions have a tremendous cost in transportation, in moving children because of just the geographic location. That has to be taken into consideration. Some divisions have such a sparse population, Madam Deputy Speaker, that they have to look at transporting children from one school to the other.

This happens in Duck Mountain Division every Wednesday, that students go on the bus. They go from Pine River to Winnipegosis to get their home ec classes. That is a distance of some 45, 50 miles. That is an extra cost that division has to pick up.

Some divisions want to give other opportunities to their children. One of the opportunities that I think this government should be looking at very seriously, and I would hope that they will continue on in this, is the first-year Distance Education Program. The program has been started. It has been in place for three years now.

The government asked other divisions to put proposals in on this. They asked the Swan Valley School Division to put a proposal in. They asked the Greenwood, the Interlake School Division to put a proposal in, but now that all seems to have fallen by the wayside.

As I understand it, there have been people in the department who co-ordinate distance education who are no longer there. So does that mean that this government has given up on distance education?

For example, in our division, the school board is very committed to this proposal. They have worked very hard. They have been prepared to put in the extra dollars that are needed. Yes, I would bet that they are even willing to raise some extra taxes if they have to, because they believe in the children, and they believe that they should have the opportunity to have an education in their home community. Just as people in Winnipeg have the opportunity to have their education in their home community, rural students should have that opportunity, because when you bring it to the community, there are many more people who will be able to get an education. Let us face it, there are many people who cannot live out, cannot leave their homes. There are many people who have young families, who want to continue their education, and many people do not have the financial resources.

In light of the fact that educational supports have been cut back so much by this government—programs such as ACCESS, student support programs—it is going to be much more difficult for those people to get an education. So it is very important that we have the opportunity to provide those courses in the community.

If the school division chooses, believes in its young people, believes that those opportunities should be there, they should have the ability to raise those taxes. That is what has to happen, Madam Deputy Speaker. By restricting them as we have done in this bill, I believe that we are restricting the opportunity, we are restricting, interfering with the local decision making, and that is unfair.

People have elected these school trustees to make decisions for them. If they are not happy with the decisions that the school trustees are making with them, they will change the board in three years' time, but while they are in office, the school board should have the ability to make the decisions on behalf of the people who live in their area.

Government also has a responsibility, and that is to provide the funds for education to all residents of Manitoba. That is a responsibility of government, to educate children, to give them the opportunity to get an education in the public school system. They also



have a responsibility to provide, to open up the doors so that people can get post-secondary education, but people also have to have the ability to get ongoing education in their careers. As they go through life, those are the doors that have to be kept open by government.

People have a responsibility to an education, too. The students have to fulfill their part; parents have to fulfill their part in the education system. But the government has the responsibility to have the services there so that people can access the programs, have the ability to get an education when they are ready to, Madam Deputy Speaker, and this bill is infringing—

**Madam Deputy Speaker:** Order, please. When this matter is again before the House, the

honourable member for Swan River (Ms. Wowchuk) will have seven minutes remaining.

The hour being 5 p.m., it is time for private members' hour.

### House Business

**Hon. Darren Praznik (Acting Government House Leader):** Madam Deputy Speaker, I understand, in conversations with the opposition House leader (Mr. Ashton), there may be a willingness on the part of the House to call it six o'clock.

**Madam Deputy Speaker:** Is it the will of the House to call it six o'clock? [agreed]

The hour being 6 p.m., this House is adjourned and stands adjourned until 1:30 p.m. tomorrow (Thursday).

# LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, April 21, 1993

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