



Third Session - Thirty-Fifth Legislature  
of the  
**Legislative Assembly of Manitoba**

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**DEBATES  
and  
PROCEEDINGS  
(HANSARD)**

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42 Elizabeth II

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**VOL. XLII No. 66 - 1:30 p.m., WEDNESDAY, MAY 19, 1993**

**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, Cliff	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
MALOWAY, 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
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>	Rossmere	
<i>Vacant</i>	Rupertsland	

## LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, May 19, 1993

The House met at 1:30 p.m.

## PRAYERS

## ROUTINE PROCEEDINGS

## PRESENTING PETITIONS

**Mr. Dave Chomlak (Kildonan):** Mr. Speaker, I beg to present the petition of Paulette Patenaude, Lorraine Gosselin, Simone Lacasse and others requesting the Minister of Health (Mr. Orchard) consider restoring the Children's Dental Program to the level it was prior to the 1993-94 budget.

**Mr. Oscar Lathlin (The Pas):** Mr. Speaker, I beg to present the petition of Allen H. Ripley, Lynn Vanbeselaere, Shirley Slack and others requesting the Minister of Health (Mr. Orchard) consider restoring the Children's Dental Program to the level it was prior to the 1993-94 budget.

\* \* \*

**Mr. Clif Evans (Interlake):** Mr. Speaker, I beg to present the petition of Steve W. Mamchuk, Peter Wagner, William Wagner and others requesting the Manitoba Minister of Agriculture (Mr. Findlay) to consider conducting a plebiscite of Manitoba farmers as soon as possible on the issue of removing barley from the jurisdiction of the Wheat Board.

\* \* \*

**Mr. Gregory Dewar (Selkirk):** Mr. Speaker, I beg to present the petition of Gary Williams, Jackie Reid, Kay Smart and others requesting the Minister of Health (Mr. Orchard) consider restoring the Children's Dental Program to the level it was prior to the '93-94 budget.

**Mr. Jim Maloway (Elmwood):** Mr. Speaker, I beg to present the petition of Debra Hall, Wynne Murray, Doug Brown and others requesting the Minister of Health (Mr. Orchard) consider restoring the Children's Dental Program to the level it was prior to the 1993-94 budget.

## READING AND RECEIVING PETITIONS

**Mr. Speaker:** I have reviewed the petition of the honourable member (Mr. Hickes). It complies with the privileges and the practices of the House and

complies with the rules. Is it the will of the House to have the petition read? [agreed]

**Mr. Clerk (William Remnant):** The petition of the undersigned citizens of the province of Manitoba humbly sheweth that:

WHEREAS the United Nations has declared 1993 the International Year of the World's Indigenous People with the theme, "Indigenous People: a new partnership"; and

WHEREAS the provincial government has totally discontinued funding to all friendship centres; and

WHEREAS the provincial government has stated that these cuts mirror the federal cuts; and

WHEREAS the elimination of all funding to friendship centres will result in the loss of many jobs as well as the services and programs provided, such as: assistance to the elderly, the homeless, youth programming, the socially disadvantaged, families in crisis, education, recreation and cultural programming, housing relocation, fine options, counselling, court assistance, advocacy;

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba may be pleased to request the Family Services minister to consider restoring funding for the friendship centres in Manitoba.

\* \* \*

**Mr. Speaker:** I have reviewed the petition of the honourable member (Ms. Friesen). It complies with the privileges and the practices of the House and complies with the rules. Is it the will of the House to have the petition read? [agreed]

**Mr. Clerk:** The petition of the undersigned citizens of the province of Manitoba humbly sheweth that:

WHEREAS Manitoba has the highest rate of child poverty in the country; and

WHEREAS over 1,000 young adults are currently attempting to get off welfare and upgrade their education through the Student Social Allowances Program; and

WHEREAS Winnipeg already has the highest number of people on welfare in decades; and

WHEREAS the provincial government has already changed social assistance rules resulting in increased welfare costs for the City of Winnipeg; and

WHEREAS the provincial government is now proposing to eliminate the Student Social Allowances Program; and

WHEREAS eliminating the Student Social Allowances Program will result in more than a thousand young people being forced onto city welfare with no means of getting further full-time education, resulting in more long-term costs for city taxpayers.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba may be pleased to request the Minister of Family Services (Mr. Gilleshammer) to consider restoring funding of the Student Social Allowances Program.

\* (1335)

#### PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

**Mrs. Louise Dacquay (Chairperson of Committees):** Mr. Speaker, the Committee of Supply has considered certain resolutions, directs me to report progress and asks leave to sit again.

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

**Motion agreed to.**

#### TABLING OF REPORTS

**Hon. Clayton Manness (Minister of Finance):** Mr. Speaker, I would like to table the First Quarterly Report of the Manitoba Telephone System.

#### INTRODUCTION OF BILLS

##### Bill 36—The Highway Traffic Amendment Act

**Hon. Albert Driedger (Minister of Highways and Transportation):** Mr. Speaker, I move, seconded by the Minister of Environment (Mr. Cummings), that Bill 36, The Highway Traffic Amendment Act (Loi modifiant le Code de la route), be introduced and that the same be now received and read a first time.

**Motion agreed to.**

#### ORAL QUESTION PERIOD

##### Wang Canada Contract Status Report

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

The issue of Wang computers has been raised in this Chamber before. The Premier, of course, in 1989 announced an agreement where the government would spend \$4 million and Wang computers would create 50 direct jobs, \$23 million worth of investments and 22 additional jobs later on.

In the 1990 election, this was such a positive development that the Premier used this as an example of his government's so-called success on job creation, success that was written more in invisible ink than it was in real jobs.

Unfortunately, the project did not come to Manitoba, the jobs did not come to Manitoba, and the government penalized Wang computers by \$2.5 million. The government subsequently announced that they would take that penalty in terms of economic development that would be announced in the community of Dauphin by way of Vital Statistics.

Mr. Speaker, we have been informed a letter was sent to Dauphin informing the people of Dauphin that the Vital Statistics branch will not be relocated to Dauphin. The entire program, at this point, is being reviewed as to computer automation and potential costs of upgrading the equipment.

I would like to ask the Premier: What is the status of the jobs and the Wang computer situation?

**Hon. Gary Filmon (Premier):** Mr. Speaker, the member, I know, gleefully likes to take advantage of any bad news that he can with respect to corporations which are having financial difficulties. That is fair ball. We know exactly where they stand on job creation and investment. That is, they will drive it out as quickly as they can. That has been the New Democratic platform as long as we have sat in this House.

He does relatively accurately in his preamble portray the fact that we did exercise a penalty from Wang corporation because they did not meet the job creation targets they were expected to by way of the original agreement. That penalty was to be exercised by way of accepting technology services from Wang to the value of \$2.1 million, I am told. That is the current status. The government has a variety of projects that it is investigating whereby

Wang will provide the services and technology to the tune of \$2.1 million.

I will take as notice the remainder of the question as to where that stands and what services and technology have been received to this point.

### **Vital Statistics Computerization**

**Mr. Gary Doer (Leader of the Opposition):** Mr. Speaker, the government in 1992 announced that the services and penalty would be exercised by having Vital Statistics being automated by Wang with an untendered contract. We are now informed that this will not take place.

Can the Premier advise us on the status of the decentralized decision for Vital Statistics to Dauphin, and the status of the automation? Is Wang going to perform this function as announced by the government in public, or is it not?

**Hon. Gary Filmon (Premier):** Mr. Speaker, the one thing I know is that the Wang corporation is committed to provide us with the services to the tune of \$2.1 million. That much I know continues to be committed. Whether or not those services are provided by way of an initiative in Dauphin is another matter which I will again take as notice and bring the response back to the member.

\* (1340)

### **Wang Canada Contract Penalty Agreement**

**Mr. Gary Doer (Leader of the Opposition):** Mr. Speaker, the government announced this, I guess, about two weeks after it announced the expansion of the jobs in The Pas in March of 1989. It is now four years later that this contract was signed by the government, with the penalties. It is four years after they breached the original deal, the second deal, the third deal.

They announced another rejigging of the deal in January of '92. It is another 15 months after that point.

I know the government is thankful that this company spent \$18,000 advertising the great environment of Manitoba under the government during the election campaign in 1990, but when will the government collect on the money that is owed to the people of Manitoba in terms of penalties that are four years overdue?

**Hon. Gary Filmon (Premier):** Mr. Speaker, I can tell you that this is a good question because it shows a contrast between what we have done vis-à-vis our negotiations and what the New Democrats did.

The New Democrats, in providing similar support to businesses that were going to be presumably locating in Manitoba or starting up in Manitoba throughout the '80s, provided no penalties and no ability for the taxpayer to recoup any investment. We had dozens and dozens of companies that the New Democrats put money into, hard-earned taxpayers' money, in which they got absolutely zero return. In fact, it was all just simply squandered, as those businesses did not create jobs and went out of business.

We indeed will ensure that Wang provides the services and does in fact repay that, unlike New Democrats who had no penalties and just squandered the money.

### **Health Care System Transportation Issues**

**Mr. Dave Chomlak (Kildonan):** Mr. Speaker, on April 2, the Manitoba pre hospital professional association wrote to the Minister of Health concerning serious issues facing the ambulance services in Manitoba in light of the fact that the Motor Transport Board is hearing a case which could alter the course of ambulance delivery in the province of Manitoba. The minister has not replied to that letter, and this morning he refused to meet with the association.

Will the minister commit to meet with this organization prior to the Motor Transport Board hearing this case on June 2?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, I offered to representatives of that group, to meet with my ambulance division people this afternoon. I am not certain whether they intend to carry out that invitation.

**Mr. Chomlak:** Mr. Speaker, why is the minister refusing to meet with this group, since his own officials that he told this group to meet with have said they only deal with regulatory matters and not policy matters, and this is a policy decision to be made at the policy level by the minister and his colleagues?

**Mr. Orchard:** Mr. Speaker, often in the development of policy, we attempt to rely on advice from expert groups in the case where we are attempting to come to grips with changes in the

health care system, and quite often, the final individuals who provide advice into new policy development are the senior staff in my department.

That is, Sir, after all, why we retain them, why we rely on their expertise, and it is through those individuals that policy changes, if any, made by this government are often first recommended. Hence the suggestion of the appropriate meeting with them.

**Mr. Chomlak:** My final supplementary: Since the minister is refusing to meet with this organization, Mr. Speaker, will the minister at least make public a study that was supposed to be completed last July by Jean Fawcett [phonetic] that looked at interfacility patient transfers, so this organization and all the public of Manitoba will know what the ramifications are for this kind of service being offered in rural Manitoba?

**Mr. Orchard:** Mr. Speaker, I will attempt to see whether that study has been completed by the individual as outlined by my honourable friend and respond accordingly.

\* (1345)

### Health Care System Waiting Lists

**Mr. Gulzar Cheema (The Maples):** Mr. Speaker, my question is for the Minister of Health.

Mr. Speaker, the Fraser Institute released the results of the study of waiting lists in all 10 provinces. There are good things and bad things in this report about waiting lists in Manitoba.

For urgent cardiovascular treatment, we are the best in the country, and that is a great improvement for the last year. On the other hand, in the areas of orthopedic and eye surgery, the waiting list is nearly the worst in the country. However, we are the fourth largest in spending on health care in this country.

Mr. Speaker, my question is to the Minister of Health: When will the Minister of Health use all possible measures outlined in the Health Action Plan to make sure the waiting list in all these areas is decreased?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, the issue of waiting lists is one that from time to time is observed by—and I believe it was the Fraser Institute, again, in which they made observations approximately 15 months to 18 months ago.

Mr. Speaker, it is the very issue of waiting lists and the prioritization, if you will, between physicians with admission privileges to a number of hospitals that we are attempting to provide some greater clarity and guidance through investigation by physicians and other experts in the field.

To date, Sir, I have not received the wisdom of their advice in terms of patient management on waiting lists in at least one of the areas that my honourable friend is expressing the concerns of outside observers.

**Mr. Cheema:** Mr. Speaker, the Health Action Plan created a study review that was supposed to have a report due by November of 1992. That was supposed to help decrease waiting lists.

Can the minister tell us when we will have that report so waiting lists can be decreased?

**Mr. Orchard:** Mr. Speaker, that is what I am anticipating, and I cannot give my honourable friend a time frame in which that committee will provide my office with its report and any recommendations.

### Centralization

**Mr. Gulzar Cheema (The Maples):** Mr. Speaker, one of the ways to decrease the waiting period is to have hospitals of excellence.

Can the minister tell this House when the final decision is going to be made as to which hospital is going to perform what kind of surgery that will help, according to the Health Action Plan?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, in a number of program areas, there are varying stages of progress in terms of consolidation of surgical and other services carried out in our acute care sector.

The one area of surgical excellence which is closest to decision making is ophthalmology. The others range in status, and some of them probably will not report until at least later on this summer, possibly late fall.

### Brandon General Hospital Mammography Services

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

The American Cancer Society has reviewed the Canadian study on breast cancer and maintains that regardless of that Canadian study, breast tumors are found and cured in younger women. It stands by

its position that screening does save lives of women over 50 years of age.

Women in the Westman area still have to wait eight months for mammography tests at the Brandon General Hospital, compared to only 10 days at St. Boniface and at the Health Sciences Centre. That wait, Mr. Speaker, could be fatal for those women.

Will the minister now reconsider his position and provide the necessary funds to the Brandon General Hospital to remove this serious discrimination against the women of Westman?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, let me slightly clarify my honourable friend's position about the waiting time for an elective mammography, and that is, the circumstance in western Manitoba, an elective mammography takes upwards of eight months to achieve.

However, Mr. Speaker, that cannot be so quickly linked, as my honourable friend wanted to do in his preamble, with endangering women's lives, because the physicians in western Manitoba who determine whether a woman would benefit from a diagnostic mammography versus an elective one can have their patient access the service in western Manitoba within days.

It is a professional judgment of the physicians in western Manitoba which, quite frankly, Sir, is appropriate because who better to judge when someone should access a diagnostic service than physicians in whom we invest many years of professional study and expertise around the issue?

Sir, I say to my honourable friend that any woman judged in western Manitoba by her physician to need a mammography will receive same in days.

\* (1350)

**Mr. Leonard Evans:** Mr. Speaker, I just point out that the National Cancer Institute in the United States estimates that deaths from breast cancer could be cut by one-third if women had a regular annual mammogram, a regular annual screening test.

So, Mr. Speaker, I want to ask the minister further: Would he take into consideration the fact that Westman has a higher percentage of women over 55 than does the province as a whole?

The province as a whole has 23.5 percent of the female population over 55 years of age, whereas in Westman it is as high as 28.8 percent in 1992.

Certainly, the risk of breast cancer rises with age, Mr. Speaker, and I would ask the minister, therefore, if he would reconsider and take that matter into consideration.

**Mr. Orchard:** Mr. Speaker, that is exactly why a year and a half, two years ago, we brought together the best experts in Manitoba in terms of the issue of breast cancer in women, to provide government with guidance on how we can best assure that women receive the appropriate early detection services.

Now, Mr. Speaker, this issue is very much fraught with two sides of opinion. My honourable friend quotes from a study. I will quote from another study. Bethesda, Maryland, United States: New analysis of data from around the world has failed to show that women under 50 benefit from mammograms, confirming a Canadian study published late last year.

Mr. Speaker, that is why we have tried as best possible to be guided by Manitoba experts who review all literature—this, my honourable friend's study and many others to try to guide government in the best public policy possible.

**Mr. Leonard Evans:** Mr. Speaker, an ounce of prevention is worth a pound of cure. I do not know how you can measure the value of the lives of women.

### Layoffs

**Mr. Leonard Evans (Brandon East):** Mr. Speaker, I have a question related to Brandon General Hospital.

Will this Minister of Health confirm that the Brandon General Hospital has had to lay off 20 permanent and 10 term employees because of cutbacks in the funding of this government to the Brandon General Hospital?

**Hon. Donald Orchard (Minister of Health):** No, Mr. Speaker, I cannot confirm that. If my honourable friend wants to get into the issues of Brandon General Hospital, I look forward to Estimates, because as we go through the Estimates process, it can be demonstrated that this government has been more sensitive to the needs of western Manitoba, the service provision in Brandon General Hospital.

We did not go underground when we made tough decisions of bed closures like my honourable friend from Brandon East did when he sat around the cabinet in 1987 and mandated the closure of beds in Brandon Hospital, without consultation, without discussion, and then would not show up to face the—

**Mr. Speaker:** Order, please.

### **Arni Thorsteinson Property Holdings—Foreclosure**

**Mr. Jim Maloway (Elmwood):** Mr. Speaker, my questions are to the Premier (Mr. Filmon).

On May 17, the Premier stated that his chairman of the PC Manitoba Fund, Arni Thorsteinson, would pay back over \$6 million that the provincial government was forced to sue him for in the Court of Queen's Bench. It seems that this is one of the longest foreclosures in history.

Why did it take three years for this government to attempt to recover the money owed by Mr. Thorsteinson?

**Hon. Jim Ernst (Minister of Housing):** Mr. Speaker, firstly, let me say to my honourable friend that in any foreclosure of any property, public housing policy that has been produced—incidentally, this was introduced by the former government, these two particular projects. Notwithstanding that, we would not immediately foreclose the minute somebody is one month in arrears in rent. We would wait for a reasonable period of time, four or five months, six months, somewhere in that neighbourhood.

During that period of time and for the ensuing time, Canada Mortgage and Housing Corporation, the federal government Crown corporation, attempted a mortgage workout agreement with the owners of those two buildings. They worked for a considerable period of time attempting to find out if they could come up with the workout to salvage those two buildings.

Mr. Speaker, they were not successful. In November of 1992, Manitoba Housing was instructed by CMHC, our insurer, to begin foreclosure proceedings, which we did.

**Mr. Maloway:** Mr. Speaker, my supplementary to the Premier (Mr. Filmon) is: How long did Mr. Thorsteinson and companies continue to collect the rents from these properties after they stopped making the mortgage payments?

**Mr. Ernst:** Mr. Speaker, the matter here is between Canada Mortgage and Housing Corporation, which is the insurer of Manitoba Housing in these projects, and the owners.

They attempted over a protracted period of time, trying to find some method, some way, as they did with the building in North Portage, as they did in other cases, where they were attempting to find a method of ensuring that the buildings continue and that some form of a mortgage workout is arrived at. That is what they were doing for that length of time.

\* (1355)

**Mr. Maloway:** Mr. Speaker, my final supplementary to the same minister is that he did not answer the question. The question was: How long did Mr. Thorsteinson continue to collect the rents from these properties after he stopped making the mortgage payments? That was the question.

**Mr. Ernst:** Mr. Speaker, I think my honourable friend is having difficulty in understanding how the mortgage process works. The fact of the matter is a mortgage was granted by Manitoba Housing, insured by the Canada Mortgage and Housing Corporation. Canada Mortgage and Housing, as the insurance company, as it has every right to do, gives the instructions to the insured party. That is us.

Mr. Speaker, they gave us instructions to await an attempt at workout and then came to us and said in November of 1992, begin the foreclosure process. That is what we did. We are now in possession of the building.

### **Prairie Economic Participation Government Position**

**Mr. Paul Edwards (St. James):** Mr. Speaker, my question is for the Premier.

Mr. Speaker, today in Winnipeg a representative from the Canada West Foundation is in the city, discussing and talking to Winnipeggers and Manitobans about the virtues of prairie economic co-operation. This is an idea that has been around for some time.

Mr. Speaker, in Mr. Parson's opinion and in the Canada West Foundation's, there are \$5 billion in savings to be had by the western provinces in moving toward a more co-operative approach in the delivery of government services. The last time I asked about this to the Premier, three weeks ago, he gave it short shrift and indicated some disdain for the Canada West Foundation's predictions.



Now, Mr. Speaker, my question for the minister: Is he prepared today to tell the House why he is not looking at prairie economic co-operation as a way of saving tax dollars, so that we can actually have a chance of balancing the—

**Mr. Speaker:** Order, please. The honourable member has put his question.

**Hon. Gary Filmon (Premier):** Mr. Speaker, firstly, I reject totally the preamble of the member for St. James, and as usual, he totally misrepresents what has been said in the previous discussion on the issue.

I did not reject the concept whatsoever. In fact, I said to him—and I did not treat it with disdain—this is a matter that I had been working on from the day that I first met with western Premiers on May 17, 1988.

The reality is, it was one of the three major topics of the Western Premiers' Conference for Canmore that was just cancelled. The member opposite should inform himself on these issues if he is going to ask questions in the House, and then he would be better equipped to ask those questions.

Mr. Speaker, the fact of the matter is the ballpark figures that have been issued as to what savings might accrue make assumptions that go anywhere from shared services and co-operative actions all the way to total integration, political and administrative integration of the four western provinces. I think that taking the individual provinces and making a collective government of them is probably something that is not feasible in the eyes of most western Canadians, including most Manitobans.

So there are various aspects to the issue, but first and foremost, I will say that we will examine any potential avenue to be able to co-operate in the delivery of services, to be able to provide for a lower cost of operation, and therefore lower taxes to our people. That we will look at willingly and enthusiastically, as we always have, Mr. Speaker.

\* (1400)

**Mr. Edwards:** Mr. Speaker, no one is talking about the political unity that the Premier is talking about.

What I am talking about and what my question is about is economic co-operation, similar to the things that the rest of the world is doing.

My question for the Premier: He has shown some disdain for the figures put forward by the Canada

West Foundation. I would ask him, given that he has been working on this, as he says, for all these years, can he table in the House his predictions and the Minister of Finance's (Mr. Manness) predictions as to the gains that are there to be made by successfully moving towards prairie economic co-operation?

**Mr. Filmon:** Mr. Speaker, I have not shown disdain for the figures. I have sought to find out the basis on which the figures were put forward. Now, he cannot give me that basis, and from the information we have received from consultations with the Canada West Foundation—because I sat down with Dr. David Elton just about two weeks ago in my office in the Legislature to discuss this very study. He could not put forward the assumptions in the basic underpinnings of those figures. So I have to question then, what are the figures based on? Where are the savings going to accrue?

If the member for St. James cannot give them to me, then I think I have every right to question the validity of his assumptions.

**Mr. Edwards:** I suggest the Premier read the report.

### Education System

**Mr. Paul Edwards (St. James):** My final question for the Premier, let me give a specific example: Is the Premier prepared to look at the joint purchasing power and the savings to be made in the Department of Education alone of \$600 million, by getting together with the western provinces in purchasing the supplies and services that are needed in our education systems? They say \$600 million. Is this Premier saying—

**Mr. Speaker:** Order, please.

**Hon. Gary Filmon (Premier):** Mr. Speaker, I guess we would all have to know whether or not that purchasing is going to take place in Edmonton or Calgary or Regina or Vancouver or Stettler or Winnipeg to know whether or not it is in our interest to enter into this. It is absolutely foolish for him to make these kinds of assumptions and assume that automatically Manitoba is going to gain by this kind of thing. We have seen this happen before.

The western provinces already in the area of education are co-operating vis-à-vis curriculum. They are co-operating vis-à-vis the sharing of post-secondary education facilities in the allocating of students. For instance, we have agreements to send students to Saskatoon to take veterinary

medicine. Saskatchewan in turn sends students to our province to take physio and occupational therapy. There are other areas in which we have co-operative agreements developed. We have the fire college sharing of facilities. We have the sharing of facilities in the area of drug and alcohol rehabilitation for people.

We have the sharing—Mr. Speaker, the member opposite laughs at all these things because he is trying to make some sort of political Brownie points for his leadership campaign. The fact of the matter is, we are committed and we are doing things towards this workout of economic co-operation.

### **Red River Community College Enrollment**

**Ms. Jean Friesen (Wolseley):** Mr. Speaker, in the Canadian context, Manitoba's community colleges serve a very small percentage of our population, and the numbers seem to be getting smaller. In 1992, for example, there were 1,152 fewer students at Red River Community College than there were in 1989.

Will the Minister of Education tell us what her projections are for enrollments—I am using the overall figure—at Red River Community College for next year as a result both of her government's policy and the withdrawal of federal funds?

**Hon. Rosemary Vodrey (Minister of Education and Training):** Mr. Speaker, as the member knows, our colleges have now moved to governance, and they are now able to negotiate for a market-driven training, for instance. I understand that they are in the process—Red River Community College very specifically is now in a negotiation process and when they finish their negotiation process, then we will know more about what federal money will also be available to our community colleges and then what the enrollment may be in total.

### **Adult Basic Education Programs Alternative Programs**

**Ms. Jean Friesen (Wolseley):** Mr. Speaker, could the minister explain why adult basic education enrollments at Red River have been consistently reduced in the same period by nearly 300? Will she outline for the House what the alternatives are for such students, when her government has eliminated or cut so many other programs with similar purposes—student social allowances or New Careers, for example?

**Hon. Rosemary Vodrey (Minister of Education and Training):** Mr. Speaker, again, as I have said, there have been programs which have previously been funded in the majority by the federal government, and those programs are now being looked at by the community colleges to see if they can access direct funding from the federal government.

In addition, as the member knows, in terms of funding for ACCESS programs, for instance, there also has been a complete decline in the area of federal funding, whereas our province has continued to support funding. I have also explained to the member a continuum of programming which is available to students from literacy programming, high school programming available within home divisions.

**Ms. Friesen:** Mr. Speaker, could the minister explain how her policy—and it is a policy, it is a consistent policy of reducing opportunities for people who have not completed their secondary education. Could she tell us how that benefits the Manitoba economy or Manitoba families when the unemployment figures for that group range in the 19 to 22 percent range consistently every year?

**Mrs. Vodrey:** First of all, I would point to the assistance that we are providing students who are currently in the secondary programs so that those students are able to successfully complete their program and that they are able to successfully complete their program in a sequential manner.

We also co-operate with the Government of Canada in terms of stay-in-school initiatives. For those students who wish to return to school, there are programs available within the home division to allow students to complete the high school programs, and then we continue to offer assistance for students who wish to proceed into the post-secondary institutions.

### **The Pas Health Complex Layoffs**

**Mr. Oscar Lathlin (The Pas):** Mr. Speaker, next month over 15 LPNs at The Pas Health Complex will be laid off and residents of The Pas are rightly concerned that these layoffs are not cost-efficient and in fact will result in higher costs for the complex, while at the same time providing less services to the people.

Mr. Speaker, I would like to ask the Minister of Education (Mrs. Vodrey) to advise the House, when did she first learn of the layoffs? After becoming aware of the layoffs, what action did she take to co-ordinate her response to the layoffs with other government ministries?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, I believe my honourable friend was asking a question about The Pas Health Complex and some of the initiatives around staffing restructuring that they are undergoing right now. The knowledge I have to date of the initiative as proposed by The Pas Health Complex is that the new staffing mix that they propose will comply with the guidelines that we require to be followed in acute care hospitals and will not compromise patient care or quality of patient care.

**Mr. Lathlin:** Mr. Speaker, I will table for the minister, over 2,000 petitions from residents of The Pas protesting that decision of this government.

Mr. Speaker, my second question is to the Minister of Education and Training.

Is the minister aware that these people who have been thrown off their jobs will be unable to find other employment in The Pas, even though most of these people have worked in that field for most of the time, and, in fact, all their working lives?

**Mr. Orchard:** Mr. Speaker, I just want to correct my honourable friend, in terms of one of the assertions he made in his preamble.

Mr. Speaker, my honourable friend indicated that it was a government decision in terms of the staffing patterns at The Pas Health Complex. As with all acute care hospitals in Manitoba, their governance is by a board and senior management. The Province of Manitoba provides, through the generosity of the tax system and taxpayers of Manitoba, global budgets to those facilities.

Mr. Speaker, in achieving goals of health care, boards throughout the length and breadth of Manitoba make the decision on staffing, hirings, layoffs and mix. So my honourable friend's allegation that somehow government or I initiated this process in The Pas is absolutely false and shows a lack of understanding—

**Mr. Speaker:** Order, please.

\* (1410)

**Mr. Lathlin:** Mr. Speaker, my final question is again directed to the Minister of Education and Training.

Could the minister advise the House if she has any alternative plans for those people who have been thrown out of their jobs in The Pas, because right now the only option left to those people is unemployment insurance, welfare, and, in fact, having to move out of The Pas to find employment elsewhere? What plans does she have?

**Mr. Orchard:** Mr. Speaker, in any of these decisions where individuals are affected by layoffs, as is the instance cited by my honourable friend, those circumstances are very regrettable for the individuals involved. I do not think anyone, certainly in this government or at the board or administrative level of the facilities making those decisions, takes any particular joy in making these kinds of decisions.

Mr. Speaker, as much as possible, whenever layoffs are part of the restructuring within the hospitals, every effort is made on redeployment and offering retraining where appropriate within the health care system and within other funded institutions of health care.

### Child and Family Services Reduced Workweek

**Mr. Doug Martindale (Burrows):** Mr. Speaker, this Friday is the first day that Child and Family Services workers will be unable to properly meet the needs of our province's children as a matter of government policy.

Because of this government's policy of workweek reduction and the concern that it will adversely affect the safety of Manitoba children, this Friday, Child and Family Services workers will be rallying on the steps of the Legislature instead of providing services to children.

My question for the minister is: What is the impact of the four-day workweek on the children and families of Manitoba who rely on Child and Family Services and who cannot plan their emergencies according to this government's schedule?

**Hon. Harold Gillehammer (Minister of Family Services):** Mr. Speaker, as I have indicated to the member before, and we had some discussion of this in Estimates, the board chairs and the executive directors of those agencies take their responsibilities very seriously. They do have staffing scenarios that include weekends and long weekends.

In my discussions with the board chairs and with the executive directors, they are prepared to meet

that challenge and have the appropriate staffing in place.

**Mr. Martindale:** Mr. Speaker, this weekend, regular CFS workers will be unavailable for four consecutive days.

Will the minister explain to this House and to families in Manitoba how this is not a reduction of services and if he feels it is fair to put children on hold for four consecutive days?

**Mr. Gilleshammer:** Mr. Speaker, the member does not seem to understand that emergency services are always in place, 24 hours a day, every day of the year, that they work through regular holidays at Christmastime, and the professional staff of those agencies put in place the emergency services that are necessary.

**Mr. Martindale:** How can the minister assure the House and Manitobans that with less staff on the weekend, children at risk will not be not looked after and their needs will be taken care of? What plan is in place to make sure that all emergency situations will be covered?

**Mr. Gilleshammer:** Mr. Speaker, the member is essentially asking the same question. The agencies that provide services—and I do say I have a lot more confidence and faith in the professional staff who operate and work in those agencies than the member does.

They face long-weekend situations from time to time throughout the course of the year and put in place procedures to deal with emergency situations. I am sure the boards and staff, the leadership of those agencies, have the confidence that the measures they have put in place certainly will work.

### **Crown Corporations Reduced Workweek**

**Mr. Steve Ashton (Thompson):** Mr. Speaker, I also have a question in regard to the public sector reduction.

I would like to ask the Minister of Finance (Mr. Manness) if he can now indicate what is going to happen with the many Crown corporations—we are seeing, for example, in terms of MTS which is going to have to compete with Unitel. Other Crown corporations have to compete in the retail sector, such as liquor commissions.

Which ones are going to be affected by the closures? Which ones are not?

**Hon. Darren Praznik (Minister of Labour):** Mr. Speaker, I am pleased to report to the House and to inform the member for Thompson, in the case of most of the corporations, either negotiations have been concluded with their bargaining units or are in the process of being concluded.

I can tell him that at the Manitoba Telephone System, agreements were concluded with all of the unions representing the various employees in a very amicable way. Service will be provided, and those people will certainly be continuing to do the job on behalf of the people of our province.

**Mr. Speaker:** The time for Oral Questions has expired.

### **Nonpolitical Statement**

**Mr. Ben Sveinsson (La Verendrye):** Mr. Speaker, may I have leave to make a nonpolitical statement?

**Mr. Speaker:** Does the honourable member for La Verendrye have leave to make a nonpolitical statement? [agreed]

**Mr. Sveinsson:** Mr. Speaker, it is with pleasure that I rise before the House today to once again recognize the achievements of some of our very fine Manitoba athletes.

The sport of ringette has enjoyed tremendous popularity and success in Manitoba. I can modestly say that Manitoba has been the most dominant province in the sport at the national level and that this status was reaffirmed last month with Manitoba's winning of three national championships in the Debs, the Belles and the Junior divisions.

One of these players is in the Chamber today serving as a Page, Ms. Gaetane Manaigre. She played for the Assiniboine Park-Fort Garry Sixers this season and was a member of the Manitoba Belles that won the Canadian championships in Kitchener, Ontario, April 10 to 14.

Gaetane was also a member of the Manitoba ringette team that participated in the 1991 Canada Winter Games in Charlottetown and contributed significantly to Manitoba winning the Centennial Cup as the most improved province for the previous set of games.

I would ask all members to join me in congratulating Gaetane, and all those who have brought pride and distinction to our province with their accomplishments at the Canadian championships, for their personal development and contribution to the promotion of ringette in Manitoba,

and for the positive role models and leadership they provide for other ringette players and for women in sport in Manitoba.

### ORDERS OF THE DAY

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, would you call second readings Bill 34 and then adjourned debate Bills 12, 23 and 22, in that order.

### SECOND READINGS

#### Bill 34—The Public Schools Amendment (Francophone Schools Governance) Act

**Hon. Rosemary Vodrey (Minister of Education and Training):** Mr. Speaker, I move, seconded by the Minister of Labour (Mr. Praznik), that Bill 34, The Public Schools Amendment (Francophone Schools Governance) Act; Loi modifiant la Loi sur les écoles publiques (gestion des écoles françaises), be now read a second time and be referred to a committee of this House.

#### Motion presented.

\* (1420)

**Mrs. Vodrey:** Mr. Speaker, I am pleased to present for second reading, Bill 34, which will establish a Francophone school division in our province. The bill provides for the election of a Francophone school board. That board will be responsible for providing Francophone French first language education in Manitoba as required by Section 23 of the Canadian Charter of Rights and Freedoms.

The enactment of this legislation will provide the Franco-Manitoban community with a mechanism to manage and control the schools their children attend. It also reflects the special recognition given by our Constitution to the English and French languages. Section 23 of the Charter guarantees the right of the English-speaking minority in Quebec and the French-speaking minority elsewhere in Canada to have their children receive primary and secondary school education in the language of the linguistic minority in their province.

The Supreme Court in a 1990 decision has interpreted Section 23 as granting these official minorities the right to govern their own schools where numbers warrant. This bill providing for this governance right, is truly a milestone in the historical development of French language education in Manitoba.

In our province, today, there are over 5,400 children attending French first language programs or français programs as they are called. These students attend their français programs in 27 schools in the province located in eight different school divisions. The long-standing tradition of supporting and facilitating but not imposing change from above has been maintained by my government in Bill 34 and in our approach to the implementation of the governance system.

Francophone parents will be informed about the new structure and how it will operate and about its many advantages. That important task has been assigned to the implementation committee, chaired by the Honourable Alfred Monnin, former Chief Justice of the Manitoba Court of Appeal, who has had a long involvement with Francophone education. Mr. Monnin will be joined on the team by representatives nominated by affected groups. I am pleased that the key Francophone groups have accepted my long-standing invitation to serve on such a committee.

I will provide for your information a copy of this committee's mandate and its membership because, as I said before, it will play an important and complementary role in relation to the provisions in this bill.

The implementation committee will provide the parents with an opportunity to signal their decision to join the new school division. I believe that most parents will welcome the opportunity to participate in this important new stage in the evolution of French instruction in education, but my government will not impose a system on parents from the top down, so to speak. By Bill 34, existing boards are not prohibited from continuing to offer French instruction.

The government of Manitoba is committed to meeting its constitutional obligations under Section 23 and believes that this bill will make The Public Schools Act constitutionally sound. It incorporates the principles outlined by the Supreme Court of Canada in its March 4, 1993, decision and the general requirements spelled out in the Mahé case in 1990.

The content of this bill is guided by the numerous recommendations submitted to the Minister of Education and Training on May 31, 1991, by the Manitoba Task Force on Francophone Schools Governance. This task force was set up in 1990 to

advise the government on all matters related to the establishment of a governance system for Franco-Manitoban schools.

The task force was chaired by Edgar Gallant, a distinguished career civil servant who had presided over similar task forces on French education in British Columbia and Saskatchewan. It included representatives from the Francophone community's parent, trustee and educator organizations, as well as the Société franco-manitobaine and representatives of educational stakeholders like the Manitoba Association of School Business Officials, the Manitoba Association of School Superintendents, the Manitoba Association of School Trustees and the Manitoba Teachers' Society.

The proposed legislation creates a Francophone school division to be established by regulation not later than eight months after the bill is given Royal Assent. Certainly, it is my hope that we will be in a position to establish the division in the late fall of this year.

The territory of the Francophone school division will include all areas of the province where census data shows significant concentrations of Franco-Manitobans. This means that every community which now has a school offering a français program will be included within the territorial boundaries of the new division.

In addition, some other communities which have concentrations of Franco-Manitobans but no français school programs will also be included in the territory. The territory will be comprehensive enough to allow the new board to respond effectively to the needs of Franco-Manitoban communities.

A map describing the territory of the new Francophone division can be found in the information booklet entitled Francophone Schools Governance, and I will be making that booklet available for you today.

Under the guidelines expressed by the Supreme Court, the province has considerable scope in choosing the precise model for governance. A single Francophone school division was the model recommended to the government by the Gallant task force. We accept the opinion of the task force that given the size and location of Manitoba's Francophone population, this model is the best of possible alternatives. It has several advantages. It will provide a uniform approach to Francophone

education. It will be less costly to operate, and it will be more efficient and effective in arranging for services, recruitment and professional development.

The new Francophone school division will be responsible for the delivery of primary and secondary educational programs in its territory where numbers warrant. This simply means that wherever there are sufficient numbers of students whose Section 23 parents want their children's education to be provided by the Francophone school division to make this practical, these programs will be provided. In large measure, this education is already being provided in français programs in schools now.

My government expects that parents of children in most of these existing schools and programs will wish to join the new division so that those programs will simply be transferred to the new division. The creation of the new division involves primarily a change in administration of those existing programs.

The object of Bill 34, Mr. Speaker, is to provide an effective mechanism for all parents who want to exercise their rights under Section 23 of the Charter. It is simply not practical or desirable in Manitoba to provide a multiplicity of Section 23 governance arrangements. Options such as numerous boards and guaranteed minimum or proportional representation on existing boards were considered and rejected by the Gallant committee. I believe their decision to reject these approaches was sound.

Guaranteed minimum or a proportional representation, in particular, has run into a lot of criticism as being divisive, cumbersome and otherwise unworkable in Ontario, where it has been used in a number of divisions. Thus no changes are contemplated as a result of Section 23 in the way existing boards are elected. It would be counterproductive to entertain the notion of competing Section 23 governance structures while existing boards will not be prohibited and thus may continue to deliver French instruction separately and independently of the Francophone board.

Under Bill 34, the principal program offered by the new Francophone board will be the français model, one designed for students whose mother tongue and home language is French. The new division will not provide English or French Immersion programs.

These programs will remain the responsibility of existing school divisions.

To ensure that children master French as their first language, the programs offered by the division will be intensive, providing at least 75 percent of classroom instruction in the French language in each grade. Members may be aware that this is the predominant model in use today in Manitoba.

There are, however, some schools in which a less intensive approach is taken, sometimes referred to as the partial français approach. Should the parents of children in a less intensive program want to join the new division, there will be a three-year transitional period during which the Francophone board will be obliged to continue that approach for those children.

The Francophone school division will also be responsible to develop and offer a program called programme d'accueil which can be translated as a type of welcoming program. The program will be developed and offered if there is a sufficient demand for it. This program will assist nonfluent children of Section 23 parents to acquire the language skills required for them to participate successfully in the French language program provided by the new Francophone school division.

\* (1430)

The necessity for such a program lies in the fact that there are a large number of Manitoba children, approximately 11,000, whose mother tongue is not French, but whose parents have rights under the Charter. The Charter confers rights to minority instruction on parents regardless of the language skills of their children.

Let me focus for a moment on exactly who will be entitled to send their children to school in the new division. As previously mentioned, the Francophone school division's mandate is to provide French language programs to students whose parents wish to exercise their right under Section 23 of the Canadian Charter of Rights and Freedoms. In the Manitoba context, that section confers rights primarily on Franco-Manitobans. In a few cases, due to the working of the Charter, individuals who are not members of the linguistic minority may have Section 23 rights.

The Gallant task force recommended that, in some respects, the entitlement provision spelled out in Section 23 of the Charter be defined more precisely. We believe these recommendations are

consistent with the purpose of the Charter Section 23, and we have included them in the bill.

The bill therefore defines the following residents of Manitoba as persons entitled to have their children educated by the Francophone school division: Persons whose first language learned and understood is French; Canadian citizens who have received at least four years of primary school instruction in the French first language program in Canada; or Canadian citizens, any child of whom is receiving or has received at least four years of primary or secondary school instruction in a French first language program in Canada.

Only one of the child's parents must meet the above criteria to ensure eligibility. Under the provisions I have just described, every Franco-Manitoban parent residing in the territory of the division will be eligible to send his or her child to programs run by the new board.

In addition, those Manitobans whose children are now attending français programs will be eligible. The bill makes it very clear that if a program is transferred, every child now attending such a program will be entitled to continue to attend. As recommended by the task force, the Francophone school board will also be empowered to admit other children whose parents do not meet the criteria set above.

Mr. Speaker, I might add that under Bill 34, entitled persons not resident in the territory of the Francophone school division will also be able to send their children to schools run by the Francophone division if this is practicable.

Now a word about the unique aspects of the new governance structure. Bill 34 proposes the creation of a French language school division with a unique trilevel structure. This trilevel approach is designed to ensure that the Francophone school division is responsive to the needs of Manitoba's linguistic minority and will encourage the development and the use of its programs and facilities. The key elements of the structure are local school committees, regional committees and the school board.

To ensure strong local involvement, the proposed legislation requires that a school committee be established for each school in which a program is being provided by the Francophone school division. These school committees will be consulted on all matters affecting their particular schools.

The Francophone school division will be divided into regions. Each region will have a regional committee whose members will be elected by the parents. The regional committees will keep the school board attuned to regional matters. In turn, the regional committees will be obliged to consult with the school committees about local school issues.

In addition to the important advisory and consultative role played by the regional committees, Bill 34 permits the Francophone school board to delegate to a regional committee the responsibility to actually make determinations about regional matters.

Each regional committee will elect trustees from among their membership to serve on the Francophone school board. The board will be a decision-making body for the Francophone school division and will have all of the regular duties and powers of existing school boards except for the power of property taxation.

Mr. Speaker, I should add that the governance structure I have just described is essentially that recommended by the Gallant task force.

Although the proposed boundaries of the division itself have been identified, it would not be wise or appropriate to determine the precise number of regions and their boundaries until the implementation committee has completed its work identifying which existing programs will initially be transferred. That committee has been asked to provide its recommendations on the number of regions, their boundaries, the number of councillors to be elected in each region, and the number from each regional committee to serve on the school board. Bill 34 enables those matters to be prescribed by regulation.

The objective will be to ensure that the governance structure is representative of the population it serves and sensitive to both rural and urban concerns. The Gallant committee foresaw four such regions, one in the urban area of Winnipeg and three in the rural areas.

Mr. Speaker, I now want to highlight some of the relevant provisions regarding the election of the governance structure. Parents who send their children to programs run by the new Francophone school division or entitled persons and their spouses who have requested in writing that their child's education be provided by the Francophone school division will have the right to vote in elections for

regional committees. There will be special provisions for the first election which I will describe in a moment.

Bill 34 also provides for the possibility and subsequent elections of widening the franchise beyond parents by regulation. Any parent eligible to vote will also be able to run for office of a regional committee member. Other individuals who have the ability to operate in the French language will also be eligible to run for office, even if they do not have school-age children. The intent is to ensure that parents will not be denied the chance to elect experienced and capable members of the community merely because those persons may not be parents of a school-age child in the system.

As I said before, some of the elected regional committee members will serve as trustees on the Francophone school board. Each regional committee will choose its representatives to sit on the Francophone school board.

According to Bill 34, funding for the Francophone school division will come primarily from provincial grants available to all Manitoba school divisions under The Public Schools Act and monies from derived from school taxes. As previously mentioned, the Francophone school board will not be empowered to raise revenues through a levy on property. Instead, it will receive payments from each school division in which one or more of its students reside equivalent to the local taxes raised by the school division on a per-student basis multiplied by the number of students from the particular school division attending a program operated by the Francophone school division. This concept too originates from the Gallant task force report recommendations.

Mr. Speaker, public funds are already being provided for Francophone education in the province. The new governance structure is primarily a change in administration of that existing education. While there may be costs associated with the transition in administrative structure as required by the Charter, the government does not expect these costs to be substantial. As in the case with existing boards, the new Francophone board will be obliged to conduct its operation in an efficient and cost-effective manner, mindful of the necessary limits to overall public expenditure.

Before concluding my remarks today, I want to explain how the work to be done by the



implementation committee will support and facilitate a smooth and effective transition to the new system. First, as I noted above, that committee will perform the important task of informing parents likely to be affected by the creation of this new structure of the details of this initiative.

The informational pamphlet I will soon provide will be distributed by the committee to all parents whose children now attend français programs. The implementation committee will ask parents who qualify under Section 23 of the Canadian Charter of Rights and Freedoms whether they want the Francophone programs that their children currently attend to be transferred. In the event there is no clear consensus in a particular school community, the long-respected principle of majority determination, the only practical way of dealing with such an issue, will be applied.

\* (1440)

Let me elaborate somewhat on the registration process. In each of the schools in Manitoba where a français or a French first language program is being provided, a registration form will be distributed by the implementation committee to the parents of each child attending such a program. Parents with children eligible to attend in 1994 will be surveyed as well. The form will ask the parents to indicate whether or not they wish their child's education to be administered by the new Francophone school division. The chairperson of the implementation committee will collect the confidential registrations, will tabulate the results of each school and will inform the government of its results.

The process is to be completed by October 1 of 1993. Given the number of schools involved and the fact that it is difficult to carry on such a task on school vacation, this is a very ambitious schedule. This process must precede the determination of regions and boundaries and, given the objective to hold elections in this calendar year, the compressed schedule is necessary.

If a majority of the completed registrations in a particular school program indicate that parents want their child's education to be administered by the Francophone school division, that program will be designated for transfer by regulation. Ultimately, the program will be transferred to the Francophone school division.

Mr. Speaker, all parents of children in a program designed for transfer will be eligible to vote in the

first election of regional committees. This is an example of how the work of the implementation committee and the provisions of Bill 34 will interrelate.

If a majority of the parents do not favour the transfer of their school's education to the new division, that program will remain the responsibility of the school division in which they reside. However, Bill 34 makes it clear that individual entitled parents whose children attend such programs still have the right to request that their child's education be provided by the new Francophone school division.

Bill 34 makes it equally clear that the Francophone school division will be obliged to provide education to such children wherever it is practical to do so.

Individual Charter rights are not removed because of a decision of a school community as a whole to stay with the status quo. Consistent with such an approach under Bill 34, any entitled parent signifying an intent in writing to have the new board deliver his or her child's education will also be able to vote in the first election for regional committees even if the program his or her child attends has not been designated for transfer.

Having talked about transfers of programs, I now want to explain how Bill 34 provides for the transfer of school facilities from existing boards to the new Francophone division. You will recall that there are now 27 schools in Manitoba where français programs are offered. Nineteen of these 27 schools are linguistically homogeneous. In other words, the entire student body follows a French first language or français program.

We refer to these as single program schools. The property transfer provisions related to these 19 schools will be quite simple and straightforward. Where the majority of registrations in any of these single program schools favour the transfer of the French first language program to the new Francophone school division, Bill 34 provides that not only the program but also the school facility in which that program is offered will be transferred to the new Francophone school division.

There are, however, eight schools where français programming exists which can be described as mixed program schools. There, in addition to students following the français programs, there are other students, most of them in French immersion programs, but a few are taking English programs.

For the most part, Mr. Speaker, these schools are located in rural areas where the number of children may not be sufficient to justify separate school facilities. Bill 34 requires that adequate premises be transferred to the Francophone school division to house any programs designated for transfer in these schools.

Bill 34 contemplates that shared use of existing facilities is one possibility. The implementation committee has been asked to recommend which schools or school space should be made available to the Francophone division to house any of those French first language programs presently located in mixed program schools, where the majority of registrations favour the transfer of these programs to the new division.

The implementation committee's recommendations will be forwarded to the new Francophone board and the existing boards to work out the details or negotiate some other mutually agreeable arrangement related to the transfer or the shared use of schools presently housing programs in addition to the French first language program.

Bill 34 will provide for the appointment of an arbitrator to resolve any stalemate. Bill 34 also includes provision for entitled parents, as a group, to request that consideration be given to transferring a program to the Francophone school division any time after the division has been running schools for two years. Such requests can be made on a periodic basis.

Elections of the regional committees are targeted for late fall, early winter of 1993, provided that the identification of participating programs can be ascertained before October 1, 1993. Assuming that elections of regional committee members proceed in 1993, and the Francophone school board itself is elected from among regional committee members prior to the end of 1993, the new board will assume responsibility for its students as of July 1, 1994.

There will be a very significant workload for the newly established board to undertake before it assumes responsibility for students. Establishing its offices, hiring its administrative officers, preparing budgets, arranging for an orderly transfer of staff, dealing with the details of any sharing arrangements and preparing a transportation plan are only some of the activities it will undertake.

No doubt, there will be much consultation and co-operation between the new board and the

existing boards to make the transition as smooth as possible for affected students, staff and parents. Bill 34 contains numerous provisions to ensure that the transfers of staff and assets proceed efficiently and give consideration to all affected parties.

A process is provided for the selection of teachers to fill positions with the new board. Fair procedures incorporating appropriate successor-right principles will protect the rights of teachers, principals and nonteaching staff transferred to the new school division. Thus rights and benefits of teachers and other nonteaching employees, as set forth in current collective agreements and employee contracts, will be honoured until new agreements are finalized between the new Francophone board and its employees.

The task of creating an appropriate new collective bargaining framework may appear at first blush to constitute a challenge to the board and its employees alike, given the number of bargaining units and collective agreements which will be subsumed within the board's initial operations. I am confident that all concerned are up to the task. Nonetheless, the provision is made for the collective agreement board and Manitoba's Labour Board to assist the parties in this task if needed.

Mr. Speaker, this completes my summary of the highlights of Bill 34. I am confident that the content of this bill will respond to the requirements of Section 23 of the Canadian Charter of Rights and Freedoms. I am proud to have been associated with this important step in the evolution of French language education in Manitoba.

I believe the provisions of this bill will meet the aspirations of the Franco-Manitoban community to control and to manage their educational facilities. It will enrich the province of Manitoba and Canada as a whole by providing the Francophone community in Manitoba with an institution to promote and strengthen its cultural and linguistic heritage.

\* (1450)

**Mr. Nell Gaudry (St. Boniface):** Monsieur le président, il me fait plaisir de faire une présentation devant cette Assemblée cet après-midi. Pour moi, c'est une journée historique, encore de pouvoir faire un discours totalement en français. En 1988, lorsque j'ai été élu pour la première fois à l'Assemblée législative du Manitoba, c'était aussi une journée historique: c'était la première fois depuis 1890 qu'un discours avait été fait totalement

en français. Alors, aujourd'hui, il me fait grandement plaisir, pour cette journée historique pour la francophonie du Manitoba.

A la suite de la présentation devant cette Assemblée législative du projet de loi par la ministre de l'Éducation, je réagis immédiatement avec joie au cœur, d'autant plus que le projet de loi fut secondé par le premier ministre lui-même, ce qui à mes yeux signifia de façon évidente l'importance avec laquelle le gouvernement désirait traiter de ce dossier.

Le Projet de loi 34, Loi modifiant la Loi sur les écoles publiques (Gestion des écoles françaises) est un des projets de loi parmi les plus importants pour les Franco-Manitobains et les Franco-Manitobaines, car la langue d'éducation d'un peuple est la source intellectuelle qui assure l'existence de ce même peuple.

Comme je l'ai déjà dit à maintes reprises dans cette chambre, c'est l'ancien président de la France, Georges Pompidou qui, à mon avis exprime bien simplement mais combien justement l'importance de la langue française quand il disait que le rôle de la langue n'est pas un simple moyen d'expression, c'est un moyen de penser, un moyen d'influence intellectuelle, et c'est à travers notre langue que nous existons.

Cet effort que je fais et que font les Franco-Manitobains et les Franco-Manitobaines pour le développement et l'épanouissement de la francophonie au Manitoba, c'est aux Francophones de le faire. Et, en harmonie avec l'initiative adéquate mais attendue du gouvernement c'est à la communauté francophone du Manitoba toute entière de participer activement à l'histoire de notre province.

Quel plus beau geste de remerciement à Louis Riel pouvons-nous offrir à nos enfants que celui de leur assurer une éducation en français. Une éducation pour laquelle le fondateur du Manitoba lui-même a été jusqu'à perdre sa vie.

Monsieur le président, je ne veux pas laisser ici déborder l'émotion du moment sur la réalité vivante historique que vit actuellement la province du Manitoba. Nous laisserons aux historiens le soin de rapporter l'ampleur des actions des Francophones du Manitoba.

C'est avec sincérité mais avec vigueur, que j'invite les Franco-Manitobains et les Franco-Manitobaines à participer aux audiences publiques

du comité parlementaire qui traitera de ce projet de loi.

Que cela soit à titre individuel ou communautaire, à son nom personnel ou à celui d'un organisme, porte-parole professionnel ou syndical, d'une communauté religieuse ou à titre de laïque, de Chevalier de Colomb ou de Franc-maçon, de travailleur ou d'étudiant, du milieu rural ou du milieu urbain, intellectuel ou ouvrier, de jeunes ou moins jeunes, de père ou de mère, d'homme ou de femme, j'invite la population franco-manitobaine à venir faire des présentations aux audiences publiques du comité parlementaire.

Le gouvernement, tout comme les partis d'opposition, a besoin des recommandations du public en ce qui a trait à la gestion des écoles françaises. C'est une invitation publique que je lance à la population franco-manitobaine à participer à un procédé démocratique et nécessaire à l'avenir de la langue française au Manitoba et dans l'Ouest canadien.

C'est une invitation que je lance à la francophonie manitobaine à prendre l'occasion de recommander des amendements durant les audiences publiques du comité parlementaire afin d'améliorer le projet de loi et de satisfaire les Franco-Manitobains et les Franco-Manitobaines.

Monsieur le président, les allégeances idéologiques doivent servir de fil conducteur tout en permettant à la pensée de ne pas outrepasser la réalité. La raison d'être de notre Assemblée législative, de contribuer à l'amélioration des conditions de vie des Manitobains et des Manitobaines, doit être la source d'inspiration qui permette au gouvernement et à l'opposition de se compléter l'un l'autre.

Je ne discuterai pas ici de manière systématique les différences des deux bords parce que la chose est déjà faite de façon habituelle. Néanmoins, j'aimerais préciser qu'il est le rôle de l'opposition de montrer avec force et pertinence les insuffisances du gouvernement.

A mon opinion, le projet de loi semble proposer les recommandations principales du rapport Gallant, ce dont je félicite le gouvernement. Notamment, le projet de loi prévoit l'établissement de comités scolaires locaux, plus exactement au niveau de chaque école ce qui, à mon avis, est l'assurance de la participation active des ayants

droit dont les droits sont garantis par l'article 23 de la Charte canadienne des droits et libertés.

Egalement de positif dans le projet de loi est la prévision d'établir un programme d'accueil afin d'améliorer les habiletés des élèves aux exigences linguistiques du programme français. Ceci pourrait fort bien déboucher à la mise en place de certains programmes de francisation qui pourrait être le trait de liaison du programme français d'immersion au programme français.

Enfin la création d'un comité d'admission est une note positive à la concrétisation logique de l'existence d'une division scolaire qui se soucie de la qualité des programmes qu'elle offre.

Monsieur le président, je dois néanmoins souligner plusieurs faiblesses qui existent dans le projet de loi. Des faiblesses qui m'inquiètent d'abord comme législateur, comme contribuable et enfin comme Francophone. Je me résignerai aujourd'hui à en citer les principales afin de susciter des recommandations des Franco-Manitobains et des Franco-Manitobaines.

Tout d'abord l'absence totale dans le projet de loi de précisions sur le processus de fonctionnement et les pouvoirs du comité d'implantation, ou comité Monnin, dont la ministre de l'Education n'est pas tenue d'en retenir les recommandations.

Ensuite, j'ai un grand nombre de questions auxquelles j'espère nous pourrions trouver ensemble des solutions accommodantes pour toutes les parties impliquées.

Quel est l'intérêt public à maintenir deux programmes français parallèles: l'un offert par la division scolaire de langue française, et l'autre offert par la commission scolaire du système actuel?

Pour quelle raison donne-t-on tant de pouvoir au ministre de l'Education?

La formule de financement proposée est-elle vraiment réaliste? Ne risque-t-on pas de voir la division scolaire de langue française recevoir différents montants d'argent pour deux ou plus d'élèves de la même classe, simplement parce qu'ils n'appartiennent pas à la même commission scolaire actuelle?

Les taxes scolaires variant d'une commission scolaire à une autre, de quelle manière la division scolaire de langue française pourra-t-elle établir ses prévisions budgétaires de façon efficace?

Monsieur le président, pourquoi donne-t-on au ministre de l'Education le pouvoir ultime de décider qui peut être candidat aux élections? Le principe fondamental de la démocratie ne dicte-t-il pas une obligation pour la loi de définir qui a le droit de vote et qui peut se présenter aux élections?

Pourquoi donne-t-on le droit de se présenter aux élections aux personnes qui n'ont pas d'enfants d'âge scolaire et qu'on leur refuse le droit de vote?

Pourquoi accorde-t-on le droit de vote aux ayants droit aux deux commissions scolaires, à celle de langue française et à celle existant sous le système actuel?

Pourquoi les autobus et les chauffeurs d'autobus ne sont-ils pas transférés à la division scolaire de langue française? N'y a-t-il pas ici une dimension de sécurité envers les enfants à avoir un chauffeur d'autobus qui parle français?

Le fait de donner la possibilité aux ayants droit de choisir de se joindre ou non à la division scolaire de langue française n'est-il pas purement et simplement un empêchement par la majorité à la minorité d'exercer son droit?

La mise en place de la division scolaire francophone n'est-elle pas sujette au bon vouloir des divisions scolaires majoritaires?

Monsieur le président, comme je l'ai mentionné plus tôt, tout ceci sont des préoccupations qui nécessitent probablement certains éclaircissements, sinon des ajustements ou amendements qui devraient être proposés ou recommandés par la communauté francophone.

C'est pourquoi je considère ce projet de loi comme un point de départ pour l'implantation finale de la gestion scolaire francophone au Manitoba. Il y a encore beaucoup de travail à faire, et nous devrions permettre au Projet de loi 34 d'aller en comité parlementaire le plus vite possible afin d'avoir des discussions et des consultations avec la communauté francophone.

Monsieur le président, la ministre mentionnait que c'est un échéancier ambitieux. Je le crois, mais je crois, en travaillant ensemble, les trois partis dans cette chambre et la communauté, qu'il est réaliste de pouvoir avoir notre gestion scolaire en 1994. Avec ces commentaires, je félicite le gouvernement d'avoir apporté ce projet de loi en cette journée historique pour le Manitoba. Merci beaucoup.

[Translation]

Mr. Speaker, I am pleased to make a presentation before this Assembly this afternoon. For me, this is a historic day, once again, to be able to make a speech completely in French. In 1988, when I was elected for the first time to the Legislative Assembly of Manitoba, it was a historic day also. It was the first time since 1890 that a speech had been made totally in French. So, today, I am very pleased on this historic day for Manitoba Francophones.

Following the presentation before this Legislative Assembly on the bill by the Minister of Education and Training (Mrs. Vodrey), I am reacting immediately with joy in my heart, all the more because the bill was seconded by the First Minister (Mr. Filmon) himself which, in my mind, clearly indicated the importance that the government wished to give to this matter.

Bill 34, The Public Schools Amendment (Francophone Schools Governance) Act is among the most important bills for Franco-Manitobans because the language of education of a people is the intellectual source which ensures the existence of this same people. Mr. Speaker, as I have already said many times in this House, it was the former President of France, Georges Pompidou who, in my opinion, expressed very simply, but so aptly, the importance of the French language when he said that the role of language is not simply to be a means of expression. It is a way of thinking, a means of intellectual influence and it is through our language that we exist.

Mr. Speaker, this effort that I am making and which Franco-Manitobans are making for the development and flourishing of Francophone life in Manitoba, it is up to Francophones to do it. And in keeping with the proper but awaited initiative of the government, it is up to the Francophone community of Manitoba, in its entirety, to participate actively in the history of our province. What finer gesture of thanks to Louis Riel could we offer to our children than that of ensuring them an education in French, an education for which the founder of Manitoba himself went so far as to lose his life?

Mr. Speaker, I do not want to let the emotions of the moment spill over into the living historical reality of the province of Manitoba at the present time. We will leave it to historians to record the scope of the actions undertaken by Manitoba Francophones.

It is sincerely and vigorously that I am inviting Franco-Manitobans to participate in the public

hearings of the parliamentary committee that will be dealing with this bill. Whether it be on an individual or on a community basis, in one's own name or on behalf of an organization, as a spokesperson for a profession or a union, whether from a religious community or whether as a layperson, a Knight of Columbus or Freemason, worker or student, whether from rural or urban areas, whether intellectual or labourer, young or not-so-young, father or mother, man or woman, I invite the Franco-Manitoban population to come and make presentations at the public hearings of the parliamentary committee.

The government, as well as the opposition parties, requires the recommendations of the public in regard to the governance of French schools. This is a public invitation that I am making to the Franco-Manitoban population to participate in a democratic procedure that is necessary to the French language in Manitoba and in western Canada. It is an invitation that I am making to Franco-Manitobans to take the opportunity to recommend amendments during the public hearings of the parliamentary committee in order to improve this bill so as to satisfy Franco-Manitobans.

Mr. Speaker, ideological allegiances must serve as a conductor while at the same time not allowing reflection to surpass reality. The *raison d'être* of our Legislative Assembly, to contribute to the improvement of the conditions of life of all Manitobans, must be the source of inspiration which allows the government and the opposition to complement one another.

Mr. Speaker, I am not going to discuss here in a systematic way the differences on each side, because this is something that is done regularly. Nevertheless, I would like to specify that it is the role of the opposition to show, forcefully and relevantly, the government's insufficiencies.

In my opinion, the bill seems to propose the principal recommendations of the Gallant report, and for that I congratulate the government. Particularly, the bill provides for the establishment of local school committees, more exactly, at the level of each school, which in my opinion ensures the active participation of entitled persons, persons whose rights are guaranteed under Section 23 of the Canadian Charter of Rights and Freedoms.

\* (1500)

Also positive in the bill is the provision for the establishment of a programme d'accueil in order to improve the abilities of pupils to meet the linguistic requirements of the French program. This could very well lead to the setting up of certain francization programs which could represent the link between the French Immersion program and the French program.

Mr. Speaker, lastly, the creation of an admissions committee is a positive note in the logical realization of the existence of a school division which is concerned with the quality of the programs that it offers.

Mr. Speaker, I must, however, emphasize several weaknesses that exist in the bill, weaknesses which concern me first as a legislator, then as a taxpayer and finally as a Francophone. I will confine myself today to citing the principal ones in order to incite recommendations from Franco-Manitobans.

Firstly, the total absence in the bill of details on the process of functioning and the powers of the implementation committee, or the Monnin committee, whose recommendations the minister is not required to adopt. Next I have many questions to which I hope we will be able together to find solutions that accommodate all the parties involved.

How is the public interest served by maintaining two parallel French programs, one offered by the Francophone school division and the other offered by the school board of the current system?

Why is so much power given to the Minister of Education (Mrs. Vodrey)?

Is the proposed financing formula really realistic? Are we not likely to see the Francophone school division receive different amounts of money for two or more pupils in the same class simply because they do not belong to the same current school board?

As school taxes vary from one school board to another, how will the Francophone school division be able to establish its budget estimates in an efficient manner?

Mr. Speaker, why is the Minister of Education given the ultimate power of deciding who can be an electoral candidate? Does not the fundamental principle of democracy dictate an obligation for the law to define who has the right to vote and who can be a candidate? Why is the right to run for election given to persons who do not have children of school age and to whom the right to vote is refused?

Mr. Speaker, why is the right to vote given to entitled persons for two school boards, that is, to the Francophone one and the one that exists under the current system?

Why are the buses and bus drivers not transferred to the Francophone school division? Is there not a safety consideration here with regard to children having a bus driver who speaks French?

Is not the fact of giving the possibility to entitled persons of joining or not joining the Francophone school division purely and simply an impediment by the majority of the minority's exercise of its right? Is not the setting up of the Francophone school division subject to the good will of the majority school divisions?

Mr. Speaker, as I mentioned earlier, all of these are concerns which will probably necessitate certain clarifications, if not adjustments or amendments that should be proposed or recommended by the Francophone community. It is for that reason that I consider this bill as a point of departure for the final implementation of Francophone school governance in Manitoba. There is still a great deal of work to do and we will have to allow Bill 34 to go to the parliamentary committee as soon as possible in order to have discussions and consultations with the Francophone community.

Mr. Speaker, the minister mentioned that this was an ambitious timetable and I think it is, but I believe, with the three parties in this House working together and working with the community, that realistically we can have our schools governance in place in 1994. With these comments, I congratulate the government for having brought forward this bill on this historic day for Manitoba. Thank you very much.

**Ms. Jean Friesen (Wolseley):** Je propose, avec l'appui du député de Wellington (Ms. Barrett), que le débat soit ajourné.

[Translation]

I move, seconded by the honourable member for Wellington (Ms. Barrett), that debate be adjourned.

**Motion agreed to.**

## DEBATE ON SECOND READINGS

### Bill 12—The International Trusts Act

**Mr. Speaker:** On the proposed motion of the honourable Minister of Justice (Mr. McCrae), Bill 12, The International Trusts Act; Loi sur les fiducies internationales, standing in the name of the

honourable member for Swan River (Ms. Wowchuk).

**An Honourable Member:** Stand.

**Mr. Speaker:** Agreed.

**Ms. Becky Barrett (Wellington):** Mr. Speaker, I am going to speak and I wish with all my heart that I could speak in French as the member for St. Boniface (Mr. Gaudry) did and as the member for Wolseley (Ms. Friesen) was able to do, but I am going to put the remarks on Bill 12 on the record, I am afraid, only in English. [interjection]

If I were to put the remarks on Bill 12 on the record in French, it would be a very short speech, which members opposite maybe would appreciate.

Mr. Speaker, on Bill 12, which is The International Trusts Act, I am going to put my comments on the record and then we will be prepared to move this bill to committee.

The background for Bill 12 is the fact that in 1984 the Hague Conference on Private International Law passed a convention whose principal objective is to provide for the recognition of the essential characteristics of a trust in countries that are members of the conference and whose legal systems do not recognize the concept of a trust.

There are many countries in the world that do not follow the common-law traditions that Canada follows. The international conference recognized the fact that, given the ever-increasing global interactions of a financial and monetary and personal nature, it was necessary that international law take cognizance of the need to connect trusts from countries that do not have common law with countries that do, such as Canada.

Since 1984, the federal government has ratified this international law, and the convention that it came out of. Five provinces—Alberta, British Columbia, New Brunswick, Newfoundland and Prince Edward Island—have also passed international trust acts, so that people who come to those provinces from countries that do not have a common-law heritage are able to be covered by the international law.

Other governments across the world have ratified or are in the process of ratifying this convention, including the United Kingdom, Australia, Italy, Luxembourg, The Netherlands and the United States.

Mr. Speaker, we are pleased to stand and put on the record the fact that we appreciate the provincial government's undertaking this harmonization in the area of trusts. I will tell the Speaker, as he and members of the government know, we are not always in favour of harmonization. In many areas, we feel that it is a negative concept, but, in this particular instance, we are supporting the principles behind The International Trusts Act.

The bill basically will set up the parameters for a trust, and they would describe the primary characteristics of a trust as it will relate to the Province of Manitoba. I am assuming that those characteristics of a trust in Bill 12 are identical or in harmony with characteristics that were passed by the convention in the Hague and by other provinces.

This describing the primary characteristics of a trust will enable people who come from countries that do not have a common-law tradition to understand and to work with the Canadian and Manitoba context when establishing trusts.

The bill also, as the Minister of Justice (Mr. McCrae) stated in his introduction of the bill, will set out the minimum extent to which the law of the country, i.e. Canada and Manitoba, will recognize the trust. It will set definitions and it will set minimums so that people will know under what kind of law they are operating.

It recognizes, as we have said before, that we need to work within an international context, and an international context in which many countries do not operate under a common-law system, so that this law will attempt to recognize and relieve the problems that can arise if you have a trust or something that acts as a trust coming from your country of origin which does not fit into the common-law concepts of Canada and Manitoba.

There are, however, Mr. Speaker, some issues that I would like to raise briefly before we pass this bill on to committee, issues that have been raised by members of my caucus in the past. This bill, The International Trusts Act, unlike several other pieces of legislation that have been brought forward in the House this session by the government, is not retroactive. I guess I would have a question about why it has not been made retroactive when Bill 22 is retroactive, when the social allowance legislation is retroactive, when the infamous Sunday shopping bill was first introduced, was retroactive.

Just a comment that the government has no problem making other bills dealing with other major issues facing the people of Manitoba retroactive, but in this case, it is not. In other words, it will not apply to trusts that were created before this legislation comes into force. So in effect, it means that people who have come to Canada and Manitoba from other countries and have established trusts or have brought trusts with them or are the potential beneficiaries of trusts that were established in their country of origin will have to deal with the problems that have been facing them up to this time. It is only trusts that are begun now that will be affected by Bill 12.

As I mentioned earlier, one of the major factors leading to the initiation of Bill 12 is that we are becoming more international in scope. We have spoken on this side of the House about the problems that this internationalization has engendered for us in Manitoba and Canada and people all over the world, and we will continue to do so, because we are facing enormous problems as national boundaries become more and more porous as money becomes more and more international, as we discover that 47 out of the top 100 financial entities in our world are not nation states but are transnational corporations which know no national boundaries, which by definition have no heart or soul but are only solely concerned with profit and the bottom line.

\* (1510)

So we are in an international world, Mr. Speaker, and I think, in a positive way, Bill 12 addresses one of the problems that is inherent in an international community, an international community which has a range of legal and familial and fiduciary backgrounds, and recognizes as well that the concept of a trust as looked at in Bill 12 is essentially a common-law kind of a concept. So we believe that basically it is a positive move that is being undertaken in Bill 12. As we recognize that many people who come from non-common-law countries will be able to take advantage of the implications of Bill 12, it is also important that we improve the portability and compatibility of the range of trusts and other kinds of similar negotiations that are being undertaken.

There are a couple of questions, as I stated earlier, that we have some concerns on, and I am putting them on the record, as have members of our caucus, in the hopes that these questions will be

addressed in the public hearing process or in debate on third reading. I would like to briefly outline these questions. One is the question of illegal transaction and the protection of our trusts. What happens if a transaction is considered legal in the jurisdiction in which it is undertaken and illegal in Manitoba? Does this bill address those kinds of issues? Which jurisdiction takes precedence? Is it the jurisdiction in which the trust or equivalent undertaking was initiated, or is it the laws of Manitoba and Canada? Again, I hope that we are able to figure that out when we come to public hearings.

Does this legislation interact with The Wills Act? Have the drafters of this legislation looked at the harmonization with The Wills Act so that trusts that are set up as a result of wills, estates and all other transactions are all treated equally, or if there are differences in how they are treated, those are clearly delineated in the legislation? That is a question we have that we hope will be answered in public hearings or by the minister in further discussion.

There is the question of private trusts. This again is particularly germane when the federal government has pushed through, with unseemly haste, an extension of the tax-free status of private trusts in this country.

Parenthetically, Mr. Speaker, the government always asks us what we would do to react to the economic problems facing us, and one of the things we have said, on a federal level, is that there is an enormous loophole, an enormous amount of legitimate revenue that could be gained by the federal government through—if they had chosen not to extend the tax holiday on private trusts for another 21 years. This is just an unbelievable tax loophole that only the wealthiest of our population can take advantage of.

Will these trusts be dealt with under Bill 12? I would hope, Mr. Speaker, that the provincial government would talk with their federal counterparts on this particular thing, this concept. I know it is a bit late now, but with any luck, there will be a new federal government in the country, and perhaps this issue can be looked at again. Then, perhaps, we will be able to revisit the impact of that on Bill 12.

There is another question that we have raised in the House, and I think it is worthy of a bit of discussion, very limited discussion, at this point. I am sure it will be raised again in public hearings and



again on third reading. That is, is this bill as a result of the North American harmonization and integration? Is this bill the outcome of discussions and debate attempting to erase the 49th Parallel, attempting another in the long line of agreements, such as the Free Trade Agreement and the North American Free Trade Agreement, designed to restructure our society in a north-south, rather than east-west, axis?

Now I think, as we said at the beginning, this piece of legislation originated in 1984 in an international convention and conference, but I do think it is very interesting, Mr. Speaker, that it is being proposed at this time when when we are feeling the effects of the Free Trade Agreement and are seriously debating, or at least some of us are seriously debating, the potential hazards of the North American Free Trade Agreement.

I would suggest that there is only one party in this country that is actually seriously debating this issue, and that is the New Democrats. Neither the Conservatives nor the Liberals are paying much attention to it for good and sufficient reasons, seeing as how they are the parties of wealth and that their financial backers are very much in favour of the North American Free Trade Agreement.

Mr. Speaker, we do have a concern about the impact that this piece of legislation will have on further erasing the border between ourselves and the United States. However, given those brief final comments on behalf of our caucus, I am prepared, on behalf of my caucus, to close debate on this particular piece of legislation and pass it through to committee hearings. Thank you.

**Mr. Speaker:** As previously agreed, this matter will remain standing in the name of the honourable member for Swan River (Ms. Wowchuk). Order, please.

### Point of Order

**Ms. Barrett:** Yes, Mr. Speaker, as I stated at the beginning and conclusion of my remarks, we are prepared to pass this particular piece of legislation to committee.

**Mr. Speaker:** I did understand the remarks of the honourable member for Wellington, but leave was already granted to allow this matter to remain standing in the name of the honourable member for Swan River. The House had already agreed to that.

\* \* \*

**Mr. Speaker:** Would you like me to ask the question again? Is there leave for this matter to remain standing in the name of the honourable member for Swan River? Is there leave?

**Some Honourable Members:** No.

**Mr. Speaker:** Okay, then leave has been denied. Therefore, the question before the House is second reading of Bill 12, The International Trusts Act; Loi sur les fiducies internationales, is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Mr. Speaker:** Agreed and so ordered.

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

**Mr. Speaker:** On the proposed motion of the honourable Minister of Industry, Trade and Tourism (Mr. Stefanson), 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, standing in the name of the honourable member for Kildonan (Mr. Chomiak). Stand?

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

It is also standing in the name of the honourable member for Flin Flon, who has 13 minutes remaining.

\* (1520)

**Mr. Jerry Storle (Flin Flon):** It is my privilege to conclude my remarks on Bill 23.

Mr. Speaker, the other day the Minister of Industry, Trade and Tourism (Mr. Stefanson), in answer to questions posed by myself, indicated that this government, under no circumstances, is going to allow this piece of legislation to be discussed in rural Manitoba.

I think that shows a degree of cowardice that we have seldom seen in this Chamber. I want to remind members opposite, and the member for Portage la Prairie (Mr. Pallister) in particular, that when the government refuses to meet the people, when it

refuses to talk about issues that confront us collectively, the government is in serious trouble.

Mr. Speaker, I know that this legislation creates a great deal, has created a great deal, of controversy and consternation in rural Manitoba. That is a fact. The member for Portage la Prairie knows it as well as anybody.

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

Madam Deputy Speaker, the government had a choice in this matter. In the first place, the government and many of the members of the front bench and some of the back bench were elected from rural Manitoba. They came here, purportedly, to defend the interests of rural Manitobans, to defend the interests of their constituents who want jobs, to protect the interests of their constituents who own small businesses, to protect their communities, the viability of those communities.

I have quoted on other occasions remarks that were made by the current member for Pembina (Mr. Orchard) in 1987, when he said that he wants to protect jobs and businesses in his constituency, and that is why he supported the 1987 legislation.

Madam Deputy Speaker, the fact of the matter is that this legislation, although it represents backtracking on the part of the government, is still a bill that is opposed by the vast majority of people in rural Manitoba, certainly the vast majority of small businesses and the vast majority of elected officials in rural Manitoba.

Madam Deputy Speaker, again, the government is guilty of cowardice on two counts, first, their reluctance, their fear of meeting the people in rural Manitoba on a face-to-face basis and discussing this legislation. They have refused repeatedly to have it dealt with, have committee hearings outside of this Legislature, to have committee hearings in communities like Steinbach, Gimli, Portage la Prairie, Brandon, Dauphin, Flin Flon, you name it.

It is interesting, the government has now backtracked from its original proposition that this was going to be a period of reflection on the impact of Sunday shopping. The government had promised the people of Manitoba that they would be doing an analysis of this trial period. Of course, they have misled Manitobans on that count as well, because there has been no analysis. The Minister of Industry, Trade and Tourism (Mr. Stefanson) has repeatedly

been asked for that kind of objective analysis. It has not been forthcoming.

Madam Deputy Speaker, the member from St. Norbert (Mr. Laurendeau) wants this to go to committee. So do we. We want this legislation to go to committee, and we want, for the member for Portage's (Mr. Pallister) information, who is not standing up for his constituents, this legislation to be discussed in Portage la Prairie.

We believe that it should be discussed in rural Manitoba, because the most negative impact of this legislation is going to be on the rural economy.

**An Honourable Member:** How many times did you bring your legislation out to rural Manitoba? How many times when you were in government did you go out to rural Manitoba?

**Mr. Storie:** Many, many times. Many, many, many, many, many times. Yes, many times.

**An Honourable Member:** Oh, many times you brought it out there. Zip. Zip, on the record, my friend.

**Mr. Storie:** No, Madam Deputy Speaker.

Madam Deputy Speaker, on top of this, I had a meeting in Portage. I had a meeting in—

**An Honourable Member:** Both of the people that were there—

**Mr. Storie:** —were excellent, that is right. Both of them did.

I had a meeting in Carman a few hours earlier, and there were 14 people, business people, regional people involved in regional development. I had a meeting in Beausejour, and there were 25 or 30 people out. I had a meeting in Lac du Bonnet, again, good representation from the business community. I had meetings in Gimli, Russell and Dauphin, as well as other communities in northern Manitoba.

The fact of the matter is that this government is ignoring its roots. It is ignoring the very people who in many circumstances sent them to this Chamber. The fact of the matter is that this piece of legislation is going to slowly but inalterably change the nature of our economy, and it is going to mean lost jobs in rural Manitoba, fewer businesses in rural Manitoba, smaller communities and ultimately the demise of some smaller rural communities.

Madam Deputy Speaker, this legislation represents, as I said earlier, a backtracking. The government originally said they were going to study

the impacts of Sunday shopping. They have abandoned that, but it is clear by this legislation that the government was feeling considerable heat from some of its supporters, from some of its constituencies and that this legislation represents the second best alternative to the unilateral imposition of Sunday shopping, which was the government's first choice.

Now, Madam Deputy Speaker, what the government is prepared to do is to turn over responsibility to the municipalities themselves. The fact of the matter is that the domino effect is going to take over very quickly after and if this legislation is passed. The mayor of the city of Winnipeg has made it abundantly clear that she and her council, she at least, are in support of wide-open Sunday shopping—the more the better.

**An Honourable Member:** Who is that?

**Mr. Storie:** The mayor of the community of Winnipeg.

We all recognize that once the city takes advantage of this piece of legislation and decides to allow for wide-open Sunday shopping, it is not a question of allowing Sunday shopping. Madam Deputy Speaker, it becomes a business imperative. It becomes a business imperative because, once the SuperValu is open, once the Canadian Tire is open, once the major department stores are open, what happens is every small business has two choices. What this is going to do is force small businesses who would otherwise for personal reasons or business reasons choose to be closed, it is going to force them to open.

Madam Deputy Speaker, what this does is it encourages the demise and the closure of small businesses, the mom-and-pop kind of businesses that are the backbone of our economy. I have said on other occasions that the major employment in the retail sector comes from the small business community. [interjection] If the member for Steinbach (Mr. Driedger) had taken the opportunity to meet with people like Peter Kaufmann from the Canadian Federation of Independent Grocers, he would know that companies, large retailers like SuperValu, create about one hour of employee time for each \$500 worth of sales. Small independent grocers create one hour of employment for every \$50 in sales.

So the fact of the matter is that on balance there is more employment being created by the small

independent grocers—[interjection] Madam Deputy Speaker, the member, for wherever the heck he is from, can join this debate and side with the SuperValu any time he wishes. He talks about quality employment. I do not know when the last time he talked to a SuperValu employee, who are now all part-time workers basically without benefits. So he can talk about the significant improvement it is for someone to join the retail sector in large business, if he wishes. I invite him to join.

But, Madam Deputy Speaker, the argument holds that there is more employment created in the small independent businesses in the province of Manitoba. It is also true in rural Manitoba, in our small communities. Those kinds of jobs regardless of how imperfect they may be for the member for Osborne (Mr. Alcock), the fact of the matter is that if you go out to a little community like Elie or go to a community like Stonewall, you go to a small community outside the city of Winnipeg, they represent the preponderance of jobs in those communities.

\* (1530)

Madam Deputy Speaker, I know that the front bench, the member for Arthur (Mr. Downey) may want to make fun of it, and the member for Steinbach (Mr. Driedger) may want to make fun of this. They may have given up on their communities. They may not want to represent their communities, but I think their constituents will be glad to know that someone cares, that someone is prepared to stand up and say that in the interest of protecting the small business community, we should keep—[interjection]

**Madam Deputy Speaker:** Order, please. I am having great difficulty hearing the honourable member for Flin Flon (Mr. Storie) complete his remarks. The honourable member for Flin Flon has 30 seconds remaining.

**Mr. Storie:** For the enlightenment of the member for Portage (Mr. Pallister), who perhaps should sit and listen more than chirp from his seat, when the payroll tax was first introduced in the province of Manitoba, two-thirds of Manitoba businesses did not pay for it from Day One, two-thirds, including the businesses that I am talking about right now.

Madam Deputy Speaker, this legislation is going to undermine rural Manitoba. They will have to pay the consequences.

**Madam Deputy Speaker:** As previously agreed, this bill will remain standing in the name of the honourable member for Kildonan (Mr. Chomiak).

**Mr. Doug Martindale (Burrows):** Madam Deputy Speaker, I vividly remember the first Sunday that I preached in rural Saskatchewan after I was ordained. The first service that I had was at Eatonia United Church and the second one at Mantario United Church.

During the announcements, I said to people, I notice there are not very many people in church today. Perhaps it is because it is harvest and people are out on the land harvesting their crops. I thought that maybe there were more people than usual at church that Sunday as they came to check out their new hippie minister with the long hair who wore a leather hat. However, after church—[interjection] Yes, I have had beards in the past. The member knows that. I did not have a beard at that particular time, however.

After church, I still remember that two of my members took me aside and they said, you know, Doug, we hate to admit this, but this is an average attendance for Mantario United Church. We are not out on the fields harvesting our crops today and there is a good reason. The reason is that at Mantario our farms are smaller than many people in LaPorte and Eatonia, who had much larger farms.

In fact, the farms of Mantario were approximately a section and a half in size whereas, at Eatonia and LaPorte, where the land was actually of much better quality soil, the farms were much larger. Many farmers had four sections of land and, so they said, we do not need to harvest on Sunday, we can take in our crops six days a week, whereas in Eatonia many people felt obliged because of the pressure of time to work on Sunday in the fields and to harvest their crops. So my apology was not really necessary.

As a result, I got to know people like Tom and Marion Marchant in Mantario, Saskatchewan, better than many of my other parishioners, because I used to go there for dinner after church on Sunday, and we used to play horseshoes in their yard. I remember that very well.

Similarly, when I was growing up, I remember that Sunday was a day of almost no activity other than attending Sunday school and church. After dinner, we used to read or go to a park, and Sunday then surely was a day of rest. I could remember once

chiding my brother for playing touch football on Sunday, and he told me where to go and continued playing touch football with his friend.

I was a rather judgmental purpose person at that time due to the influence of my fundamentalist friends. I remember that it was really a more puritanical time, even for members of the United Church. If I recall correctly, Sunday was observed in a different way by our Catholic friends, who seemed to have the attitude that if you went to church or after you went to Mass you could do whatever you want. That seemed to be a fundamental difference between Protestants and Catholics some 30 years ago.

All of that, of course, has changed as many of our churches have become more liberal. The result is that individual and denominational observances of Sunday have changed over the years, over the decades and over millennia.

I would like to ask: What are the origins of Sunday observance for us as Christians? What was the Jewish view of the Sabbath? What was Jesus' view? How did the day of rest change from the seventh day to the first day and when? What does God want of us now? How should Christians view the retail shopping amendment act and also The Retail Businesses Holiday Closing Amendment, Employment Standards Amendment and Payment of Wages Amendment Act?

In the Hebrew Scriptures we read: And God spoke these words, saying . . . Remember the Sabbath day, to keep it holy. Six days you shall labour, and do all your work; but the seventh day is a Sabbath for the Lord your God; in it you shall not do any work.

Sabbath in Hebrew means "rest" or "ceasing from labour." The Hebrew people were reminded of their need to imitate God, whose creative activity left the Sabbath free from work. There was a very simple reason for the observance of the Sabbath; it was so that working people may rest.

In Exodus, the day of rest was the last day of the week and it still is for Jews. Christians celebrated the first day of the week since Jesus' resurrection was on the first day. This was made a legal holiday in 321 A.D. We believe to this day that a day of rest is not merely a commandment but a gift from God, that is, those of us who are Christians.

In Deuteronomy we read: Remember that you were a slave in the land of Egypt and the Lord your

God freed you from there with a mighty hand and an outstretched arm; therefore the Lord your God has commanded you to observe the Sabbath day.

Because Israel was freed from slavery in Egypt, so it should free its slaves and servants and strangers in the camp from the burden of work. They were to rejoice because their servitude was over and to remember this and free others from their servitude. The Deuteronomic version is more humane than Exodus. The Sabbath is a divine institution made in the interests of people so that people may remember God, not only on the Sabbath, but always.

It was not merely a legal ordinance enacted as a ritual taboo but was said in the context of remembrance. Remembering the Sabbath was also Israel's grateful response to the exodus, the foundation event of her salvation history.

What of modern remembering? The Sabbath or Sunday can be a day of rest and rejoicing and remembering. We can rejoice and remember that we do not have to work seven days a week or even six days a week. We, too, are liberated from slavery, the slavery of manual labour, thanks to the invention of numerous labour-saving machines.

Rabbi Herschel, in his book, *The Sabbath*, said, quote: Sabbath is one of life's highest rewards, a source of strength and inspiration to endure tribulation, to live nobly. The work on weekdays and rest on the Sabbath day are correlated. The Sabbath is the inspirer, the other days the inspired, end of quote.

In Matthew's Gospel, we hear the story of Jesus and his disciples walking through the grain fields on the Sabbath and plucking ears of wheat because they were hungry. They rubbed the kernels in their hands as farmers still do and ate the wheat. This act was one of 39 forms of work forbidden by the rabbi since it was considered reaping and threshing.

\* (1540)

Jesus defends himself from the accusations of the Pharisees by telling the story of David who ate the holy bread in the temple. He also says that the priests worked on the Sabbath, but their work is justified by its holy purpose. Jesus gave a humanitarian interpretation of the law when he said, quote: The son of man is Lord of the Sabbath, end of quote.

Jesus is Lord of the Sabbath, and he interprets it in humanitarian terms. Sabbath law does not oblige

one to go hungry. In Christian terms, the principle of human need, not mere caprice, is determinative.

Jesus also healed on the Sabbath. He asked the scribes and the Pharisees if it was lawful to heal on the Sabbath because he knew they would accuse him of breaking the law. He asked if it was lawful or permitted to do good or to do harm to save a life or destroy it. He knew the answer since the Jewish law made provision in emergencies to care for both animals and human life.

Religion does not consist of rules and regulations. True religion consists of love, forgiveness, service and mercy, and Jesus' example shows that human need is more important than human ritual.

What does this mean in the context of Sunday shopping? What is role of the provincial government when it comes to protecting the morals and values of Christians?

At one time, Christians were clearly the majority in Manitoban society. The government gave special privileges and protection to this majority, but now we believe we are in a post-Christian era where Christians are no longer the majority. Therefore, I believe that the role of government is to protect the rights of minorities from the tyranny of the majority.

Well, who is the minority in the Sunday shopping debate, and why do they need protecting? Clearly, the minority are not shoppers, but retail workers. The common pause day, which until the law changes is still Sunday, provides a key way of protecting workers from being dropped out of the five- or six-day workweek out of economic necessity.

This is also true of business owners. I have a friend who owns a business at Garden City Shopping Centre. Whereas Sunday used to be a day off and his only a day off, he now has to worry about staffing his business on Sunday and being there himself if he cannot get staff or if someone is sick.

International human rights standards, to which Canada is signatory, require that workers be protected from the seven-day workweek and that all people be guaranteed freedom of religion. This includes the right to gather with one's faith on its day of corporate worship.

Sunday shopping would make it more difficult to make sure that people actually got these rights in real life. I have already heard of United Church people who were forced to forgo Sunday school

teaching and choir because they were required to be at work on Sunday.

The Canadian Conference of Catholic Bishops has said that, quote: The rights of workers are more important than the maximization of profits. Clearly that is what this debate is really about. It is about a small group of people who want to make more money.

This group is primarily the Winnipeg Chamber of Commerce who bragged in their newsletter that they successfully lobbied the government to change the Sunday shopping law.

In fact, their newsletter of December 14, 1992, called *Communique The Voice of the Winnipeg Chamber of Commerce* has this as a headline in an article in their front page which says, *Sunday Shopping Big Win for Chamber*.

So we know who is driving this legislation. We know who is lobbying this government. It was primarily the Winnipeg Chamber of Commerce on behalf of big business, and when they got the changes in the law that they wanted they bragged about it in their December newsletter.

T.S. Elliott asked, quote: Why do people live together in cities? Because they love each other or because they want to make money from each other?—end of quote. It is obvious that the people who do not want to create a better community, who do not want to promote community values and family values but who want to make more money from consumers are the people who are pushing the changes to these laws.

We need a day of rest to worship. We also need a day when the majority of commercial activity ceases, for the alternative and life-restoring tasks to happen, the restoration and building of family and community, the appreciation of nature, the arts and everything that makes us into rounded individuals.

Wordsworth said, quote: The world is too much with us late and soon, getting and spending. We lay waste our powers. Little we see in nature that is ours.

To summarize this debate, what this bill is really about is those people who want to create a sense of community in order to foster family values and to encourage family life to continue and to be renewed on days of a common pause when at least two parents or even a single parent with children can have time with their spouse or with their children.

On the other side of the debate are those people who clearly are only governed by the bottom line, who want to make more money for their businesses. Obviously they do not care about the rights of their employees, they do not care about community values and they do not care about family values.

Now, the amendment talks about protecting the rights of workers, giving them the right to refuse to work on Sunday, but we know that is not always going to work because people are going to be motivated by economic interests and not by their rights which may or may not be protected under this legislation because people are going to say, I have to work because I need the money.

They also know that they are not given a true choice. That when they are asked to work on Sunday, even though they have the right to refuse, they are going to take those hours because they know that the employer has a lot more power in this situation and the power to penalize them in a number of ways.

Employers can penalize them by denying them hours during the week, and the employees know this. They know that even if they refuse to work on Sunday they can be penalized by having less hours during the week.

So employees are always going to choose to work those hours whether they want to or not.

I think it was very interesting that when government members were debating this bill in December that they emphasized choice as one of their arguments, and yet I think that they are using this argument very selectively, that they are using the argument on choice in the Sunday shopping legislation; but there are other kinds of legislation, including some that are very controversial, that they would never use these arguments because they do not fundamentally believe in choice, especially when it comes to women. So we will remind them of that, and we will quote back their speeches when we are debating other kinds of legislation.

Madam Deputy Speaker, we have numerous concerns about the original Sunday shopping bill, but of course that has been superseded by Bill 23, *The Retail Businesses Holiday Closing Amendment Act*. Fundamental to those objections is that this is really offloading responsibility of the provincial government to municipalities. I think this government is not at all consistent in that when it comes to education, the government is very

heavy-handed and dictatorial in telling school divisions what they must do, and taking away local autonomy and local decision making and forcing budget decisions on them, whether they want it or not.

But when it comes to a tough decision like Sunday shopping where their caucus is divided, and where rural Manitobans are pitted against Winnipeggers, they take the easy way out and they say, let the municipalities decide. Let them decide whether they want Sunday shopping or not, knowing that some municipalities will say yes and some will say no, and then they are off the hook. They are no longer responsible. When delegations come, as I hope they will on this bill, they are going to say, do not do this, we do not think you should do it.

The member for Emerson (Mr. Penner) and his colleagues will say, we are not doing it, we are letting the municipalities do it. So if you object to Sunday working, then go and present a brief to your city council or to your municipal body and tell them not to do it. They will say, oh no, we are not responsible for this, we have washed our hands of this. It is true, they are afraid to take responsibility for this because it is a tough decision. They want the municipalities to have to make the tough decision, because they cannot take the heat.

As Harry Truman said: If you cannot take the heat, get out of the kitchen. Good advice. This government should follow that advice, but they do not know how. All they know how to do is to offload responsibility to municipalities on the one hand, but on the other hand, force the school boards to have less jurisdiction, less responsibility and less authority, because the provincial government is going to force decisions on them, whether they want it or not.

\* (1550)

In summary, we are opposed to this bill. We are opposed for a number of reasons. Even though I did give you the context, I know the member for St. Norbert (Mr. Laurendeau) was asking me: Is there some context to this introduction? Well, there was a context to that introduction. I was talking about the history of the Sabbath, both for Jews and Christians, and concluded that part of my remarks by saying that Christians are no longer in the majority in this province, that this is the post-Christian era.

Therefore, I believe it is inappropriate for the Legislature to act to protect the interests of a

religious minority, because, after all, this is a pluralistic society. Not everybody worships on Sunday as the common day of worship. Some people worship on Friday, some worship on Saturday, and some worship on Sunday. However, I believe that we as legislators should protect the rights of minorities. In this case, the minority that is the greatest in need of protection are workers who are going to be forced to work on Sunday as the result of this legislation.

We have many comments from briefs from many organizations in other provinces about the effects of having to work on Sunday in other provinces. One of the briefs that I have talks about the social cost and the human costs of Sunday working and points out these costs are immense, even tragic. I would like to quote from this brief, because I think it is a good story that illustrates the difference between values which promote community and family values and the values found in this legislation, which strictly have to do with the profitability of large corporations.

This brief says: I would like to tell you about one of our members—this is a union making a brief, the UFCW—in British Columbia, Janice Riley. Janice is a single mother with two children ages 13 and 15. She is a part-time cashier at a unionized Safeway store in North Delta, a suburb of Vancouver. She rarely sees her teenagers. When they come home from school she goes to work. On the weekends she is at work. On holidays she is at work.

Here is her daily schedule: Monday, day off, but the children are in school; Tuesday, work 6 p.m. to midnight, get home, quickly unwind, get some sleep; Wednesday, 10 a.m. to 2 p.m., hardly worth going to work really; Thursday, day off, children in school; Friday, 6 p.m. to 10 p.m., catch the bus, it is a 35-minute ride home; Saturday, 10 a.m. to 6 p.m.; it is the busiest day of the week, get home and wipe out. Children are home from school, but she does not get to see them. She is at work; Sunday, 10 a.m. to 6 p.m. They call this part time. The children are at home. She is at work. What if she needs a free Sunday one week? Quote: You can request a day off, but you might lose two shifts that week as a result so you do not do it very often, says Janice. Remember, this is a unionized store. Nonunion workers generally face even worse situations.

Janice Riley is, tragically, fairly typical of the new retail workforce in Canada—female, part time, working nights, Saturdays, holidays and, in some provinces, Sundays.

Here is a quote from a Loblaws presentation, quote: The store business is not a nine-to-five, Monday-to-Friday job. Converting it to an around-the-clock, seven-days-a-week environment will no doubt negatively impact our employees' obligation to family and religious beliefs and ultimately strain the employer-and-employee relationship. The traditional family is being buried, and I would suggest that Sunday openings will be the shovel that digs the grave.

Here is another comment from the president of the Alberta Consumers' Association, quote: The biggest argument against Sunday shopping is the social cost. One working parent on Sunday means families cannot be together for meals or activities. Surveys found senior citizens in nursing homes get fewer visits and fewer outings with their families in areas where Sunday shopping is allowed. Attendance has dropped at family entertainment spots such as zoos and museums, and church attendance dropped even more. We need a common day of rest.

Here are some comments from an article in The Globe and Mail of January 25, 1990, by an author who writes on education and teaches at the University of Toronto's Woodsworth College. These comments are very interesting because they have to do with the effects of Sunday working on the education system and particularly on students.

He says, quote: Who will be at the cash registers and wrapping up the french fries? Largely the same people who do it now, teenagers. Vast numbers of them already work part time, and the demand is so great even now that employers are recruiting from Grades 7 and 8. In recent years, there have been scores of newspaper and magazine articles, TV documentaries and books on the effects of part-time jobs on students. Teachers consider it a national problem. They feel the massive involvement of students in the labour market is quietly but effectively gutting the education system. It has lowered academic standards, undermined extracurricular programs and increased the stress young people experience in the home, at school and in the workplace.

Has anyone wondered about the efficiency of a student who works up to a 40-hour week outside school? Even more troubling, has any parent with a child working such outrageous hours and still maintaining an 80 percent average ever wondered about the quality of that 80 percent? Canadians

frequently are urged to look at other countries as models. We attribute at least a part of their success to their education systems, and so we should. Do the Japanese or the Germans allow students to sell their time to the retail sector? End of quotation.

So I think we should consider the adverse effects on students of Sunday working and whether or not they are really benefiting as much as they could from their education because they are working part time. In fact, I have had some personal experience with that myself because I, too, had a part-time job when I was in high school, and I was not doing very well. I was enjoying working and I was enjoying making money, but my grades were falling so I quit my job. I probably should have quit it a lot sooner so that I did not have to go to summer school after Grade 11. So I have some personal experience in working in the retail trade. I worked in a large supermarket. I was one of those who probably should not have been working. I should have been at home studying every night, certainly studying a lot more than I did.

I am also concerned, Madam Deputy Speaker, about the effects of Sunday shopping on rural Manitoba. I found an excellent editorial in the Manitoba Chamber of Commerce, their newsletter called Manitoba Focus for February 1993. It is rather interesting to see the division between the Winnipeg Chamber of Commerce and the Manitoba Chamber of Commerce. The Manitoba Chamber of Commerce is opposed to Sunday working, and the Winnipeg Chamber is in favour. Of course, we know which group got to this government and got them to bring in this legislation.

Here are some of the arguments used by the president of Gaynor Foods and the past president of Selkirk and District Chamber of Commerce. His name is Mr. Jim Gaynor. He says, "It will be very damaging to small business in our province, the sector which is well recognized as being our major employer." He says, "It will be damaging to the commercial life of rural communities at a time when our government is spending large amounts of dollars to move jobs to these communities in an effort to strengthen them."

So this policy goes against the government's policy of decentralization. This government has embarked on a process of moving government jobs to rural centres so that they augment and enhance the economy of those small communities, and the people who are living there will spend their government pay cheques in those communities. At



the same time, in a totally contradictory way, they bring in Sunday working legislation which is going to encourage people in many local communities, small communities, particularly ones within commuting distance of Winnipeg, to drive to Winnipeg and spend their money in Winnipeg instead of in their home towns—totally contradictory policies.

Mr. Gaynor says, "The only businesses positioned to benefit from this change are a few large corporations, many of whom have a questionable commitment to our province as they have recently moved their head offices to other provinces." I think that is true of the owners of malls and the owners of large chain stores. Their head offices are not in Winnipeg. Their decisions about whether to stay open or not are not made in Winnipeg. They are made in Toronto and in their corporate head offices. Even though the legislation allows stores in malls to stay closed in spite of people's leases, I think this is going to be a major problem. There is going to be incredible pressure on small retailers to follow the dictates of their lease and of the mall owners rather than to use the opting-out provisions of this legislation.

Mr. Gaynor says, "The case has been made by some large corporations that business expands as a result of full-scale Sunday shopping. This is absolutely wrong. The reality is that business shifts from rural communities and small centres to these large corporations, most of whom are headquartered in distant cities or foreign lands," which is exactly the argument that I was putting forth in support of what Mr. Gaynor is saying.

He says, "Saskatchewan and New Brunswick are provinces not unlike Manitoba, with small populations and many rural communities. Saskatchewan's rural towns have been adversely affected, in a serious way, by Sunday shopping. In New Brunswick, where it has been tried in each of the past two years, a decision has again been made to discontinue this practice." So I think that Manitoba should look to these other provinces and see what we can learn from their experience. If it has been a bad experience there then why would we want to follow it here?

\* (1600)

Mr. Gaynor says, "The notion that Sunday work is voluntary is an illusion. If some business shifts from Monday through Saturday to Sunday, then

employees will have no option but to work Sunday—or accept reduced hours or layoff. It should be noted that the executive of the companies who are promoting Sunday shopping will not be working, but they will expect their staff to be on the job."

I have already pointed out that this puts employees in a serious position, having to make very difficult choices, and they are going to make the economic choice rather than a choice for their family simply out of economic necessity. Even though the legislation says they cannot be forced to work, they are going to feel obliged to work and they are going to work. If they quit voluntarily, because of changes by the federal government, they will no longer be able to be eligible to collect unemployment insurance.

Mr. Gaynor says, "It is impossible to argue that our government is on solid ground when it changes legislation that was put in place by unanimous consent of the Legislature without consulting that same Legislature. It can rightly be argued that it is high-handed actions such as this that has brought the stature of our political leaders to the lowest level in history."

I think he makes a couple of excellent points here. The first one is that the previous legislation was amended during the Pawley government years on the basis of a consensus of all three parties in the Legislature, and now this government is acting unilaterally. They do not have a consensus in this Legislature. They have a clear division amongst parties and a division within the Liberal caucus, who decided to have a free vote. Mr. Gaynor rightly points out that this affects the credibility of all politicians at a time when our credibility is probably at an all-time low.

If we could use the example of the Filmon minority government, many people in the public thought that it was a good government because they did in many cases operate by consensus. They had to; otherwise, they would be defeated. If there was some legislation that was too controversial, the opposition parties combined had the votes to pull the plug and force an election. So the minority government from '88 to '90 was a government that made compromises. It was a government that was known for being very moderate and governing very small "c" conservatively, and people were happy with that kind of government.

In fact that is probably one of the reasons why the Premier got a majority in 1990, but now this government has embarked on a different course entirely. Because they see there is no need for consensus, they never practise a consensus. They do not feel they have to, and this legislation is the proof. This approach is totally different than the approach that was taken when the laws were amended to allow a maximum of four employees per store if they wanted to stay open on Sunday.

**An Honourable Member:** That is okay though, right?

**Mr. Martindale:** Well, the point I was making was that it was a compromise of all three parties in the Legislature, and now this government is acting unilaterally without consulting the opposition, just bringing in legislation. As Mr. Gaynor points out, it is one of the reasons that—

**An Honourable Member:** Who are we supposed to consult with? The opposition?

**Mr. Martindale:** The member for St. Norbert asks: Who should we consult with, the opposition? Yes. Mr. Gaynor is saying that this government is moving away from a consensual style of governing to an arbitrary, highhanded style at a time when politicians are under attack and their credibility is at an all-time low. [interjection] The member for St. Norbert says, we do not even have a consensus in our own caucus.

**An Honourable Member:** I said, we did have consensus in our caucus.

**Mr. Martindale:** Oh, the member says they did have consensus. Well, I am not too sure about that. I mean, we had the remarks of the member for Rossmere (Mr. Neufeld) on the record, who was basically opposed to this legislation. So there is no consensus in your caucus. The member for Rossmere opposed it.

**An Honourable Member:** You know, Sunday is the Sabbath. Why do ministers work?

**Mr. Martindale:** The Minister of Urban Affairs (Mr. Ernst) asks why I work on Sunday if I am opposed to Sunday working. Well, I would like to point out, first of all, that it is entirely voluntary, and I realized that it was part of my occupation to work on Sundays. It is traditional for ministers to take Mondays off.

No one is forced to work on Sunday without knowing that it is part of their occupation, and there

are many people who volunteer to be police officers, people who volunteer to be nurses, people who volunteer to work in nursing homes, many different kinds of essential services, firefighters being another, who know that that is a condition of their employment before they sign up. That is also true of myself as a United Church minister.

We have no objection to that. We know that there are many occupations where people are expected to work on Sunday. What we object to is the fact that this is being extended to a much larger group of people in our society, and it has adversely affected a particular group of people. In fact, I would suggest that there is a danger of turning our society into two classes of shoppers, those with high enough incomes to shop on Sunday, and those whose economic need forces them to work on Sunday.

We know that those whose economic need forces them to work on Sunday are primarily people who are women, first of all, who are in low-paying jobs in the retail sector. So it is adversely having a tremendous effect on that group of people in our society. Those are the ones who are going to be affected by this legislation. [interjection]

Well, I have already talked about the effects of students and their education.

**An Honourable Member:** Well, that is right. You do not think students should be working, right?

**Mr. Martindale:** If the member was listening, he would have heard what I said about students and the quality of their education and their marks, the effects of working on Sunday and their academic record. In fact, I used myself as an example. [interjection] Well, the member will have to read my remarks in Hansard.

Mr. Gaynor goes on to point out that, "The case has been made by the Winnipeg Chamber of Commerce, who have lobbied hard for Sunday shopping, that a majority of their members are in favour. It is a fact that most business in the City of Winnipeg is small business and that the Winnipeg Chamber represents but a small portion of them. It is a fact that the Manitoba Chamber of Commerce, representing most of the Chambers in our province, has been firmly opposed to Sunday shopping for years. Only the Winnipeg and Thompson Chambers took a contrary position at the 1992 annual convention of the Manitoba Chamber."

Mr. Gaynor goes on to say that, "Some have argued that Sunday shopping is necessary if we are

to attract U.S. visitors and reduce cross-border shopping. It is a wellproven fact that Sunday shopping has little impact on either of these factors. Our real problem has been, and will continue to be, high taxes at all levels of government—and a wide-spread rebellion against the GST.”

Mr. Gaynor says, “The law governing Sunday shopping which our government recently rescinded on a trial basis, and plans to eliminate entirely, has stood the test of time and served our province well.”

He urges all rural chambers to lobby hard for its retention and to make representations to the executive of the Manitoba Chamber, demanding they vigorously defend their excellent policy position of opposition to full-scale Sunday shopping.

So it is very interesting to see such a decisive split between the two chambers, the Manitoba Chamber and the Winnipeg Chamber, on the issue of Sunday shopping. We know that a small group of people in the Winnipeg Chamber of Commerce were behind the lobby that effectively got to this government and got these two pieces of legislation in front of us. [interjection]

The Minister responsible for MPIC (Mr. Cummings), whose bill we are looking forward to reading, asks if I have read the bill, and I would say, yes, I have read both bills. I have read Bill 4, The Retail Businesses Holiday Closing Amendment, Employment Standards Amendment and Payment of Wages Amendment Act. Yes, I read them.

I can tell the honourable minister that I read the rest of it as well. [interjection] Yes, well we hear the members again repeating their call for freedom of choice. Their remarks are on the record. I know the member for Sturgeon Creek (Mr. McAlpine) put that on the record and we remember that. We will quote that back to him some day. [interjection] Well, the member asks an interesting question. What else would I be willing to regulate?

In this particular context, I am saying that the rights of workers are more important than the maximization of profits. In fact, that is what the Canadian Conference of Catholic Bishops have said. I quoted that earlier. The rights of workers are more important than the maximization of profits. So we have a majority here who are shoppers, and we have a minority who are workers, and we have taken a firm stand on our side in protecting the rights of workers.

We believe that the protection in this bill is totally inadequate because people are allegedly being protected in this bill, but we believe that the protection is inadequate, that people will either be forced to work because they are going to lose hours during the week, or for economic necessity because this government does not believe in job creation.

We have a higher and higher unemployment rate and people's wages and family income are going down because of the collective policies of the federal Conservative and provincial Conservative governments. We know that average family incomes are declining, so people are going to feel obliged or forced to work on Sunday because they need the money. I do not blame them for that. If people feel that they have to, that is a choice that they have to make, but we do not need to put them into that difficult situation by passing this legislation. They would not have to make those choices if this legislation were not in place.

\* (1610)

**Hon. Jim Ernst (Minister of Urban Affairs):** Somebody else said one time, let my people go.

**Mr. Martindale:** The Minister of Urban Affairs should have been listening earlier. He quotes Moses, let my people go. I talked about the origins of the Sabbath observance, but I am not going to repeat it for this member unless of course he would like to come to church and hear this all over again.

In conclusion, Madam Deputy Speaker, we on this side are firmly on the side of workers and protecting the rights of workers and not forcing them to work on Sunday. Thank you.

**Ms. Judy Wasylcia-Lels (St. Johns):** Madam Deputy Speaker, I am pleased to have this opportunity to express further the concerns of the New Democratic Party with respect to Bill 23, The Retail Businesses Holiday Closing Amendment, Employment Standards Amendment and Payment of Wages Amendment Act.

Madam Deputy Speaker, this is a very serious piece of legislation before us, and we are engaged in a very serious debate, although it would be difficult for people listening to this debate, based on the comments and the heckling from members of the Conservative benches, to know that what is before this House today is one of the most serious major bills that we have dealt with in a long time.

Madam Deputy Speaker, one would hardly get the impression, listening to the heckling from

members on the Conservative benches, that we are dealing with a bill that fundamentally alters changes, some long-standing traditions of Manitoba society. This is a serious change in the way in which Manitobans have operated throughout our history. This is a major shift from our traditions that have centered around community, around co-operation, around family, around spirituality.

Madam Deputy Speaker, everything about this bill flies in the face of a well-established, long-standing tradition in the province of Manitoba. So let there be no mistaking that this is a very serious debate, that it reflects a very significant change in the way we have operated as a society and must be debated in that context. It is about what kind of society do we want to see for the future, what kind of values do we want to have to guide our lives, what kind of future do we want to pass on to our children.

This is not just a simple act with some minor amendments to change the hours of shopping. This is a shift, a very significant change, for Manitoba tradition and history. It is also, interestingly, quite a shift from what we know to be Conservative thinking in this province. It seems in many ways to contradict much of the policies, philosophy, rhetoric that has emanated from the Conservative Party throughout the history of Manitoba.

It is a most interesting situation that we are dealing with, from the party that has for years and years talked about community values, small-town values, the strength of the rural sector of our economy, family values, co-operation, we see a piece of legislation that flies in the face of everything that has characterized the Conservative Party of Manitoba and, indeed, of this country.

Now we are getting increasingly used to many contradictions from the Conservative government today. We are getting used to a situation where it is very seldom possible to match the rhetoric of this government with its actions. This bill certainly is no exception to that more recent phenomenon. It was interesting listening to the heckling in response to the member for Burrows' (Mr. Martindale) contribution to this debate, especially when it came to the discussion of the process around the introduction of this legislation.

It was interesting to hear the member for St. Norbert (Mr. Laurendeau) suggest that all that mattered was a consensus on that side of the

House, a consensus in the Conservative caucus. It was interesting to hear the member for Portage la Prairie (Mr. Pallister) shout out, where would it stop? Where would a goal of consensus stop?

I think, Madam Deputy Speaker, that speaks miles for the way in which this government has approached such a serious matter and puts the government's position in proper perspective because, in fact, we have two major concerns with Bill 23. We have certainly many, many concerns about the substance of this bill and the fundamental shift in policy direction around the retail sector and shopping trends in the province of Manitoba, and I will come back to that.

But just as important as the substance of the bill is the process around how this bill was introduced and what kind of decision-making model was applied to its introduction. The process for the Conservative government was about as undemocratic as you can get. It was about as unconsensual as you can get.

\* (1620)

The process of the Conservative government around this bill was absolutely arbitrary; it was dictatorial; it denied opportunities throughout the process for any kind of consultation either from the public or from opposition members in this Chamber. It denied an opportunity for a healthy exchange of ideas so vital, so necessary, for such a marked shift in policy and philosophy. I think one could go even further in saying this bill is undemocratic.

I think one can actually go so far as to say the process has been unethical and perhaps even go so far as to say it has been illegal.

Madam Deputy Speaker, I do not know how members in the Conservative benches can sit there with their heckling and laughter around a bill that has fundamentally affected our legislative privileges and traditions here in this Chamber.

Let us be clear about what this government did. It introduced last fall Sunday shopping, No. 1, for debate, and at the same time made the bill before becoming legislation apply.

I cannot think of too many circumstances where we have seen that kind of violation of our parliamentary traditions and democracy in this province. It has been a fundamental abrogation of our abilities as legislators and a denial of our ability to meet the responsibility of ensuring that everything we do in this Chamber is of integrity, of honesty and

consistent with the values we hold so dear to us in this great democracy.

Madam Deputy Speaker, how was it that before this legislation was debated, before this legislation went to committee for public hearings and before we were able to have a democratic vote on Sunday shopping, Bill 1, that the bill was in effect? How was it that stores were open before a bill became law on Sundays? How was it that no charges were laid? How was it that the retail sector in the province of Manitoba acted illegally without any kind of concern or intervention on the part of the Conservative government of Manitoba?

Was it the case that in fact someone from that government, the Justice minister perhaps, suggested to the police that no charges should be laid? Did someone suggest that the police should turn a blind eye to Sunday retail activity?

Madam Deputy Speaker, there are too many unanswered questions around the legality, around the ethics of this bill to warrant a great deal of concern on the part of everyone in this Chamber and every citizen of Manitoba. Just on the process alone, there is enough concern to warrant a huge uprising, cry of concern from those of us in this Legislature and Manitobans everywhere. Our fundamental rights and freedoms, our democratic institutions, everything that has caused us pride and joy about Manitoba society and Canadian society in general has been jeopardized, put at risk by this arbitrary, undemocratic, heavy-handed measure of the Conservative government of Manitoba.

There was no consultation of any kind of far-reaching, broad-sweeping nature. Obviously—the member for Burrows (Mr. Martindale) pointed this out—there were clearly intensive discussions with the Winnipeg Chamber of Commerce, who appear to be the force behind this legislation but, beyond that, Madam Deputy Speaker, there was no attempt to get the pulse of Manitobans on something as fundamental as Sunday shopping, to get a reading from our citizens about whether or not they wanted to see this shift in policy, to have an open dialogue about the merits of Sunday shopping in terms of economic activity for this province versus the sacrifice of some very long-standing and important values and principles in our society today.

But before, Madam Deputy Speaker, it was even possible to resolve that heavy-handed, arbitrary undemocratic measure of this government last fall,

the Conservatives chose to just add one more pain to that scenario by introducing Sunday shopping bill No. 2. So here we are with Sunday shopping bill No. 2, still no sign of consultation, still no dialogue with Manitobans, still no indication of a healthy process around this legislation, and still every indication that this government is bent on pursuing its objectives no matter how many people it hurts, how many communities are destroyed, or how many values are sacrificed.

What is so worrisome about that kind of unethical, undemocratic process on the part of this government is that it is doing nothing but contribute to people's cynicism and skepticism about politics, politicians and democratic institutions today.

I do not know if members of the Conservative government are doing this without thinking about the consequences or if in fact there is a deliberate strategy in place to contribute to that kind of cynicism. I guess it really does not matter, because the final analysis is that the actions of this government and the process surrounding Sunday shopping bills No. 1 and No. 2 create a very serious situation for elected institutions, elected representatives and democracy in general for this province, and goodness knows we have seen enough blows to elected representatives, elected institutions and democracy in this province and in this country in recent times.

We all know. We see it on a daily basis. Increasingly, on a daily basis, we see people skeptical, distrustful, doubtful, cynical about all of us. They have seen too many broken promises. They have experienced too many arbitrary heavy-handed decisions on the part of government. They have seen too many ideas spilled on them without any avenues for expression of view.

Our democracy, Madam Deputy Speaker, this Assembly, our role as elected legislators in the province of Manitoba, all of that is in jeopardy. This bill, Bill 23 and its forerunner, have done nothing but add to that cynicism.

Is it the intention of this government, is it the agenda of Conservatives everywhere in this country to make people cynical, to make them skeptical to the point where people do not vote, they do not get involved, they pull out, they withdraw to the point where that unelected powerful sector in our society is able to enjoy full reign so the corporate agenda espoused by Conservatives in this Chamber and

everywhere in this country is able to rule the day? Is that the intention?

\* (1630)

One has to ask that question when we see and study the process around Sunday shopping bills No. 1 and No. 2 because there seems no other purpose. It seems so meaningless for any government to embark upon such a shift in policy and not have the people with them, not to have support for the idea, not to have created reasons to believe in the need for such a change.

So we are left having to make such conclusions however often the members opposite may laugh them off or disregard our concerns, and we are left with sick feelings in our stomachs about where we are all headed, where democracy is headed and how we can restore people's faith and hope and confidence in our democratic institutions.

Madam Deputy Speaker, Bill 23 is not only opposed by us because of the process around its introduction, a process that has been very arbitrary and undemocratic, but we are also opposed to Bill 23 because of its substance as well. By the substance entailed in this bill, we see a move again to a most unhealthy, nonconsultative, elitist approach to our society.

Madam Deputy Speaker, looking at the substance of the bill, is it not interesting that this government should choose to delegate responsibility for decision making around Sunday shopping to municipalities? Is that not interesting in the context of a government that has spoken so vehemently in favour of Sunday shopping hours?

I think it was put very well by many on our side. It reflects for us, it indicates for us the clever strategy on the part of this Conservative government, a strategy that we have seen repeated time and time again around difficult decisions and major legislation. If they can pass the buck so that someone else can get the blame for the change, then let us do it.

That has been their philosophy, Madam Deputy Speaker. That has been a guiding light throughout the last number of years on major legislative changes. It certainly, if anything, is cowardly. It shows lack of courage and irresponsibility. It is absolutely irresponsible not to have taken a position after healthy dialogue and open consultation and then maintain responsibility for that position. But to do this, come forth with this hodge-podge approach

of being very strong about Sunday shopping hours and then passing responsibility over municipalities, knowing it puts them in a horrible dilemma, is certainly cowardly. It is certainly uncourageous.

Madam Deputy Speaker, I said earlier, the Sunday shopping bill is contrary to all of the rhetoric we have heard coming out of the Conservatives for many years. It is contrary to the values that the Conservative Party has appeared to believe in throughout its history and, therefore, hard to, in that context, understand.

What is really much more serious than that kind of debate going on within the Conservative Party is that it is a fundamental contradiction and change in the values that have marked Manitoba society and history. There is no question in our mind and in the minds of many Manitobans that this bill represents a blow to the notion of community. It is antifamily. It is antiwomen. It is anti-working people. It is anti-rural Manitoba, and it is destructive on many fronts whether we are talking about workers or retailers or consumers or the future of this province.

\* (1640)

Madam Deputy Speaker, the Minister of Housing has been shouting from his seat that he likes to shop on Sundays, and his spouse likes to shop on Sundays, and he knows lots of people who like to shop on Sundays. Well, I do not know about members across the way, but I certainly and we certainly find it rather repugnant to make policy on the basis of anecdote. There has to be an analytical framework for making decisions. There has to be a set of values that guide the decision-making process. There has to be outcomes that justify such a shift in policy. On all fronts, the evidence is either not in or the blows are being felt now by those various components in our society.

Madam Deputy Speaker, it is almost as if this government would like to take Manitoba's society back into an era gone before us and is afraid or does not appreciate the reality of our society today and the family unit in our society today. Because you see, one of the biggest blows, one of the biggest dangers of this legislation is what kind of stress, what kind of pressure it will put on the family unit which is already undergoing a lot of stress and pressure.

Perhaps the rationale for this bill on the part of the Conservatives would have worked back 30-40 years ago when the family was different, when in

fact the norm for a family was, in the two-parent family, to have one breadwinner, usually the man with his spouse working in the home full-time, caring for children, the household and domestic responsibilities, where it might have been possible to have a Sunday shopping law that did not add enormously to the pressure of that family.

Times have changed. We cannot go back, much as the Tories in this House and this province would like that to happen. The family today is much different. The norm for the two-parent family is both parents working, and working, Madam Deputy Speaker, because they have to. I think if the Minister of Housing had looked at the most recent statistics on poverty in Manitoba he would have seen what I mean today. He would have seen—

Madam Deputy Speaker, let me correct the record. I have been referring to the Minister of Housing when all the while I should have been referring to the Minister responsible for Seniors (Mr. Ducharme)—

**An Honourable Member:** And Government Services, do not forget that.

**Ms. Wasylycia-Lels:** And Government Services. Let me get it all on the record—

**An Honourable Member:** And he loves to shop on Sundays.

**Ms. Wasylycia-Lels:**—and that is the minister that loves to shop on Sundays. I want it on the record, so I am glad that we have been able to clarify that, and I apologize for my error.

Madam Deputy Speaker, the family has changed, and two-parent families, now the majority are two earners—[interjection].

**Madam Deputy Speaker:** Order, please. The honourable member for St. Johns wishes to continue her debate.

**Ms. Wasylycia-Lels:** Thank you, Madam Deputy Speaker. So we are dealing with a different family unit than was the case in the '40s. We are dealing with a situation where economic circumstances require two earners in the family to be working, and, in fact, if those two adults in the two-parent family were not working, we would see over 20,000 more families in Manitoba fall below the poverty line. I think that puts it in as clear terms as you can get.

Now, the Minister responsible for Seniors may not yet have made the connection between Sunday shopping and the change in the family. What he

should try to understand is the kind of responsibilities, the kind of duties, the kinds of demands on the family today as a result of trying to be responsible parents, full-time or part-time workers in the work force, concerns about their children and their well-being, involvement in community efforts. Madam Deputy Speaker, just on that basis alone the minister should be able to understand that the family is facing all kinds of pressures and demands, is already juggling many balls in the air and cannot possibly deal with additional stress and pressure.

We are seeing that anyway, Madam Deputy Speaker. The economic policies of this government have on their own, never mind the Sunday shopping bill, added enormous stress and pressure on the family today. Worry about job loss, fear among those who have been laid off, worry about the future for themselves and their children, wondering if they will be able to make ends meet. All of that has come into play, as well, because of the economic agenda of the Conservatives here in Manitoba and across this county.

In fact, many people wonder if the family, as we know it today, will be able to survive the kind of pressure and stress that it is being faced with. So now this government, in the midst of that kind of situation, throws another whammy at the family. A family that has now too few hours in the week to juggle everything is faced with the one day, the guaranteed notion of one day of pause, one day for family, one day for emotional renewal, one day for spiritual reflection, one day for community involvement. That is what is at risk in this legislation, Madam Deputy Speaker.

It will mean now a family juggling all of those balls in the air seven days of the week. No day left to try to reflect and regroup and put some order into an otherwise hectic, demanding schedule, because whether one is looking at this legislation from the point of view of the retailer, or the worker, or the consumer, the pressure is there. The demands are there, and there is just one more ball in the air to juggle.

I do not think we should be insensitive to that. In terms of our jobs as MLAs, we often find ourselves juggling all of our responsibilities seven days a week, we all know that it is not healthy. We all wonder how long we can continue doing that, but that does not make it right. That does not mean we

should not be thinking about what is best for the family as a whole, generally in our society, today.

Madam Deputy Speaker, this bill is also very much going to create difficulties for women in our society today. When one looks at the pressures facing family, one cannot ignore the fact that women, by and large, still today maintain major responsibility for juggling children, their needs, school responsibilities, extracurricular activities, visits to the doctor and dentist, all of that is still very much something that falls on the shoulders of women. We are making changes in that regard. There is some indication that responsibilities are being shared more equally in the family, but the fact of the matter is women still maintain a greater share of responsibility for children, domestic chores and the household.

\* (1650)

So, that being the case, we have to look at the situation facing women in the family who have that major responsibility and who are also working full- or part-time and who now must face the possibility of working on the one day of the week where they could find some opportunity for themselves to rest, to reflect, to seek spiritual renewal.

On top of that, Madam Deputy Speaker, let us not forget that we are talking about the retail sector. We are talking about clerks, sales people in the retail sector. We know that the majority of workers in that field are women and we know the pressure, demands and stress added to women workers in the retail sector.

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

As previously agreed, this bill will remain standing in the name of the honourable member for Kildonan (Mr. Chomiak).

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

**Madam Deputy Speaker:** To resume debate on second reading of 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), on the proposed motion of the honourable Minister of Finance (Mr. Manness), standing in the name of the honourable member for Transcona (Mr. Reid).

**An Honourable Member:** Stand.

**Madam Deputy Speaker:** Is there leave to permit the bill to remain standing? [agreed]

**Mr. Oscar Lathlin (The Pas):** Madam Deputy Speaker, I welcome the opportunity to add to the debate on Bill 22. I am pleased to be able to say a few words on it this afternoon, however brief the time will be.

First of all, I want to say at the outset that I will not be supporting the bill, and I will be elaborating on some of the reasons why I am not going to be supporting the bill.

I want to say that this bill is not a fair bill, in that it tries to hide really the taxation, the very regressive tax that is being levied only on the public sector. It gives a lot of power and authority to the employers. It also disregards the collective bargaining process.

Before I speak on that, Madam Deputy Speaker, I would just like to also say that not only will it affect the collective bargaining process, the workers who are involved in the collective bargaining process, including employers, but it would also—I think the component of the bill that I disagree with the most is that it will have a very serious negative impact on the poor people, the weak people.

I want to read a letter that I have received from one of my constituents. This constituent of mine happens to be a nurse and we all know in this Chamber the problems and the troubles that the nursing community has had to face as this government moves on with what they call the health care reform.

In any event, this constituent of mine writes to me outlining some of the concerns she has in terms of the impact that Bill 22 will have on her and her co-workers. She says that this bill smacks of totalitarianism. It makes a mockery of our negotiations by taking away our bargaining rights. How open to discussion will our employers be when they know a rollback is going to be legislated?

Secondly, the constituent goes on to write: With all the cutbacks in health care in the last few months we already work short staffed. Hospitals cannot close down for 24 hours. If, as nurses, we are required to take 10 to 15 days off during a 12-month period, where is this money going to be saved? In other words, she is asking the question, how cost-effective will this bill be?

Currently, in The Pas, Madam Deputy Speaker, nurses who are sick or who are on vacation are not being replaced or are only replaced for a portion of



the shift that they are off. As a result of the decrease in nurses due to the cutbacks and this so-called reform, patient care is suffering. Patients are not being looked after the way they were looked after before.

(Mr. Speaker in the Chair)

She gives an example of how patients who require rehabilitation, for example, are not being turned over as frequently as they would have been before the cutbacks were made. Such activities like exercises, physiotherapy and so on are done with decreasing frequency and sometimes are not being done at all, Mr. Speaker.

Activities of daily living are being rushed like you would in any assembly line in order to complete everything as fast as possible. The human aspect of health care is being diminished and it is being lost. Even the important area of medications—this nurse writes—is being compromised as nurses' time is compressed while the nursing duties expand, for example, giving medications to patients on more than one floor. In The Pas Health Complex we have four or five floors where they care for patients. Nurses are now being required to run from one floor to another to give medications, Mr. Speaker. That is what this nurse from The Pas is talking about.

No wonder nurses are becoming even more frustrated with not being able to provide the level of care that they are used to giving and the level of care that they know they are required to give. They do not have the time anymore to listen or to offer the comfort and support that they know their patients need from time to time.

They used to be able to do that before, and the comfort and support that the patients deserve and need is being lost as we are speaking, Mr. Speaker. We are very concerned about the quality of patient care decreasing in The Pas and area and the loss of the workers' freedom, the nurses' freedom to bargain if this bill is passed.

So I, for one, will be voting to defeat the passage of Bill 22 and to ensure that Manitobans can continue to enjoy their democratic rights to quality health care—

**Mr. Speaker:** Order, please. When this matter is again before the House, the honourable member will have 32 minutes remaining.

\* (1700)

## PRIVATE MEMBERS' BUSINESS

**Mr. Speaker:** The hour being 5 p.m., it is time for private members' hour.

## PROPOSED RESOLUTIONS

### Res. 25—National Education Standards

**Ms. Avls Gray (Crescentwood):** Mr. Speaker, I move, seconded by the member for Osborne (Mr. Alcock), that

WHEREAS 38 percent of Canadians are functionally illiterate; and

WHEREAS different standards exist in the core subject areas of mathematics, science and the humanities from province to province; and

WHEREAS different educational standards from province to province may result in unfair treatment to students transferring credits within Canada; and

WHEREAS standards are necessary for assessment, screening and student evaluation across Canada; and

WHEREAS inconsistencies exist between programs offered in the educational system and the needs of the workplace; and

WHEREAS as a result Canada's ability to compete internationally is impaired.

THEREFORE BE IT RESOLVED that the Legislative Assembly of the Province of Manitoba support the establishment of National Education Standards to be developed in consultation with provincial and territorial governments, educational professionals, industry and labour, and other concerned groups and individuals.

### Motion presented.

**Ms. Gray:** Mr. Speaker, it is a pleasure for me to rise today and speak on this very important resolution. One certainly cannot pick up a newspaper or a magazine without reading about education and what is called the educational crisis in Canada and in fact in North America.

This particular resolution deals with the importance of looking at national education standards. Certainly we in this caucus have talked about education standards when we looked at the Charlottetown accord and talked about the need for a number of programs in this particular country to actually develop from a set of national standards.

Those standards go further than just looking at simply a set of principles or a set of goals and objectives. When we talk about standards, we are talking about something that is very concrete. We are talking about standards, things that can be measured from province to province to province.

It is a very disturbing fact that in a country such as ours, such as Canada, who enjoys, by and large, in comparison to other countries in this world a fairly high standard of living that 38 percent of Canadians are functionally illiterate. We know that there are different standards which exist in many of our core subject areas, areas such as mathematics, science and in the humanities, and there is no question that as we talk to people in the education field, as we talk to industry and labour, as we speak to students themselves and parents, particularly those who have moved from province to province.

We are a very mobile society, and we do move from province to province. We do hear time and time again the differences that people face from moving from one educational institution to another. Whether that educational institution is an elementary or middle-years school or whether that institution is post-secondary, there does not seem to be any type of standards across this country that really will give us some sense of consistency.

There are reasons why it is important that we look at national education standards. We need to be competitive as a country of Canada, and when you look at multinational corporations, when you look at other countries who are wanting to invest in Canada, oftentimes when they are determining what type of a country do they want to invest in or what type of a country do they want to bring their organizations to they will look at our educational standards.

It is very difficult, Mr. Speaker, to get a grasp on what exactly are the educational standards across this country because we do have such inconsistencies. We know that a number of provinces have been looking at the entire issue of standards and looking at education in general. In the last five years, provinces such as Ontario, British Columbia, New Brunswick and Newfoundland have looked at some form of royal commission on education. It is time that all of the provinces in this country, led by the federal government, look at education on a nation-wide scale.

We have yet to hear from the leadership candidates in the federal Tory race about education.

One hopes that the front runner, who does not seem to like too much about Canadian society, would at least support education, because education is very critical, Mr. Speaker.

Education, as the government is fond of saying, is the key that does unlock a future of opportunity for us. It is important that we not look in isolation in this province of Manitoba at education but that we work very closely with other provinces, with the other governments and with the education professionals to really look at some national standards on education.

We need to come together because we know that these provinces have had royal commissions and they realize that there is a problem and they realize that we have to look at national standards.

When I talk about the illiteracy rate, you know, Canada as a country spends a total of \$55 billion a year on education but yet we have a high dropout rate. We have a significant amount of illiteracy and poor student performance in relation to many of the other countries. What Ottawa and what the federal government must do as well as the provinces is set out some concrete learning goals to improve the quality of education across Canada.

I know our Minister of Education (Mrs. Vodrey) here in this province does not like to refer to dropout rates. She likes to refer to—I think I am paraphrasing here—reintegration rates and so be it. She may want to look at how many students leave school and then are able to be reintegrated back in and how many of those students do not get reintegrated back in. It is going to give us the same statistic. The point is that through Statistics Canada, we do have a sense of what the dropout rates are.

In Manitoba, we have about a 28.6 percent dropout rate. Now some of the provinces are higher such as the Yukon 63.4 percent, Newfoundland at 30.9 percent and some of the provinces are lower. New Brunswick has a 20.8 percent dropout rate. That is still far too high, Mr. Speaker. For a country that does enjoy a high standard of living, we certainly do have very much a problem when it comes to dropout rates in high schools, and it is important that we look at that on a national basis and not simply on a provincial basis.

It is important that we have some sense of how are our students doing in relation to other provinces and in relation to other countries. Now I know there is some opposition when it comes to looking at

testing, standardized testing, when it comes to looking at even a national set of tests and looking at those internationally. I recognize the teachers, and I have some empathy for them. They are afraid that when there are these national tests that, in fact, it will be seen to reflect upon the individual teacher.

I can realize why they may be concerned about that, because having listened to a number of people who have written letters and who have called in and talked about education, they oftentimes like to say if education or things are not going well, it must be the teacher's fault. That is not the case. If we are looking at a national standard and if we are actually looking at Canada as a country and actually having some type of test where we can be compared with other countries, it has to be made very clear that we are not in fact looking at teachers and them as individuals; we are looking at how our education system is functioning as a whole. That has to be taken into consideration.

When we look at the Minister of Education, and she referred in this House a number of weeks ago, and she talked about the federal government and her work with the federal government to look at the School Achievement Indicators Program which is a Canada-wide project. At the end of April of this year, 13- and 16-year-old students will be given a math test as part of the program. Next year, the program is supposed to focus on measuring reading and writing skills.

The difficulty with this type of program is that we are really not sure, in fact, how it will be used in each province and in individual provinces, and that is where we have to look at having education standards. It is very, very important that as the country of Canada that we have not just a set of goals and objectives and principles as to what we see education and what we would like to see education to be in the future, but that we do have some standards that we can evaluate our programs against.

\* (1710)

I know that members in this House, we oftentimes talk about evaluation. Governments oftentimes talk about evaluation, but it is not something that is done very often. I am not necessarily referring to this particular government. I am referring to governments of all political stripes across this country. We talk a lot about evaluating programs and setting up a set of criteria to measure them

against, but we oftentimes do not really evaluate programs. We go on hunches. We go on best guesses, and we go on what might be a populist opinion of the day.

We have to move towards looking at a set of national standards that can be objectively evaluated, that can give students an opportunity to know if they are moving from one province to another how they are actually doing. We need standards that will give an understanding of how a student is doing, what kinds of screening programs should be in place and what type of assessment is necessary for students as they move into different levels of education. It has certainly become clear, particularly in the area of post-secondary education. In fact, we even have difficulty in having students move from one institution to another within the province of Manitoba. Oftentimes their credits cannot be transferred. So we have these huge inconsistencies, not only in our province, but across this country.

If we want to work with industry and with labour and with business in more of a partnership, whether it is as a province of Manitoba or whether it is as a country of Canada, we have to get our act together as far as education. We have to start looking at it on a national basis, and we have to start making it a priority.

Mr. Speaker, the Leader of the Liberal Party has talked about the importance of national education standards, and certainly our caucus members have talked about the importance of that, as has M. Duhamel, who is the Member of Parliament for St. Boniface. He as well has talked about the importance of education standards and looking at it on a national basis. I would hope that all members of this particular Legislative Assembly would support the concept and the idea of looking at national education standards.

We recognize, Mr. Speaker, that it is not something that is going to happen overnight. When you are dealing with negotiations among provinces and with another level of government, with the federal government, we recognize that in fact these things take time. But at least we have to start the process.

Ottawa, as a government, has certainly said that they are interested in looking at education and education standards. We have to put pressure on Ottawa, as the Province of Manitoba, and make sure

that in fact they are prepared to deal with this particular issue. I am not sure when there will be a next meeting of Education ministers from across this country, but I would sincerely hope that this Minister of Education (Mrs. Vodrey) here in the province of Manitoba would put on her agenda to take to one of those meetings the idea of looking at a set of national education standards, because it is very important that we do look at that.

It is going to be important more as we move into the 21st Century, which is not that far away, Mr. Speaker. It is going to be important that we, as a country of Canada, are able to compete on a global basis. It is going to be important that we have students who are trained, who are educated, who are ready and able with the skills that will move them into the 21st Century.

We know that on an international basis, Canada is sixth or seventh internationally when it comes to science and math. That is what we have been able to determine. Can we as a country do better? Do we know that standing is in fact accurate? Perhaps our way of evaluating the standard is not the best way, because in fact there are so many inconsistencies across the province.

We know that there are 10 or 12 criteria that can be used to determine what type of education a person has across this country. Does a Grade 12 in Manitoba mean the same as a Grade 12 in British Columbia or in Newfoundland? We do not really know that because we do not have a set of standards. We have not worked together as provinces to ensure that that is in fact available.

I hope to hear comments from my colleagues in the official opposition, and I hope to hear from my colleagues in government. I would be interested in hearing their points on this. Are they prepared to support this particular resolution so that at least we can stand united here in the Legislative Assembly of Manitoba and go forth with an agenda to the federal government and say, this is what we support in Manitoba? We want to see it on the next agenda of ministers across this country in education, and it is time we start working on this because it will take a number of years to implement such a program so the work needs to begin today. Thank you very much, Mr. Speaker.

**Hon. Linda McIntosh (Minister of Consumer and Corporate Affairs):** Mr. Speaker, I am pleased to be able to rise and make some comments on this

particular resolution brought forward by the member for Crescentwood (Ms. Gray). I appreciate the sincerity in the member's resolution. I understand some of the points that she has made in terms of their validity.

I have some small experience in this area in my own background and feel that from that experience I have comments that might be helpful to the House. I am one, Mr. Speaker, who, during my growing up years, had the experience of changing schools 11 times in nine years, in every province of the country and in schools overseas.

I do not think I ever spent more than about nine months in any one school and moved from provinces where there were 13 grades to provinces where there were 11 grades, moved from provinces where French was started in Grade 9 to provinces where it was started in Grade 1, moved from provinces where there was no Latin to a grade where students had been studying Latin for three years. So I have some experience in that regard.

I found it very interesting, the member identified the inconsistencies that happen to a student when that type of thing occurs. She is absolutely right. When you move from one jurisdiction to another like that where the standards are different, you do indeed face variations in the curricula.

She also correctly pointed out that that very same type of inconsistency can occur internally within a province, indeed, even within school divisions, indeed, between schools which are side by side in terms of their distance within a given school division.

That is because despite what the member has said, the end-all and the be-all of education is the classroom teacher. Certainly, the standards and curricula that teacher uses will be a very useful and helpful guide, a very important facet of the learning experience. We are very committed here in Manitoba to ensuring that our standards remain high, that our students emerge competitive. We are very willing to work with other jurisdictions. Indeed, we are working with other jurisdictions.

The member indicated that we need to have a concrete set of rules across the nation. I am not disputing that. I am not certain though of the need to introduce another level of bureaucracy in there in order to achieve that particular end. We have, at the moment, Mr. Speaker, as you are aware, the council of ministers, each province still retaining its own

jurisdictional responsibility for establishing its own educational standards.

In order for a co-operative, co-ordinated, smoothly functioning system of education to occur across this nation, we have to have that kind of co-operation that exists when the provinces come together, as they do right now, on a voluntary basis.

We already see a number of the measures the member has outlined as being necessary being put in place without the introduction of that extra level of bureaucratic machinery. We are committed, as are many other provincial governments, to seeing Canada able to compete on a global basis.

I do not necessarily agree with the statement that because certain things were not done in the past that they are not being done now and will not be occurring in the future.

\* (1720)

We have seen, for example, that Manitoba Education and Training has taken steps to participate with all provinces and territories, except Saskatchewan, on the national School Achievement Indicators Program, SAIP, which falls under the auspices of the Council of Ministers of Education, who come together in a voluntary way to work on the very types of issues the member has identified as being of concern.

This may well be the first step towards the establishment of national education standards. In the SAIP, a sample of 13- and 16-year-old students will be tested in each province and territory in the spring of this year. It is happening now. Testing in mathematics is currently taking place and, over the next year, reading and writing will be administered. Those kinds of thrusts, I believe, address the kinds of concerns being put forward by the member for Crescentwood (Ms. Gray).

Curriculum officials from all the western provinces recently held a meeting in Alberta to discuss the possible collaboration and co-ordination of a national curriculum assessment standard at elementary and secondary levels of education.

I know there are some members opposite who do not believe in testing; this was made very clear by appointed members. For example, NDP members on the Winnipeg school board violently opposed testing in schools and make that part of their platform. While they do not believe in that, we here on this side do believe in testing.

That may be their position at the school board level. I will be waiting to hear what their position is here at the provincial level, but we do know that there are certain divisions dominated by NDP boards who do not believe in testing for their students, preferring instead to lower the quality of education to meet their needs rather than to raise those students up to be able to meet the testing levels.

I think that is at the heart of the concern the member for Crescentwood (Ms. Gray) raises, and she is correct in that, that you do have to raise that standard up. You raise that level up so that the students themselves are reaching for the stars rather than trying to bring the level of testing down or eliminate it.

The Canadian Council of Directors of Apprenticeship has developed an action plan for accelerating this process of establishing and updating interprovincial and national standards. We approve of that. We are participating, indeed, in that initiative. We believe that the use of national standards in apprenticeship training, for example, will make for an improved and better workforce, will allow for greater interprovincial workforce mobility which, again, I think was one of the concerns raised by the member. It will also make more effective and efficient use of funds and resources.

We know, as well, that the Canadian Labour Force Development Board will also be a more effective and efficient use of funds and resources.

We know as well that the Canadian Labour Force Development Board will also be promoting the establishment of national standards. These are standards for occupational qualifications and training and they will facilitate that with labour market boards at the provincial level, the local level and that will help form a wide national framework for addressing human resources development.

I do not dispute the concerns raised by the member. What I do say is that perhaps her method of approach is not necessarily the one that we need at this point because we are already beginning in a co-operative way, through council of Ministers of Education, to address some of the very concerns that were raised. I believe they are being addressed in a way that will be effective because each province that is involved is opting in and that type of conscious decision to participate is one that is really good in terms of effecting positive results.

So while I know from my own background that within divisions, indeed within schools, within provinces across the province and indeed between nations, the curriculum will have its variations and the teachers in the classroom will be the ones who ultimately will make the impact upon the student under their care.

Mr. Speaker, I would like to make an amendment to this particular resolution. I move, seconded by the member for Niakwa (Mr. Reimer),

THAT Resolution No. 25 be amended by deleting all words following the first "WHEREAS" and replacing them with the following:

the Government of Manitoba is committed to ensuring that all Manitoba students receive a high quality education; and

WHEREAS Manitoba Education and Training is participating in a national School Achievement Indicators Program (SAIP); and

WHEREAS students aged 13 and 16 years will be tested in each province (except Saskatchewan) and territory in the spring of 1993. Testing in mathematics is currently taking place. Over the next year, reading and writing will be administered; and

WHEREAS Manitoba Education and Training is participating in an initiative developed by The Canadian Council of Directors of Apprenticeship (CCDA) where an action plan is developed for accelerating the process for establishing/updating interprovincial/national standards; and

WHEREAS the Canadian Labour Force Development Board will facilitate the establishment of labour market boards at the provincial and local levels.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba commend the Government of Manitoba for their commitment to the quality education of all Manitobans.

**Motion presented.**

**Mr. Speaker:** The honourable minister's amendment is in order.

**Ms. Gray:** Mr. Speaker, I am quite pleased to speak on behalf of the amendment which is being presented. As I read this particular amendment, I certainly would have no problems at all in commending the government of Manitoba for their commitment to the quality education of all Manitobans if in fact I felt that the government did deserve such a commendation.

I do have some reservations in regard to education in general, but I will limit my comments to what we are referring to here when we are looking at education and training and national standards. I can appreciate the fact, Mr. Speaker, that the Manitoba Education and Training is participating in the SAIP program. I appreciate that they have started to involve themselves in national programs, but what is required is for this province and this Minister of Education (Mrs. Vodrey) to take a leadership role and actually urging the federal government to start looking at national education standards.

\* (1730)

There needs to be a lot of work done with other provinces across this country. We have seen royal commissions in about five provinces that have been looking at the area of education, and yet we have seen really no concrete comprehensive plan that talks about education standards across this country.

In the Estimates process in the Department of Education, as we have just begun to discuss some of the issues, some of the things that have concerned me as I have spoken with the Minister of Education, albeit it may be because of her newness to the department, is that in fact there does not seem to be a comprehensive framework as to what we are doing about education here in Manitoba, never mind looking at a comprehensive framework that we can take to the national government and that we can take to other provinces and sit down intelligently and discuss what does the education future mean for Canada. How do we become more competitive in the international marketplace? How do we ensure that when students transfer from province to province that there is more consistency in terms of whether it is elementary schooling, middle years or whether it is post-secondary schooling? How can we ensure that industry and labour in this country have an opportunity to know what it means when a student graduates from Grade 12 in Manitoba versus Grade 13 in Ontario versus Grade 12 in Newfoundland?

These are some of the questions that we need to answer. This is why it requires a comprehensive framework, some planning done on behalf of the Department of Education here in Manitoba and some leadership to ensure that we are urging the federal government to look at education in general and to look at education as keys that do unlock a future. It is going to be very critical that education be

seen as a priority for all governments, all provincial and territorial governments across this country and that the federal government also see that as a priority as we move into the 21st Century.

I mean it is appalling, Mr. Speaker, when one looks at the illiteracy rate across this country. It is appalling when one looks at the high school dropout rate in this country. For a country of Canada that has such a high standard of living, why are we looking at 20 percent, 34 percent, 64 percent of dropout rates across this country? It is simply not acceptable.

Certainly, I am not about to say that national education standards are a panacea or something that is going to make all of the problems in education go away, because that is certainly not the case. I think, looking at national education standards and to even have that on an agenda of federal ministers and provincial ministers would at least get some truly good discussion underway as far as education in general.

Yes, we may be looking at the SAIP program. Yes, we are tinkering with education in bits and pieces, or at least the federal government is. There has to be more to it than that. There has to be a commitment. There has to be political will. Part of that has to be down on paper. Part of that political will has to be the federal government saying to the provincial Education ministers, let us take a look at this; let us have a forum; let us have a conference; let us sit down and talk about education. How are we going to work together as partners to solve the education crisis in this country? There is a crisis.

I mean, whether you agree with what any government in any province or territory is doing in education, whether you agree with it, whether they are right, whether they are wrong, the point is, there still is a crisis that needs to be addressed. Some governments are addressing it in different ways. Again, it would be an entirely different subject to talk about what this particular government is doing in education in general.

I do have a lot of difficulties with this amendment, Mr. Speaker. Some of the WHEREASes I do not disagree with. Yes, we are participating in the SAIP program; yes, we are involved with the 13- and 16-year-olds; we know they are going to be tested; yes, Manitoba Education and Training is participating in the Canadian Council of Directors of Apprenticeship; yes, the Canadian Labour Force

Development Board is probably going to facilitate the establishment of labour market boards. We have not seen that yet.

Those may all be true as WHEREASes, Mr. Speaker, but to then jump to the conclusion after those WHEREASes and say that the Legislative Assembly of Manitoba should commend the government of Manitoba for their commitment to the quality of education, I do not quite see the relationship. It does not necessarily follow along. The WHEREASes would at least need to have been worded, whether in fact I would agree with them, that the Department of Education and this government were providing leadership in education, were doing the following. Those WHEREASes would have to be very comprehensive in looking at education as a whole. Those WHEREASes would have to deal specifically with taking a leadership role in looking at national education standards.

I do not see that in these particular WHEREASes, Mr. Speaker, so I must, with all due respect to the member who presented this amendment, speak against this because I do not feel, and I know my caucus does not feel that we can support this particular amendment. Thank you.

**Ms. Jean Friesen (Wolseley):** Mr. Speaker, I am glad to rise to speak on this motion and in particular I guess the self-serving amendment that the government has put in here.

I would like to congratulate the member for Crescentwood (Ms. Gray) on bringing the issue of education and the standards in education to the attention of the Legislature. I think that is a very important issue and, as she said, it is certainly one on which we have heard very little yet from these Tory contenders, the people who have sat around the same cabinet table as the Prime Minister, Brian Mulroney.

It is interesting that education so far seems to have formed such a small part of their discussions with Canadians or at least with their supporters across the country. Now it could be that I have not followed it very closely because I certainly have not, but I have been following what has been written in the press, and education does not seem to be at the forefront of their concerns.

There is a usefulness, I think, a useful service that the member for Crescentwood (Ms. Gray) has performed by bringing this to our attention. Perhaps through the members sitting opposite us, who are

participating in this circus that is going on in the Tory party, they may have some opportunity to bring it to the attention of, and perhaps make it part of, a national debate.

This particular motion, Mr. Speaker, I think addresses the issue of a number of areas where Canadians have difficulties with education. One of them is the 38 percent functionally illiterate that the member for Crescentwood (Ms. Gray) concentrated on in her introduction. That certainly would be a problem for any nation. It has been a problem for a long time for Canada and it is one, of course, which is compounded by the rising unemployment that we find across this country.

One of the most interesting things, I think, about illiteracy is that there are people who do graduate from high school and who perhaps find a job and then in fact work and are literate and are functionally literate and have the literacy to deal with their everyday lives. But one of the studies I think that is most interesting is that the longer people are unemployed, the longer they are without work after having graduated from high school, in fact, they do lose some of those skills. I would draw that to the attention of the members opposite who seem so prepared to allow the unemployment rates in our country to stay so unconscionably high. It does have an impact upon the literacy and upon the conditions of life for so many people across this country.

\* (1740)

The resolution and the discussion that has taken place since also has made reference to the ease of movement of peoples across this country. The Minister of Consumer and Corporate Affairs (Mrs. McIntosh) spoke of her own experience in having moved, I think, it was 11 times in nine years. In some years, I would think that would not have been unusual for some Canadians, and it is a terribly difficult thing for children to do. It is something, of course, which we are seeing in the inner city of Winnipeg. Mulvey School in my own constituency, as I am sure members opposite know, and it is not an extreme example, there is in some classes, I think, in the region of 80 to 90 percent turnover in those classes during the year.

It is partly a result of changes and difficulties in housing conditions within that community, but it also has a tremendous impact upon the children who are facing four or five or six different schools within the course of one year. These are children who in many

cases repeat this year after year. It is no wonder that children under those conditions do not have access to the same kind of educational opportunities as do children who are able to remain in a stable situation in school.

Certainly I would hope that ministers of education in any province and in any community would take account of those kinds of conditions within our inner cities as well, and I would hope that the member for Crescentwood's (Ms. Gray) resolution would draw such difficulties to the attention of this Minister of Education as well as to ministers across the country.

Certainly people who do transfer from province to province have in the past and still in the present do experience difficulties. I am not sure that national testing actually addresses that particular problem entirely. There will be other difficulties of adjustment that children will face. There will certainly be differences in curriculum, even with national testing.

But I should say, Mr. Speaker, that I am not opposed to testing. I do not think anybody on our side is opposed to testing. We face it in all areas. Every high school, every classroom, every teacher evaluates students, of which one part is likely to be a test of some kind. The issue with testing, of course—and I suppose this government will find out, which is why I think the minister's amendments perhaps are not appropriate—is that in order to have testing which makes sense, which is useful to teachers, which is useful to employers and which is useful to parents, you must be comparing apples with apples.

So, of course, before you begin any kind of national benchmark testing or evaluation or whatever you want to call it, you must have a curriculum which is harmonized in some way. You have to test students who at least have had the opportunity to learn the same kinds of things at more or less the same rate, and at the same age level.

In some subjects that might be possible to achieve, I think. If the ministers of education were able to come together and to create a curriculum that addressed students and certain types of material at the same age level, at the same grade level, right across the country, then you could have testing in that area that would have some meaning to parents, to families and to educators. It may well be possible, Mr. Speaker, that in the mathematics curriculum that could be done. It may well be possible in the science curriculum that it could be done. It is possible that at



certain levels in reading and writing and comprehension those kinds of things could be done.

But I think we always have to understand that right across Canada we have very varying conditions. We only have to look at our cities for examples, and I would take the example of the Vancouver School Board or of the Metro Toronto school board, both of which are facing situations where very high proportions of some parts of their communities are dealing with children for whom English is not the first language, and that is the first item on their agenda.

Vancouver particularly, I would say, just because it has happened so quickly in Vancouver. We see schools there, and it is not just one school. It is really, I think, a majority of the inner-city schools in Vancouver that have a very high proportion of students who do not have English as their first language. Given those conditions, I think you must have curriculum which deals with that. You may not be able to fulfill the needs of a national standard which would apply to, say, small towns in New Brunswick or in Ontario, where you have very stable populations and you have very common languages, whether it be English or French, in places where you might be able to have a standardized progression through a series of curriculums.

The other difficulty—and I am dealing in the context here of math and science curriculum where at least it is possible to have a kind of standardization. I think the other difficulty you might find is that there are different ways of teaching those curriculums, and people may be familiar with the discussion that has been conducted in the columns of the Globe and Mail. Andrew Nikiforuk, who is the educational correspondent for the Globe and Mail, has dealt with the Japanese way of teaching mathematics, a whole class way of teaching mathematics, which does give you the opportunity, as the Japanese do, to have very standardized levels and to progress through them at more or less the same age throughout the country. That is one way of teaching mathematics.

There is another way which is common in Alberta, which is perhaps closer to what many of us experienced in mathematics classrooms, something like the Japanese one but more related to North American or to English conditions.

A third way of teaching mathematics is the one that we have I believe in Manitoba which is called spiraling, where we teach introductory concepts at

many different levels and we continue to add to those introductory concepts in a spiraling way so that over a longer period of time students will be dealing with a wider range of concepts, but they will deal with them more frequently and with much more repetition than they do, say, in Alberta.

We have in Alberta or Manitoba generations of teachers who have been trained in those two or three different ways of teaching mathematics, so the idea of developing national standards in the one particular area where you could have standardization of evaluation, I think, is not as easily done as it seems. I think it is a good idea. I think it is one which we should work toward, but I do not think it is something that is necessarily going to be achieved overnight.

Similar kinds of things I think you might find in dealing with reading and writing comprehension at more advanced levels and certainly with anything beyond that. The idea indeed of developing a national curriculum in the humanities I think is a very daunting prospect and may not be desirable, because there are very important areas of regional, of linguistic communities, of multicultural communities, where each region and each province, each local community, will want to have its own version of its history. I mean, the differences, for example, in the history which is taught in Quebec and the history which is taught in the rest of Canada are quite considerable, and whose position is it to say that the Quebec version of the conquest and of 1837 and indeed of Meech Lake is one which does not serve that community well.

Curriculums in the humanities and in literature, I think, are a very different kind of question. Those communities which have tried to introduce national curriculums in those areas I think have run into considerable trouble. One of them you find in the United Kingdom at the moment. There is an attempt to introduce a national curriculum, sort of a leftover from the Thatcher government. Some parts of it have been accepted well after great resistance initially, but we do find still in Scotland—Scotland right now I think all the teachers are resisting, under threat of loss of pay, the introduction and the evaluation of national curriculum and national testing in Scotland. It is partly on national "grounds," but also on educational grounds as well.

So I think that testing evaluation is part of education. It is not the whole part, but it has a role to play, but is not one that can be achieved overnight

or very easily. That is not to say that we should not attempt it by being, but still remaining very aware of local and regional conditions and interests, and as well as the nature of the changes we would require in our curriculum and the changes we would require in our teachers as we strived in fact to achieve these kinds of goals.

I think perhaps what concerns me most about both the resolution and the amendment to it is—and I know that my colleague for Crescentwood (Ms. Gray) acknowledges this—that this is a beginning, that we face a much larger problem. I am not sure I would call it a crisis, but we do face much larger problems in education than national testing and national curriculum will solve.

We see it particularly in this government, of course, the lack of support for research, the lack of support for those who have been unable to complete their high school education, the lack of support in programs like New Careers which tried to improve the basic education level, and the backing away from the ACCESS programs which have been such an important part in this province of creating a whole generation of aboriginal teachers and which had begun to create the social workers, the dentists, the doctors which in a way set us apart in our educational achievements and focuses from many, many other provinces.

\* (1750)

So it is very difficult to offer any support for the amendment that the minister has offered, and I particularly am concerned about the labour market boards that the minister does make reference to in her amendment. I have spoken in the House before of this and certainly there is an opportunity for educational and economic planning through that process of Labour Force Development boards, but one of my great regrets about this government is that they delayed and delayed and delayed for over three years in the creation of an agreement with the federal government. Even after that, we now have a further six-month planning period which essentially gives us only six months of the existing agreement left to address some of the issues which I consider to be most crucial to the future of both Manitoba and Canada.

**Mr. Doug Martindale (Burrows):** Mr. Speaker, it is a pleasure for me to rise and speak on this resolution from the member for Crescentwood (Ms. Gray). In preparing for this, I found some excellent quotations

on education which I think I can tie into this resolution.

**An Honourable Member:** Where did you find them?

**Mr. Martindale:** I found these in a book called Peter's Quotations, Ideas for our Time, by Dr. Lawrence J. Peter, author of The Peter Principle.

Robert Maynard Hutchins said, and I quote: The object of education is to prepare the young to educate themselves throughout their lives, end of quote. I found another very similar quote that says: 60 years ago I knew everything. Now I know nothing. Education is a progressive discovery of our own ignorance. Will Durant said that.

I think what this points out is that education is a lifelong learning process. It is not a matter of attending school when you are young and never going back to school, but that we should always be engaged in education ourselves and improving ourselves, which means going back to school or university or getting some kind of education from time to time.

Here is another quote: It is no longer correct to regard higher education solely as a privilege. It is a basic right in today's world. Norman Cousins said that.

There were two elected people who made pronouncements on this topic but said quite different things. Governor Jerry Brown said, I question whether we can afford to teach mother macrame when Johnny still cannot read, and I think he was saying that basic literacy is very important and it is more important than courses which may or may not benefit society as a whole. But Ronald Reagan said—the member for Pembina (Mr. Orchard) will find this interesting: Why should we subsidize intellectual curiosity?

So we have another school of thought that does not believe in public education, does not think that the public purse should subsidize education. I think that is what Ronald Reagan is saying. Well, sure, he said: Why should we subsidize intellectual curiosity? Surely the member for Pembina would agree that intellectual curiosity is part of the educational process. But what he is saying is that the public should not subsidize it, should not pay for it.

In the resolution, the member for Crescentwood (Ms. Gray) referred to the fact that 38 percent of Canadians are functionally illiterate. There are many

good organizations around that are trying to do something about this. I was associated in an advisory capacity with one. We gave them space at North End Community Ministry, my former place of employment, and they were doing a good job.

In fact, one of the things that they did that was quite interesting was, they gave people the Driver's Handbook, and they got them to study it. Then they went and took their driver's test. All of these people had already been driving without a valid driver's licence, which is very common amongst certain groups of people in our society, including my constituents. They pose a great risk to themselves and other people because, if they are not licensed, they are probably also not insured. We all pay for that through our Autopac premiums.

So this adult literacy program got these people to study the Driver's Handbook, to take their test, and they all passed. It was an excellent adult literacy program that was combining life skills with adult literacy. Unfortunately, they were not able to get permanent funding and they folded up.

There is another organization in the community today called Open Doors Adult Literacy Program. I am happy to say that I am on the advisory committee for this program. They do have permanent funding from the literacy office, and they have published a very good publication called Living and Learning, which was written by the students of the Open Doors Adult Literacy Program in 1992. The stories that students write in this book are really quite fascinating, and I have met these students, I know some of them. They talk about their experiences of living and learning.

They are thrilled to be going back to school, and many of them will be trying to get their Grade 12 equivalency so that they can get a job, because we know that there is a connection between education and employability. So I am very happy to be associated in an advisory capacity with the Open Doors Adult Literacy Program.

I would also like to comment on one of the other WHEREASes of this resolution. The second WHEREAS says, "WHEREAS different standards exist in the core subject areas of mathematics, science and the humanities from province to province."

I have had some experience with this problem because I tried to transfer from Brock University to University of Saskatchewan, and they would not

recognize my first-year standing at Brock University and admit me to second year at the university. Nor would they recognize my Grade 13 credits in Ontario as being equivalent to Grade 12 credits in Saskatchewan. Nor would they recognize my Grade 12 standing in mathematics in Ontario as being the equivalent of Grade 12 in Saskatchewan, which was very surprising to me because in Ontario Grade 13 people study calculus which they do not study in Grade 12 in Saskatchewan.

So I was unable to transfer to University of Saskatchewan. Consequently, my then-fiancée and I continued a long-distance relationship between St. Catharines and Saskatoon. However, we both graduated with our basic degrees. So I agree with the member that this is a concern of transferring credits and recognizing courses from province to province.

Then the member says: "WHEREAS standards are necessary for assessment, screening and student evaluation across Canada." Well, we know that testing does take place. I remember I took the scholastic aptitude test in Ontario, and in Grade 12 I got 89 percentile in English and 14 in math. So you know where I excelled and where I was rather weak. In Grade 13 we took the tests again, and I got 89 in English and 12 in math. So in fact I actually went down from Grade 13 to Grade 12. I never did do very well in math.

I am opposed to the amendment of the Minister of Consumer and Corporate Affairs (Mrs. McIntosh), particularly the "THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba commend the government of Manitoba for their commitment to the quality education of all Manitobans."

There is no way that we can support this resolution to commend when this government has withdrawn the Student Social Allowances Program. This is a program that is keeping students in school, allowing them to get an education so that they can get a job when they graduate, and what this government has done with this budget is they have totally eliminated the program. These people are going to end up on social assistance. They are going to be much less employable. Well, they can stay in school, but they can only take two courses. So if someone has gone back to school and they are in Grade 10 or Grade 11 or Grade 12, it is going to take them 10 years to finish their education at—

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

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

# LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, May 19, 1993

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