

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, March 14, 1990.

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

TABLING OF REPORTS

Hon. Gerald Ducharme (Minister of Housing): Mr. Speaker, I have the privilege to submit the Annual Report of the Department of Urban Affairs for the fiscal year ended March 31, 1989.

Hon. Glen Cummings (Minister of Environment): Mr. Speaker, it is my pleasure to table the 1987-88 Annual Report for the Clean Environment Commission.

INTRODUCTION OF GUESTS

Mr. Speaker: Prior to Oral Questions, may I direct the attention of Honourable Members to the gallery where we have from the Killarney School thirty-eight Grade 9 students. They are under the direction of John Ross. This school is located in the constituency of the Speaker of the Legislative Assembly (Mr. Rocan).

On behalf of all Honourable Members, I welcome you here this afternoon.

ORAL QUESTION PERIOD

Fuel Tank Spills Monitoring

Mr. Harold Taylor (Wolseley): Mr. Speaker, over the last two years a quarter of all the fuel spills in Manitoba have been attributable to Shell Oil Company and its operators. The oil company is keeping its track record as last night new fuel tanks leaked into the City of Winnipeg's sewer system in the Transcona district. This contamination then spread into adjacent homes forcing the evacuation of over 60 people.

Mr. Speaker, the last fuel spill by Shell Oil occurred only a few months ago. At that time the Minister advised that there was going to be a better way to deal with these types of incidents. Would the Minister please clarify just what action he has taken so that we can avert these types of repeated fuel spills, both here in the city and out in the rural areas?

Hon. Glen Cummings (Minister of Environment): It has become an increasing problem with the number of fuel tanks that have discharged underground over the last number of years.

* (1335)

The regulations in place require that the testing of the older tanks—unfortunately, this incident that occurred last night is a newer set of tanks. As soon as we have the information as to what caused the leak

we will be able to make an assessment on how we might be able to avoid that.

Frankly, Mr. Speaker, we are moving to make sure that we have more people available to keep up to date with the book tracing of the volumes and the location of the tanks so that we can be even more on top of what is happening in terms of the underground gasoline storage.

Mr. Taylor: That 6,000-litre fuel spill in my own riding recently was supposed to lead to better regulation of the industry by the Environment Department and better management by the oil companies and operators. After that last response it would appear that very little has been done.

Mr. Speaker, why is it that four months after that Portage Avenue fuel spill the Environment Minister (Mr. Cummings) does not even have a decent inventory and condition report of the fuel tanks in use in this province? Why has he ignored the offer of the practical suggestions which were given to him in the Estimates process in December to this end?

Mr. Cummings: Mr. Speaker, if the Member thinks that we only started looking at this problem four months ago then he does not understand the manner in which we have approached this as a serious responsibility of our department. The fact is that there is an enormous number of tanks across this province.

In fact, I have received a number of complaints from service station owners about the fact that our testing and the surveillance that our department is putting on them is excessive. The fact is that we will not stand back and allow flagrant abuse of The Environment Act, flagrant discharges into the ground waters of this province and we will be viewing very seriously wherever there is flagrant abuse and negligence in keeping track of the volumes of gasoline.

Mr. Taylor: Mr. Speaker, that was an interesting comment by the Minister. When you have had a very slack regime on the regulation of this industry I am not surprised there are some complaints.

Cleanup Procedures

Mr. Harold Taylor (Wolseley): Mr. Speaker, why is it the Transcona residents that had to be evacuated from their homes were left out of their homes overnight? Why was that fuel not removed until late this morning? Why was it not removed right away so it would not continue seeping into that sewer system and into their homes? Why was that move not taken—

Mr. Speaker: Order, please. The question has been put.

Hon. Glen Cummings (Minister of Environment): Mr. Speaker, the response people, as I understand it,

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worked all night to lower the level of gasoline in the sewer lines so that the people of the community could be returned to their houses as soon as possible. I do not think the Member is advocating that we should be in any way doubtful about whether or not it is safe for these evacuees to return to their homes.

He has thrown out a number, of some 60 residents being moved. The report that I have is about a third of that. There may, however, have been other people who chose to leave or who thought it would be wise to leave given the circumstances.

Having experienced this type of difficulty before, there is absolutely no way that one should take any risk in returning people to residences where there is a possibility of explosion. It is my understanding that every precaution was taken to make sure that no one was put at risk.

Mr. Taylor: The issue was why was the fuel left in the tanks to continue to spill.

Gold Mine - Shoal Lake Winnipeg Water Protection Group

Mr. Harold Taylor (Wolseley): Mr. Speaker, I have a new question. Last night saw the founding annual meeting of the Water Protection Group in the south side of the city. That group still awaits provincial funding although it has received \$50,000 from the city.

Preparations are being made for the environmental assessment on the Shoal Lake gold mine, which we are only too well aware of, but no exact date seems to have been set.

Mr. Speaker, the Ontario Environment Department files on this gold mine application are being transported to Winnipeg for review by the Water Protection Group. The question is: why is this intervention group only being given three days to peruse this voluminous material critical to their submission on a very crucial application? Why the ridiculous time limitation?

Hon. Glen Cummings (Minister of Environment): Mr. Speaker, I am not sure if the Member is referring to the amount of time that they would have original files in their hands; that seems somewhat unusual. He has also indicated that no time has been set for this hearing, or is he prepared to recognize the fact that the potential is certainly still there for Consolidated Professor not to proceed with this application.

* (1340)

I presume what he is referring to, without wanting to say so, is that this is the second round of consultations on the setting of the guidelines for the EIA. If that is what he is asking about then I would ask him to stand up and say so.

Water Quality

Mr. Harold Taylor (Wolseley): Yes, Mr. Speaker, a little touchiness there.

Last night the Water Protection Group, at its annual meeting, proposed a goal of zero level toxins entering

Shoal Lake along the same lines that Ontario is now setting for the cleanup of the Great Lakes. I would like this Environment Minister's response to that proposal as part of the solution to the protection of our water supply at Shoal Lake, Mr. Speaker.

Hon. Glen Cummings (Minister of Environment): Mr. Speaker -(interjection)- beg your pardon? Yes, good question.

The interjurisdictional agreement that we are striking with the Province of Ontario, and we have been working at considerable length to bring to fruition, has within it clauses that will indicate that the quality of water must be maintained. At the same time, I believe that the discharge of toxins into a reservoir from which drinking water is being taken is not proper or acceptable.

The fact is, however, it depends whether or not in this particular instance we are also willing to include some of the domestic discharges that are found upstream from this particular water body. I think that the Member should consider what he is putting forward.

Mr. Taylor: Mr. Speaker, I am glad the Minister makes mention of this interjurisdictional context.

Environment Hearings

Mr. Harold Taylor (Wolseley): Mr. Speaker, the Ontario Environment Assessment Act makes no provision whatsoever for extraterritorial sittings or extraterritorial submissions.

My question to the Minister is: what sort of a charade is he putting Manitoba and Winnipeggers through when the submissions and the hearings themselves will have no weight in law and in which the hearing body does not have to take cognizance of anything that is put forward to them from outside of Ontario?

Hon. Glen Cummings (Minister of Environment): Mr. Speaker, the Member is making accusations which I do not believe he can substantiate. It is our expectation the Province of Ontario will convene hearings in this province if and when an application comes forward, and those hearings will be fully part of this process. What he is unwilling to admit is that we have had concessions from the Province of Ontario to make sure that Manitoba's interests are properly taken care of.

Winnipeg School Division Funding

Mr. Jerry Storie (Flin Flon): Mr. Speaker, last night another school division was forced by this Government to raise property taxes upon its ratepayers in double-digit figures, a 12 percent increase in the Winnipeg School Division.

Given that the Winnipeg School Division, and school divisions across the province have called on this Government to suspend its funding to private schools, will the Minister of Education (Mr. Derkach) immediately suspend additional increases to private schools, meet

with the Winnipeg School Division and other school divisions who are forcing increases, tax increases, on their ratepayers? Will he meet with those divisions that are imposing double-digit tax increases on their ratepayers? Will he meet with them and find the additional money that is available from Government general revenues to protect the homeowners and the ratepayers of divisions across the province, and particularly the City of Winnipeg?

Hon. Leonard Derkach (Minister of Education and Training): We have been this route several times in the last few days, Mr. Speaker, and once again I have to indicate to the Members of this House and the Member for Flin Flon (Mr. Storie) that the support to Winnipeg School Division No. 1, in terms of its basic supports, was in excess of 5 percent, when the inflation rate is 4.7 percent.

I have to indicate that we made it very clear to all school boards across this province that the funding we were supporting school education by was indeed at the level of inflation which would ensure the preservation of the programs that they now have in place. Additionally we said to all school boards, including Winnipeg No. 1, that they had to set their priorities. To date I have no evidence that Winnipeg No. 1 have done very much work with regard to setting their priorities in their budget, and until that happens, until a meaningful approach is taken, I am reluctant to meet with that division.

* (1345)

Private Schools Funding Analysis

Mr. Jerry Storie (Flin Flon): He continues to force school divisions across the province to either cut programs in the public school or raise taxes by double-digit figures. That is the choice he is giving public schools in the Province of Manitoba.

On Monday night the Manitoba Association of School Trustees and The Manitoba Teachers' Society called on this Government to suspend funding. They called on this Government to study the implications of the course of action it has embarked upon. They have called on the Government to study the impact of increased funding to private schools on the public school system.

Will the Minister now acknowledge that it is a rational approach to study the impact of this increased funding on the public system which serves 95 percent of the students in this province, that it is a rational course of action, and will the Minister now commit to undertaking this study before there is any additional funding to private schools?

Hon. Leonard Derkach (Minister of Education and Training): May I continue by adding, with regard to Winnipeg School Division No. 1, that first of all the general increases to the Winnipeg School Division are 5.3 percent. In the other categories, in the other grants that are made available to Winnipeg No. 1, the increases in funding are over 20 percent. The Member for Flin

Flon (Mr. Storie) keeps talking about independent schools. We have indicated that we are not taking money from the public school system to support independent schools.

I find it somewhat contradictory when the Member for Concordia (Mr. Doer) is a product of an independent school, when the Member for The Pas (Mr. Harapiak) and the Member for the Interlake (Mr. Uruski) send their children to an independent school, are they suggesting that these schools are just for the elite who can afford them? I suggest, Mr. Speaker—

Mr. Speaker: Order, please. Order.

Mr. Storie: Mr. Speaker, the money that this Government, the \$15 million or \$16 million that this Government is giving to private schools this year and the \$25 million or \$30 million that it will be giving to private schools is coming out of the pockets of the same taxpayers, in the City of Winnipeg and the Winnipeg School Division, who are being asked to pay an additional \$100 this year.

Law Amendments Committee Private Schools Funding

Mr. Jerry Storie (Flin Flon): Mr. Speaker, my question is to the First Minister (Mr. Filmon). The First Minister has promised Manitobans an open Government. On many occasions there have been public meetings and public discussion papers prepared on very important issues. Will the First Minister today undertake to withhold any increased funding to private schools until the Law Amendments Committee, which is currently considering a Bill which will give the Minister of Education (Mr. Derkach) unlimited power to grant money to any private school, will the Minister undertake to take the Standing Committee on Law Amendments across the Province of Manitoba to allow the public to speak on this issue which, in the opinion of many, is undermining the public school system?

Hon. Gary Filmon (Premier): Mr. Speaker, as we have done in the past, our Government this year has continued to fund public school education at increases at least at or above the rate of inflation. With specific reference to Winnipeg School Division No. 1, which the Member for Flin Flon (Mr. Storie) raised, they are being given a 5.3 percent overall increase in funding, well beyond inflation.

They have brought in a budget, I might indicate, that calls for their expenditures to increase at 7.3 percent, Mr. Speaker. They get special funding for special needs. They get funding that is well beyond—they are being given 5.3 percent when the average provincial increase is 4.6 percent.

Mr. Speaker, they are being treated fairly, they are being treated reasonably, and there is no money that is being withheld from the public school system in order to be given to the private school system. The public school system is getting funding increases at or above inflation. Local school boards must make decisions in keeping with their resources. They must cut the suit to fit the cloth.

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Despite the fact that we have had massive reductions in funding from Ottawa, we are being fair with our public school divisions. Under those circumstances, I find it irresponsible that the Member for Flin Flon (Mr. Storie) is just simply blindly advocating for more—

Mr. Speaker: Order, please.

Mr. Storie: I asked the First Minister to stop dumping money, to study the question of the impact of these careless increases based on political promises.

* (1350)

Minister of Education Resignation Request

Mr. Jerry Storie (Flin Flon): Mr. Speaker, the fact of the matter is that the Minister of Education (Mr. Derkach) has lost the confidence of the 12,000 public school teachers, the 95 percent of parents who send their children to public schools.

Mr. Speaker, my question is to the First Minister (Mr. Filmon). Given the fact that the Minister of Education (Mr. Derkach) is intentionally misleading the people of Manitoba about the potential costs of these private school increases, about the impact of these private school increases on the public school system, given that he is not telling people in Manitoba the truth about these impacts, will the First Minister remove this Minister from his responsibilities and put someone in his place who will protect the public school system?

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please.

Hon. Gary Filmon (Premier): Mr. Speaker, this Member for Flin Flon (Mr. Storie) is one of the most irresponsible Members that we see in this Legislature. During the time when he was Minister of Education he increased funding for independent schools, private schools in this province, but required absolutely no accountability, no accountability whatsoever, no access to any of their financial information, no access to program information, no access to records or anything. He required no accountability, yet each year he increased the funding.

That was irresponsible, Mr. Speaker. That is the kind of irresponsible measures that got them turfed out unceremoniously from Government, never to be in Government for a long, long time in future because of the irresponsible moves that they made. This Government is not only getting accountability in programming, accountability in finances, accountability in record keeping and information from the independent school system, but in fact—

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please. The Honourable First Minister.

Mr. Filmon: That is right, Mr. Speaker, we do believe in choice, unlike the NDP. In addition to all of these

things that we are doing for the betterment of children in this province, we are also increasing funding to education, to public school education, at or above the rate of inflation. In all circumstances it is a fair, balanced and reasonable approach to education in this province.

Decentralization Correspondence Branch

Mrs. Iva Yeo (Sturgeon Creek): The Correspondence Branch has as the largest client base the individuals living in the city, Mr. Speaker. For instance, of 96 students enrolled in the English 2 course, one resides in Winkler, two in Altona, 33 in the North and the remaining 60 students or 62.5 percent of the students in that particular course live in the City of Winnipeg. In light of the fact that the instructors are not salaried staff members or civil servants but are hired on a fee-for-service basis, some 38 of them, how many other Manitobans, other than the 692 civil servants, will be affected by the move to decentralize the Correspondence Branch or in fact any of the other branches that are going to be moved outside of the City of Winnipeg? What are the hidden numbers?

Hon. Leonard Derkach (Minister of Education and Training): Mr. Speaker, once again, we see where the Liberals are coming from with regard to decentralization. They have no sympathies with rural Manitoba. They do not believe that rural Manitoba should require any services or have any service deliveries from those areas. The Correspondence Branch is exactly what it suggests; all of the courses are delivered in a correspondence way through the mail.

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please; order, please. The Honourable Member for Sturgeon Creek (Mrs. Yeo) has posed her question and I am sure the Honourable Member would like to hear the answer. The Honourable Minister of Education and Training.

Mr. Derkach: Mr. Speaker, I have to tell the Member for Sturgeon Creek (Mrs. Yeo) that we do have mail in rural Manitoba, that there is postal service and we can deliver our correspondence courses to anywhere in the province using Her Majesty's Royal Mail. That is the nature of this department. It delivers programming via correspondence through the mail and through distance education. In fact, Manitobans across this province will be served very effectively by the Correspondence Branch regardless of where it is located.

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please. The Honourable Member for Sturgeon Creek.

* (1355)

Mrs. Yeo: Mr. Speaker, will the student from Portage la Prairie, the student from Thompson, the student from

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The Pas, be forced to travel to Winkler, Manitoba if they want to meet with one of the guidance counsellors from the Correspondence Branch?

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please; order, please. The Honourable Minister.

Mr. Derkach: Mr. Speaker, I have difficulty following the logic of the Member for Sturgeon Creek (Mrs. Yeo). Is she suggesting that people from all over Manitoba did not have to drive to Winnipeg to see counsellors before? Is that what she is suggesting? We will provide the services as we have to this point in time. All that it means is the headquarters of the Correspondence Branch will no longer be in the City of Winnipeg, they will be outside of the City of Winnipeg. The services will be the same and perhaps even better.

Mrs. Yeo: Well I find it difficult to follow the logic of this Government, Mr. Speaker, when decisions were accepted on the basis that it was logical to move closer to the client groups to be served. I wonder what estimates have been made. What is it going to cost to transport all the textbooks from Winnipeg out to Souris, which serves 20,000 students in a 50-mile radius of that particular town, and then all the way back to Winnipeg, which serves 122,000 students in Winnipeg? What are the costs?

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please; order, please. The Honourable Minister of Education and Training.

Mr. Derkach: Mr. Speaker, it is becoming very evident where the Liberals are with regard to decentralization. It is becoming very evident where their interests are. It is not with any people residing outside the City of Winnipeg.

An Honourable Member: Perimeter vision.

Mr. Derkach: Mr. Speaker, that is true. The Liberals have perimeter vision. There is more to this province than Winnipeg. The City of Winnipeg is an important part of this province. I have to indicate to the Liberals that it does not matter whether the textbooks are distributed from Winnipeg or from Portage or from wherever. The service will be efficient, it will be effective and it will not be any worse than it is today.

Decentralization Employee Options

Mr. Speaker: Order, please. The Honourable Member for Ellice.

Ms. Avis Gray (Ellice): Mr. Speaker, my question is for the Minister responsible for decentralization, who told employees, at the rally yesterday, "no individual would be forced to move." Could the Minister clarify for the House, for the families and the employees of

the Civil Service what the implications are for employees who for whatever reasons cannot move? What are their options?

Hon. James Downey (Minister of Northern and Native Affairs): Mr. Speaker, this whole decision has not been taken lightly. It has been taken over a period of time—to work closely with the employees, with the departments who have identified departments within their Government that can be decentralized. As well, we are very concerned that individuals with health concerns or special needs that have to be looked after will be dealt with by this Government and not forced to move.

Mr. Speaker, while there is an agreement between the Government Employees' Association and the Government, in most areas there has been special accommodation to help and assist those individuals whose positions, I again emphasize positions, will be moved if they are desirous of moving. I believe it has been worked out over a long period of time, and we will continue to work with those employees who feel there may be some hardships.

* (1400)

Ms. Gray: Mr. Speaker, I have a supplementary question to the same Minister. If these civil servants, whose positions are being moved, cannot find other positions within the Civil Service, will they be laid off?

Mr. Downey: Mr. Speaker, I think it is time that the public and the Liberal Caucus, who are so excited about this, really found out what their Liberal Leader (Mrs. Carstairs) had to say about her policy on decentralization. This was February 10, in the *Opasquia Times*. I would think that they would want to hear what their Leader had said, and this is not—

Some Honourable Members: Oh, oh!

Mr. Speaker: Order.

Mr. Downey: Mr. Speaker, so the media understands what she said I have copies of this afterwards as well.

This is in the *Opasquia Times*, February 10. Carstairs told the *Times* that if she were to form Government next week some of the bureaucrats—this is what she refers to them as—would be headed north to The Pas, Thompson, perhaps Flin Flon. She further went on to state: We have to start putting some of those physical bodies in the North, she told the *Times*, physically move those people.

What compassion and what care does she have?

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please; order, please.

Notice of Intent

Ms. Avis Gray (Ellice): I have a final supplementary to the same Minister, who tells the House and Hansard

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that the Liberals do not support decentralization but stands on the steps of the Legislature and tells the civil servants that they do. You cannot have it both ways.

With a final supplementary—

Some Honourable Members: Oh, oh!

Mr. Speaker: Order. Order, please. Would the Honourable Member for Ellice kindly put her question now, please?

Ms. Gray: My final supplementary question to the Minister is: will the Minister withdraw the stipulation that employees would be forced to sign a letter of intent within the next 30 days indicating whether they will move or not, given that the Government has not even told them whether that move will be in six months or whether it will be in 18 months? Will you withdraw that stipulation?

Hon. James Downey (Minister of Northern and Native Affairs): Mr. Speaker, under the agreement between the MGEA and the Government there is a specific time of which people have to be noticed. As I understand it there has been far greater time of notification than was ever requested or in fact as part of the agreement. I understand there is much more time allowed to those individuals to make up their minds as in fact was.

The Conservative Government is not like the incompetent Liberals, who in The Pas say that they are going to physically drag bodies into the North, unlike our position. We will handle it with the care and consideration that is deserving of those people who work for the people and—

Mr. Speaker: Order, please; order, please. The Honourable Minister will take his seat now, please.

Manufacturing Industry Economic Growth

Mr. Leonard Evans (Brandon East): Yesterday, I asked the Minister of Finance (Mr. Manness) to explain the loss of 9,000 jobs in the manufacturing sector in Manitoba and he replied that the situation would improve because of a forecast of increased capital investment in manufacturing that occurred in 1989.

Mr. Speaker, investment in manufacturing for 1990 is forecast by Statistics Canada to decline by 19.9 percent, nearly 20 percent. How can the Minister of Finance (Mr. Manness) say “things are well on course for expansion” when not only thousands of jobs are being lost in Manitoba in manufacturing, but also when investment in manufacturing is expected to decline by nearly 20 percent in 1990?

Hon. Clayton Manness (Minister of Finance): Mr. Speaker, the Member just confirms my statement of yesterday. The fruit from that tremendous investment in 1989 of 83.8 percent increase is going to be locked in in permanent jobs, which will create and contribute to the economy for 1990 and years beyond.

Now the Member wants to continue to pick into other areas. Seeing he has the information before him he

might like to look in the area of utilities where the 1990 intentions are showing increase of 31.8 percent. So, Mr. Speaker, and if he wants to look at the total as a whole over all of the sectors of our economy, we have a situation where the 1990 intentions are to show 9.2 percent growth over 1989, which was 9 percent greater than 1988, all on the positive side, all positive economic growth, and all virtually leading the nation.

Mr. Leonard Evans: Mr. Speaker, it is interesting that the strongest elements in investment growth are in the public sector and in institutions and Government departments as well as utilities.

Mr. Speaker, about manufacturing, it is interesting to see that the decline in manufacturing investment in Manitoba is not occurring in any of the other western provinces, including Saskatchewan, in 1990. Indeed for Canada as a whole, manufacturing investment is expected to rise by 11 percent. In effect, Manitoba is going against the national trend in manufacturing.

Is the Minister, Mr. Speaker, now ready to concede that his Government's economic policies are failing to generate growth in the manufacturing sector in this province?

Mr. Manness: Well, Mr. Speaker, what I am prepared to concede is that the taxes that are in existence today in Manitoba are still too high. We have tried in our own way to moderate them in two years. We will continue to do that.

Obviously, in 1989 a large element within the manufacturing industry sector saw some hope and promise in this province, saw fit to increase investment by 83.8 percent. Indeed, for 1990 and beyond, as we continue to show good management, as we continue to bring budgets down that are going to continue to reduce taxes, hopefully now supported by the Liberals and Opposition, for years to come, I can assure Members that manufacturing will continue to increase in this province.

Government Initiatives

Mr. Leonard Evans (Brandon East): Mr. Speaker, given the fact that there is an obvious weakness in our manufacturing sector as revealed not only by the job losses, but also because of further decline that is expected because of the announced closure of Campbell Soup that is coming down the line, and because of other industries that are negatively affected by the Free Trade Agreement—Western Harness Company is another example—is this Government ready to take any new initiatives to enhance the manufacturing sector in this province?

Hon. Clayton Manness (Minister of Finance): Well, Mr. Speaker, I do not know where the Member is coming from. He acknowledges that in 1989 there was good growth within the manufacturing sector of this province. There will be announcements forthcoming with respect to another major initiative in the next number of days, which no doubt will represent again a significant increase in the area of manufacturing and service-

related jobs, particularly in the City of Winnipeg. Beyond this, Repap, indeed Conawapa, those projections are nowhere factored into 1990. We know that they are coming in '91, '92 and '93. Therefore, growth beyond 1990 is not only positive but it may be in the area of 100 percent or 150 percent. This province is positioned well for major economic growth in the decade of the '90s.

Manitoba Data Services Systemhouse Proposal

Mr. John Angus (St. Norbert): Mr. Speaker, we know why Repap has not been factored in. Nothing has happened.

On a more serious note—I apologize for that—in the throne speech of May of last year, the Government announced the sale of MDS. Negotiations have been going on since that time, I suspect. It indicates in the Winnipeg Free Press that there are two finalists left. One of those finalists is Systemhouse of Ottawa. Today we learned that the chief executive officer of Systemhouse has said publicly, and I quote, that the company is in severe financial difficulties. I would like to ask the Minister of Finance (Mr. Manness) what this does to the negotiations, whether he is still negotiating with a company that is \$800 million in the glue and possibly cannot honour any commitments that he may be leading us down the path to?

* (1410)

Hon. Clayton Manness (Minister of Finance): Mr. Speaker, the Members of the House would recognize why I cannot give a full definitive answer to the question. I would indicate to the Member opposite, though, that all sources of information, including the report made in the paper yesterday, are taken into account. Those that are written publicly, those that come to us by way of other sources are all taken into account and will be taken into account by the Cabinet leading to a decision.

Employee Notification

Mr. John Angus (St. Norbert): Mr. Speaker, given the insensitive manner in which this Government has dealt with its employees in the past, the evidence that has come forward today -(interjection)-

Mr. Speaker: Order, please; order, please. The Member for St. Norbert.

Mr. Angus: Mr. Speaker, given that there are 231 employees of MDS that have been waiting for a considerable length of time wondering what is going to be happening to them, what assurances do we have from this Minister that these employees will be dealt with in a sensitive and fair fashion and that they will know exactly what the circumstances are going to be of this sale before the sale is concluded?

Hon. Clayton Manness (Minister of Finance): Mr. Speaker, nobody is more concerned about the well-being of the employees at the Manitoba Data Services than the Government of Manitoba. I can indicate to

the Member opposite that there may have been an announcement of an agreement and leading to a sale several months previous to this date, indeed, had the Government not been as concerned about the employees of MDS as we are. Let me also indicate to the Member that the MDS Bill, enabling legislation allowing for the sale and divestiture of Manitoba Data Services, is in committee, and there are certain amendments that may be brought forward by the Government addressing certain aspects of the question. I just would ask that the Members of the Opposition allow the discussion to continue in committee on Bill 98.

Mr. Angus: I am sure that we are prepared to deal with any reasonable legislation that is brought forward. I would ask this Minister if on the amendments that he is suggesting he will give us adequate time to discuss the impact and measure the effect of these legislative suggestions that he is proposing with the MGEA and the workers at the Manitoba Data Services before we give blind approval to it.

Mr. Manness: Mr. Speaker, the Member for St. Norbert (Mr. Angus) and myself have had this discussion many, many times. I can indicate to him that if we can find our way into committee, and if we can find our way through the presentations made, that the Government is prepared to look at tabling certain amendments, hopefully which will satisfy the Member, hopefully which will satisfy other presenters to the committee.

Let me say with respect to the agreement itself, this Government still believes in executive Government and that this Government will be held accountable for all decisions that it enters into should it decide to dispose of Manitoba Data Services. That is the way this Government accepts its responsibility and indeed will be held accountable should a decision be made to divest of Manitoba Data Services.

Mr. Speaker: Time for oral questions has expired.

HOUSE BUSINESS

Mr. Speaker: Order, please. The Honourable Government House Leader.

Hon. James McCrae (Government House Leader): Mr. Speaker, I wonder if there would be a disposition in the House to recess the House for perhaps an hour or so, so that certain discussions can be had. I would suggest that upon the termination of those discussions the House Leaders would indicate to the Speaker, who would see that the buzzer is sounded to call the Members back to the House.

Mr. Speaker: Is there agreement to recess for approximately one hour at which time I will be consulted and the bells will ring? Agreed? Agreed. The House is now recessed.

* (1415)

RECESS

* (1657)

Mr. Speaker: Order, please; order, please. The Honourable Government House Leader.

Hon. James McCrae (Government House Leader): Mr. Speaker, what I am about to announce I understand to be the result of the work of a number of people, including House Leaders, Assistant House Leaders and others in this House.

I am announcing that at 8 p.m. this evening, the Industrial Relations Committee will meet in Room 255 to consider Bills 31, 57 and 80. Also at 8 p.m. this evening, the Standing Committee on Public Utilities and Natural Resources will meet in Room 254 to consider Bills 84, 92 and 98. Also at 8 p.m. in Room 230, the Law Amendments Committee will meet to consider Bills 47, 48, 50, 51, 52, 101, 56, 59, 60, 72, 75 and 78.

Also, Mr. Speaker, I think I announced those Bills in consecutive numerical order.—(interjection)—I am sorry, I did throw 101 in the middle there, did I not?

Mr. Speaker: That is right.

Mr. McCrae: Honourable Members are correct, so I have no objection to moving that one to the end of the list.

Mr. Reg Alcock (Opposition House Leader): Mr. Speaker, I believe the committee sittings of Law Amendments were to run consecutive to the meeting of the Standing Committee on PUNR—not concurrently.

Mr. McCrae: A number of arrangements were worked out with Honourable Members and, indeed, certainly I am sure staff will be pleased to hear that the agreement amongst the House Leaders would be that after Bills 84, 92 and 98 in the Public Utilities and Natural Resources Committee, all of the Bills that I have announced for Law Amendments should, by leave, then be transferred to the Public Utilities and Natural Resources Committee to follow upon Bills 84, 92 and 98. That can only be done with the agreement of Honourable Members and it is a transfer of Bills from one committee to another. We recognize that Law Amendments has indeed already been dealing with those Bills that I have listed. If there are any problems with that from a procedural standpoint, I am sure all Honourable Members are prepared to give leave to waive the rules that would govern that kind of situation.

Additionally, Mr. Speaker, in terms of committee representation and substitutions of Members, I think it is fair to say that Honourable Members on all sides would be prepared to allow the various political Parties to maintain their proper numbers in those committees by way of substitution of one Member for another by the leave of the Members of the committee. I think certainly for our part we can indicate that kind of leave would be forthcoming.

* (1700)

In addition, Mr. Speaker, it is agreed that this House will stand recessed until—how shall I put it? At 8 p.m. the House will be in recess, beginning at 8 p.m., so that after those committees are finished their work, the House will be open and available for Honourable Members to be called by Your Honour so that we can return from the committees and deal with the business before the House.

If there are any questions or any clarifications required, I think right now would be the time to do it, Mr. Speaker.

Mr. Speaker: The Honourable Member, for clarification or for committee changes?

Mr. Steve Ashton (Second Opposition House Leader): Just on committee changes.

Mr. Speaker: We will do clarifications first. The Honourable Opposition House Leader.

Mr. Alcock: Mr. Speaker, I would just like to indicate our willingness to work with the honourable agreeable Members to facilitate the business that needs to get done tonight. I should point out that there are a number of conflicts that may arise, depending on the way in which the Bills progress through the various committees, but the provisions to give leave are freely granted by this side to allow the substitutions to facilitate the work of both committees to get as much done as we can tonight. We certainly will give leave to have the House sit tonight.

Mr. Ashton: In terms of substitutions, the House Leader (Mr. McCrae) was talking about referring the Bills—in fact running the PUNR and Law Amendments one after the other. I just want to determine exactly what we will officially be doing, so that we could make our committee substitutions accordingly. Are we transferring all the Law Amendments Bills into PUNR or are we transferring the PUNR Bills into Law Amendments for tonight, just so that we could be clear in terms of which committee?

I just want to make it very clear officially what we are doing, whether we are transferring everything from PUNR into Law Amendments following the completion of the Bills that are in that place or are we dealing with Law Amendments Bills in PUNR. So I need to know that for our committee substitutions, just officially.

Mr. McCrae: Mr. Speaker, I think it is not necessary for us to transfer Bills from Law Amendments to PUNR. Whichever committee is finished first, the Industrial Relations or PUNR, the Law Amendments Committee could meet immediately after the completion of deliberations in those committees, and that would save us that problem. So as long as everyone is available to attend Law Amendments Committee, after whichever of the other two committees is completed first, that is what we would do. There will be no committee sitting in Room 230.

Mr. Speaker: Order, please. Is it the will of the House that I do not see the clock? That is agreed? Agreed.

COMMITTEE CHANGES

Mr. Speaker: The Honourable Member for Thompson, with his committee changes.

Mr. Steve Ashton (Second Opposition House Leader): Mr. Speaker, I have some committee changes. I move, seconded by the Member for Concordia (Mr. Doer), that the Law Amendments Committee be amended as follows: the Member for Elmwood (Mr. Maloway) for the Member for Thompson (Mr. Ashton), and that was for the March 12, eight o'clock sitting, Law Amendments.

The March 13, Industrial Relations sitting—I move, seconded by the Member for Concordia (Mr. Doer), that the Industrial Relations Committee be amended as follows: the Member for Logan (Ms. Hemphill) for the Member for The Pas (Mr. Harapiak).

For the sitting of the Public Utilities and Natural Resources Committee tonight, I move, seconded by the Member for Concordia (Mr. Doer), that the composition of the Standing Committee on Public Utilities and Natural Resources be amended as follows: the Member for Dauphin (Mr. Plohman) for the Member for St. Johns (Ms. Wasylycia-Leis).

Mr. Speaker: Is that agreed? Agreed. The Honourable Member for Inkster, with his committee changes.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I move, seconded by the Member for Springfield (Mr. Roch), that the composition of the Standing Committee on Public Utilities and Natural Resources be amended as follows: Assiniboia (Mr. Mandrake) for Wolseley (Mr. Taylor).

In addition, I move, seconded by the Member for Springfield (Mr. Roch), that the composition of the Standing Committee on Industrial Relations be amended as follows: Transcona (Mr. Kozak) for Selkirk (Mrs. Charles).

Mr. Speaker: Is that agreed? Agreed. The Honourable Member for Gimli (Mr. Helwer) with his committee changes. No changes? Okay. That will be done, by leave, if need be.

We have been advised, therefore, that Industrial Relations will deal with Bills 31, 57, 80 in 255; 254, PUNR—dispense. Everybody understands, sort of?

This House is now recessed until the call of the Chair.

* (1705)

RECESS

* (2325)

Hon. James McCrae (Government House Leader): Mr. Speaker, I move, seconded by the Honourable Minister of Finance (Mr. Manness), with the leave of the House, that Bill No. 47, The Dependants Relief Act; Bill No. 48, The Intestate Succession and Consequential Amendments Act; Bill No. 50, The Wills Amendment

Act; Bill No. 51, The Marital Property Amendment Act; Bill No. 52, The Family Maintenance Amendment Act; Bill No. 56, The Workers Compensation Amendment Act (2); and Bill No. 101, The Statute Re-enactment and By-law Validation (Municipal) Act be withdrawn from the Standing Committee on Law Amendments and that these Bills be transferred to the Standing Committee on Industrial Relations.

Mr. Speaker, I have moved this motion on the understanding that the order that these Bills would be dealt with in Law Amendments is 56, 101, 47, 48, 50, 51, and 52.

Mr. Speaker: It has been moved by the Honourable Government House Leader, seconded by the Honourable Minister of Finance (Mr. Manness)—dispense. It was done by leave, that is agreed? Agreed.

ORDERS OF THE DAY

Hon. James McCrae (Government House Leader): Mr. Speaker, would you be so kind as to call Bill No. 103?

DEBATE ON SECOND READINGS

BILL NO. 103—THE STATUTE LAW AMENDMENT (RE-ENACTED STATUTES) ACT, 1990

Mr. Speaker: Debate on second reading on the proposed motion of the Honourable Minister of Justice (Mr. McCrae), Bill No. 103, The Statute Law Amendment (Re-enacted Statutes) Act, 1990; Loi de 1990 modifiant diverses dispositions législatives (Lois réadoptées), standing in the name of the Honourable Member for Osborne (Mr. Alcock).

Is there leave that this matter remain standing? No?

Some Honourable Members: No.

Mr. Speaker: No leave. Therefore the Honourable Member has lost his right to speak on second reading on Bill No. 103.

QUESTION put, MOTION carried.

Mr. McCrae: Mr. Speaker, I would suggest that there might be a disposition that the House could again stand and recess at the call of the Chair.

Mr. Speaker: This House is now recessed until the call of the Chair.

RECESS

* (0150)

SPEAKER'S RULINGS

Mr. Speaker: Order, please; order, please. I have several rulings for the House, several outstanding rulings.

On November 28, 1989, during Oral Questions, the Deputy Speaker took under advisement a point of order raised by the Honourable Member for Churchill (Mr. Cowan) respecting the admissibility of questions calling upon the Government to table specific legal opinions or to inform the House of specific legal advice received.

This is a matter which has been the subject of uncertainty and controversy for a number of years but on which there has not been a definitive ruling to date. Practice in this area has not developed into a consistent pattern.

Research has identified the following references relating to legal opinions:

Beauchesne's, 6th Edition, Citation 408(1)(c) states: "A question should not require an answer involving a legal opinion."

Beauchesne's, 6th Edition, Citation 409(3) states in part: "The question . . . cannot seek an opinion either legal or otherwise."

Beauchesne's, 6th Edition, Citation 411(1) and (2) states: "A question may not:

- (1) ask a solution of a legal question such as the interpretation of a statute.
- (2) seek information about matters which are in their nature secret, such as decisions or proceedings of Cabinet or advice given to the Crown by the Law Officer."

Beauchesne's, 6th Edition, Citation 410(13) states: "A question should not seek a legal opinion or inquire as to what legal advice a Minister has received."

House of Commons Annotated Standing Orders 1989, page 117, commentary on Standing Order 37(1) and (2) includes the following: "They (questions) should not seek a legal opinion or inquire as to what legal advice a Minister has received."

Beauchesne's, 4th Edition, Citation 183 states:

"It is not imperative for the Minister of Justice or the Solicitor General to reply to questions seeking information on legal points rising out of measures before Parliament or relating to matters of public interest. They are the legal advisers of the Government and in that capacity are confidential officers, and nothing could be more inconvenient than that they should be liable to be interrogated by Members as to the advice they have given or may be called upon to give to any department of Government, or as to their opinion upon the construction of a statute or other document, or upon abstract questions of law which need to be judicially determined. Consideration of public policy and a due regard to the interest of the state occasionally demand that information sought for by Members of Parliament should be withheld at the discretion and upon the general responsibility of Ministers."

Bourinot (4th), on page 314, states: "While explanations of the intentions of the Government or of a Minister may be asked, their opinion on a matter of

policy or of law is not a proper subject of inquiry." And on the same page: "Nor are (questions) usually put on matters . . . which involve a question of law."

Erskine May, on page 341 states:

"Questions seeking an expression of opinion on a question of law, such as the interpretation of a statute, or of an international document, a Minister's own powers, etc. are not in order since the courts rather than Ministers are competent in such matters."

And on page 343:

"The opinions of the law officers of the Crown being confidential, are not usually laid before Parliament or cited in debate, and their production has frequently been refused; but if a Minister deems it expedient that such opinions should be made known for the information of the House, he is entitled to cite them in debate."

A review of Manitoba practice during the terms of the 31st, 32nd and 33rd Legislatures revealed that Mr. Speaker Graham ruled questions seeking legal opinions out of order on May 8, 1979 and May 27, July 4 and July 21, 1980. He also ruled that similar questions asked on July 18, 1978, April 22, June 27 and July 8, 1980 and on February 16, 1981 would have to be rephrased to be in order.

Mr. Speaker Walding, on April 25, 1985, ruled out of order a question seeking a legal opinion. Additionally, on February 14 and May 11, 14 and 15, 1984, he requested that questions seeking legal opinions be rephrased.

Madam Speaker Phillips on June 3, 1986, and May 19 and July 19, 1987, ruled out of order questions seeking legal opinions.

It is quite correct, as the Honourable Member for Churchill (Mr. Cowan) pointed out on page 3330 of Hansard, that the practice whereby Ministers are prepared to table written legal opinions has become fairly common. Nevertheless, the practice is not entirely in step with the authorities cited.

Therefore I am ruling as a compromise between existing practice and the authorities quoted, that in future questions will be allowed which inquire if a Minister has received a written legal opinion, and if so, request that he or she table it, but questions which call upon a Minister to state his or her own opinion on a question of law will not be allowed.

Mr. Speaker: On December 4, 1989, I took under advisement a matter of privilege raised immediately after Oral Questions by the Honourable Member for Flin Flon (Mr. Storie).

I have reviewed carefully the remarks of the Honourable Member and those of the Honourable Minister of Rural Development (Mr. Penner) which led to a matter of privilege being raised.

* (0200)

What occurred was a clear dispute over the facts. Maingot, on pages 190 and 191, points out that "A dispute between two Members about questions of fact said in debate does not constitute a valid question of privilege because it is a matter of debate."

Manitoba practice requires that a Member raising a matter of privilege must conclude his or her remarks with a substantive motion. In this case, the Honourable Member for Flin Flon (Mr. Storie) did not conclude his remarks with a substantive motion. In the past, Speakers Graham, Walding and Phillips have ruled out of order matters of privilege which were not concluded with a motion.

For the reasons indicated, I must therefore rule the matter raised by the Honourable Member for Flin Flon out of order as a matter of privilege.

Mr. Speaker: On January 10, 1990, during debate on a motion to refer a matter to the Standing Committee on Privileges and Elections, the Acting Speaker, the Honourable Member for St. Boniface (Mr. Gaudry), took under advisement a point of order raised by the Honourable Member for Osborne (Mr. Alcock) respecting words spoken by the Honourable Minister of Finance (Mr. Manness) which allegedly impugned the motives of the Honourable Member for St. Norbert (Mr. Angus).

Once again, this is a situation in which there was a dispute over the facts. As I have said to the House before, this is a place in which Members hold strong and frequently opposing views. As I have also said before, Members can assist the House to get on with its business by choosing their words carefully.

My ruling therefore is that the Honourable Member did not have a point of order.

Mr. Speaker: On December 14, during Oral Questions, the Honourable Minister of Urban Affairs (Mr. Ducharme) rose and responded to a question which he had taken as notice on December 12, whereupon the Honourable Member for Inkster (Mr. Lamoureux) rose on a point of order alleging that the Honourable Minister had not taken a question as notice at the earlier sitting referred to. I agreed to take the matter under advisement in order to review Hansard.

In the exchange which occurred on December 14, as recorded on page 3820 of Hansard, the Honourable Minister indicated that he believed he had said on the 12th that, "I would bring additional information back to the House."

My review of page 3729 of Hansard for the 12th revealed that the Minister responded "I will give him that report," and very shortly thereafter, "I will get that for the Member." The Minister apparently intended to bring a response back to the House although his words on the 12th did not make that very clear.

I would suggest to all Honourable Ministers intending to bring a response back to the House at a subsequent

sitting that they make this intention very clear to the House when the matter is first raised. Members of the Opposition Parties do have an understandable concern if what they regard as a disproportionate amount of the Question Period is used up by Ministers responding to questions taken as notice or perhaps previously answered in whole or in part.

In my opinion the Honourable Member for Inkster (Mr. Lamoureux) did have a point of order, in that the Minister had not clearly stated that he was taking the question as notice or under advisement, which is the usual practice of this House.

Mr. Speaker: On January 23, 1990, I took under advisement a matter of privilege raised by the Honourable Minister of Labour (Mrs. Hammond) in which she alleged that the Honourable Member for The Pas (Mr. Harapiak) "had placed false information on the record" on January 22. Specifically, the Honourable Minister stated that the references made by the Honourable Member to the cutting of gas inspection positions were not correct.

I listened to the remarks of the Honourable Members when this matter was brought to the attention of the House and thank them for their advice. I have received the advice on pages 4594 and also on 4595 of Hansard. I have examined appropriate references in the various authorities which we consult in these matters. The following apply in this case.

Beauchesne's 6th Edition in Citations 31(1) points out: "A dispute arising between two Members, as to allegations of facts, does not fulfill the conditions of parliamentary privilege." In the Fifth Edition, Beauchesne's Citation 323(1) states:

"Unparliamentary words (such as words alleging that a Member has deliberately put false information on the record) may be brought to the attention of the House by the Speaker or by any Member. When the question is raised by a Member it must be as a point of order and not as a question of privilege."

Based on the above references and on rulings by previous Manitoba Speakers on similar issues, I must rule that the Honourable Minister of Labour (Mrs. Hammond) does not have a matter of privilege.

Mr. Speaker: On January 22, 1990, immediately before Oral Questions, the Honourable Member for The Pas (Mr. Harapiak) rose on a matter of privilege alleging that the Honourable Minister of Labour (Mrs. Hammond) had given "misleading information" to the House by indicating in response to a question on January 8 that: "My department is reviewing the inspection of boilers and of the chimneys." The Honourable Member for The Pas also alleged to the House that it was clear from Order-in-Council 1459 issued on December 20, 1989, that the Honourable Minister "had already further gutted such inspections and was deliberately withholding such information from the public."

The Honourable Member concluded his remarks, in accordance with Manitoba practice, with the following motion:

"THAT this House censure the Minister of Labour (Mrs. Hammond) for her contempt of the privileges of the Members of the Legislature, and by deliberately misleading all Members by stating that she was reviewing policies concerning gas inspections when in fact she had already reduced regulations concerning such inspections and had not released them publicly."

When the Honourable Member raised this matter he also tabled in the House a copy of Order-in-Council 1459.

The Honourable Government House Leader (Mr. McCrae), when this matter was raised, asked that it be taken under advisement to provide Honourable Members with an opportunity to study it before having to speak on the issue of whether or not the conditions of privilege had been met and that he be given an opportunity to speak before my ruling is given to the House. I believe that it is a long-established practice of this House that at the time a matter of privilege is raised the Speaker hears comments from a small number of Members, usually one from each party, and then takes the matter under advisement, subsequently returning to the House to give his or her ruling.

I do not believe that it would be appropriate for me to decide on my own to vary this practice. A decision to alter existing practice in this matter would have to be made, I believe, by unanimous consent if it were to apply to one isolated case or on recommendation of the Rules Committee if the change was intended to be a permanent one.

* (0210)

I have reviewed the remarks, recorded on pages 4508 and 4509 of Hansard, of those Honourable Members who advised the Chair on January 22, when this matter was raised, and I thank them for their assistance. I have also examined page 4085 of Hansard for January 8, when the question giving rise to this issue was asked.

Additionally, I obtained legal advice concerning the precise effect of Order-in-Council 1459 and was informed that "the amendment gives the Minister the authority to issue licences to certain persons 'to install, service or repair' oil burning equipment." There is no mention of the word "inspection" in the new subsection, nor in the other four subsections of Section 6. The Order-in-Council amended the regulations by adding a new subsection to Section 6.

The Honourable Member for the Pas (Mr. Harapiak) has charged the Honourable Minister of Labour (Mrs. Hammond) with deliberately misleading the House. In my ruling of January 17, 1990, and in Madam Speaker Phillips' ruling of August 21, 1986, it was pointed out that "a Member raising a matter of privilege which charges that another Member has 'deliberately misled' the House or a committee must support his or her charge with proof of intent." That ruling was based on two extracts from the authorities which I believe I should bring to the attention of the House. These are:

May (20th edition), page 149: "The House may treat the making of a deliberately misleading statement as a contempt. In 1963 the House resolved that in making a personal statement which he later admitted not to be true a former Member had been guilty of a grave contempt."

Maingot, page 205:

"To allege that a Member has misled the House is a matter of order rather than privilege and is not unparliamentary whether or not it is qualified by the adjective 'unintentionally' or 'inadvertently.' To allege that a Member has deliberately misled the House is also a matter of order, and is indeed unparliamentary. However, deliberately misleading statements may be treated as a contempt."

The Honourable Member for The Pas (Mr. Harapiak) has failed to provide any proof that the Honourable Minister intended to mislead the House or indeed that she did so.

Therefore, I must rule the motion of the Honourable Member for The Pas out of order as a matter of privilege.

Mr. Speaker: On December 13, 1989, during debate on Private Member's Resolution No. 28, the Honourable Member for Osborne (Mr. Alcock) raised a point of order regarding words spoken in debate by the Honourable Member for Concordia (Mr. Doer) which, in the opinion of the Honourable Member for Osborne, suggested that members of the City Council, who subsequently were elected to the Legislature, had accepted payments for decisions made by the Council.

I have reviewed with care page 3808 of Hansard, on which this incident is recorded. In my opinion, it is not clear that the Honourable Member for Concordia was making the kind of serious personal charges alleged. I note also that in his remarks, immediately after I took the matter under advisement, he did make it very clear to the House that he was alleging no wrongdoing. The matter, therefore, is satisfactorily concluded.

I note too that immediately before recognizing the Honourable Member for Osborne (Mr. Alcock), I had ruled out of order a virtually identical point of order raised by the Honourable Member for Wolseley (Mr. Taylor). I am sure that the Honourable Member for Osborne did not intend, by raising again a matter just concluded, to question or otherwise reflect on a ruling of the Chair which, as I think he knows, is contrary to the accepted Rules and practices of this House. There is a correct process by which to challenge a ruling of the Chair whenever that is his wish.

For the reasons stated, I am ruling that the Honourable Member for Osborne did not have a point of order.

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Mr. Speaker: On February 9, 1990, I took under advisement a point of order raised by the Honourable Member for The Pas (Mr. Harapiak) respecting the word "scumbag" allegedly spoken by the Honourable Minister of Co-operative, Consumer and Corporate Affairs (Mr. Connery) with reference to the Honourable Member for Churchill (Mr. Cowan).

I have perused Hansard, as I told the House I would. On page 5173, the word "scumbag" is attributed to "An Honourable Member." There is no indication of the identity of the Member by whom it was spoken or to whom it was directed.

Before ruling, I should point out that the word complained of does nothing for the decorum of the House, and it is not the type of language which I believe Honourable Members want used in this place.

Because the word was not attributed to a specific Member, I must rule that the Honourable Member for The Pas (Mr. Harapiak) does not have a point of order.

Mr. Speaker: On December 7, 1989, during Oral Questions, I took under advisement a point of order raised by the Honourable Member for Thompson (Mr. Ashton) respecting the words "deliberately putting false information on the record" used by the Honourable First Minister (Mr. Filmon).

I have examined the references in Beauchesne's Citation 489 with respect to unparliamentary language and note that words and phrases which imply that the House has been deliberately misled or deliberately provided with inaccurate or incorrect information have consistently been ruled unparliamentary.

I note also that Speaker Lamoureux of the House of Commons of Canada, in his ruling of March 7, 1974, stated that "It is not unparliamentary to suggest that another Member has made misrepresentations or has misled the House. What is unparliamentary, and has been ruled on very often, is to suggest that it was intentional, willful - that kind of concept."

I must therefore rule that the words spoken by the Honourable Premier (Mr. Filmon) were unparliamentary and must request that he withdraw them.

The Honourable First Minister.- (interjection)- Order, please. The Honourable First Minister.

Hon. Gary Filmon (Premier): Mr. Speaker, I hope that you will allow me to withdraw those unparliamentary words. I would not want to leave them on the record in respect to your ruling, Sir.

Mr. Speaker: I would like to thank the Honourable First Minister.

* (0220)

INTRODUCTION OF BILLS

Hon. James McCrae (Government House Leader): Mr. Speaker, would you be so kind as to call Bill No. 106?

BILL NO. 106—THE RURAL MUNICIPALITY OF VICTORIA BEACH BY-LAW VALIDATION ACT

Mr. Darren Praznik (Lac du Bonnet) introduced, by leave, Bill No. 106, The Rural Municipality of Victoria Beach By-law Validation Act; Loi validant l'arrêté sur la municipalité rurale de Victoria Beach.

SECOND READINGS

BILL NO. 106—THE RURAL MUNICIPALITY OF VICTORIA BEACH BY-LAW VALIDATION ACT

Mr. Darren Praznik (Lac du Bonnet) presented, by leave, Bill No. 106, The Rural Municipality of Victoria Beach By-law Validation Act; Loi validant l'arrêté sur la municipalité rurale de Victoria Beach, for second reading, to be referred to a committee of the House.

I would also like to seek leave of this House to waive Rule No. 84 subject to a certified copy of the by-law being filed with the Clerk of the House.

MOTION presented.

Mr. Praznik: Mr. Speaker, I have been instructed to use one well-crafted sentence, and so I would like to say to our colleagues on both sides of the House, thank you for their support in allowing this Bill to be put before the House.

QUESTION put, MOTION carried.

Mr. McCrae: Mr. Speaker, I cannot help but point out that the speech was a run-on sentence.

Mr. Speaker, this Bill would be referred to the Committee of the Whole a little later.

Mr. Speaker: Order, please. We are informed that Bill No. 106 will be referred to Committee of the Whole a little later, by leave? Agreed? Agreed. The Honourable Government House Leader.

DEBATE ON SECOND READINGS

Hon. James McCrae (Government House Leader): Mr. Speaker, would you be so kind as to call Bills Nos. 99 and 100.

BILL NO. 99—THE APPROPRIATION ACT, 1989

Mr. Speaker: On the proposed motion of the Honourable Minister of Finance (Mr. Manness), Bill No. 99, The Appropriation Act, 1989; Loi de 1989 portant affectation de crédits, standing in the name of the

Honourable Member for Radisson (Mr. Patterson), who has two minutes remaining, the Honourable Member for Radisson.

Mr. Allan Patterson (Radisson): Thank you, Mr. Speaker. I have concluded my remarks on this Bill.

Mr. Speaker: Bill No. 99, standing in the name of the Honourable Member for Ellice (Ms. Gray), who has 21 minutes remaining, the Honourable Member for Ellice.

Ms. Avis Gray (Ellice): Thank you, Mr. Speaker. It gives me great pleasure this morning to conclude my remarks on this Bill.

QUESTION put, MOTION carried.

BILL NO. 100—THE SUPPLEMENTARY APPROPRIATION ACT, 1989

Mr. Speaker: On the proposed motion of the Honourable Minister of Finance (Mr. Manness), Bill No. 100, The Supplementary Appropriation Act, 1989; Loi de 1989 portant affectation supplémentaire de crédits, standing in the name of the Honourable Member for Niakwa (Mr. Herold Driedger), who has 10 minutes remaining.

Is there leave that this matter remain standing?

An Honourable Member: No.

Mr. Speaker: No leave. The Honourable Member has lost his opportunity to speak on second readings.

QUESTION put, MOTION carried.

Mr. Speaker: The Honourable Government House Leader, your intention, sir?

Hon. James McCrae (Government House Leader): Mr. Speaker, I move, seconded by the Honourable Minister of Environment (Mr. Cummings), that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole to consider and report of Bills referred.

MOTION presented and carried and the House resolved itself into a Committee of the Whole to consider and report of Bills referred, with the Honourable Member for Minnedosa (Mr. Gilleshammer) in the Chair.

COMMITTEE OF THE WHOLE REPORT STAGE BILL NO. 99—THE APPROPRIATION ACT, 1989

Mr. Deputy Chairman (Harold Gilleshammer): The Committee of the Whole will come to order to consider Bill No. 99, The Appropriation Act, 1989 (Loi de 1989 portant affectation de crédits). Again, I would remind

Members that since the 240 hours for the consideration of measures related to Ways and Means, and Supply resolutions of the Committee of the Whole have expired, there will be no debate on this Bill. I will proceed to call the clauses and put the question.

We shall proceed to consider Bill No. 99, clause by clause.

Clause 1—pass; Clause 2—pass; Clause 3—pass; Clause 4—pass; Clause 5—pass; Clause 6—pass; Clause 7—pass; Clause 8—pass; Clause 9—pass; Clause 10—pass; Clause 11—pass; Schedule A—pass; Preamble—pass; Title—pass. Bill be reported.

BILL NO. 100—THE SUPPLEMENTARY APPROPRIATION ACT, 1989

Mr. Deputy Chairman: The Committee of the Whole will now proceed to consider Bill No. 100, The Supplementary Appropriation Act. Again, I would remind Members that since the 240 hours for the consideration of measures related to Ways and Means, and Supply resolutions and Committee of the Whole have expired—dispense.

Clause 1—pass; Clause 2—pass; Clause 3—pass; Clause 4—pass; Clause 5—pass; Clause 6—pass; Schedule A—pass; Preamble—pass; Title—pass. Bill be reported.

BILL NO. 102—THE STATUTE LAW AMENDMENT ACT

Mr. Deputy Chairman: The Committee of the Whole will come to order to consider Bill 102, The Statute Law Amendment Act. Does the Honourable Minister of Justice (Mr. McCrae) have an opening statement? Does the Justice Critic from the official Opposition have a statement? Do we have a statement from the Member for Thompson?

Mr. Steve Ashton (Second Opposition House Leader): Although The Statute Law Amendment Act is supposedly dealing with some fairly minor changes, there are a couple of changes in this Bill which we have difficulties with.

Section 1 would eliminate the licensing requirement for motion picture projectionists. We have indicated in this House in correspondence to the Minister that we oppose any attempt to de-license motion picture projectionists. We therefore will be opposing Section 1.

We also have concerns about Section 40. I note that Section 40 changes some requirements in The Steam and Pressure Plant Act for inspections. I would note that the position to do these inspections was eliminated by this Government as part of its Estimates for this year. It is now several months, in fact, 11 and a half months, after it had eliminated that position, eliminating the requirement for the inspection.

* (0230)

We do not believe that is the way in which we should be dealing with safety issues. We do not believe that

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this should be part of a Bill such as The Statute Law Amendment Act which is normally intended to deal with items which are of a housekeeping nature. So we will not support Section 1, and we will not support Section 40. I would suggest perhaps the Government House Leader (Mr. McCrae) may wish to look at withdrawing those particular sections. We will be more than willing to support other sections, but do have difficulty with those.

Mr. Mark Minenko (Seven Oaks): I have had an opportunity to review this Bill in some detail. I would like to echo the comments of the Honourable Member for Thompson (Mr. Ashton) about the concern that we have with respect to the matters that he raised. However, there are also a number of other substantive matters that this Bill has included within its parameters that I would like to ask, at some opportunity, some questions of the Minister responsible for the various Acts that are being amended, and would seek advice from the Chair as to how we could go ahead and do this, whether it is the opportunity now or is there another opportunity. Can I ask the questions now then?

Mr. Deputy Chairman: You may ask the questions. The Member for Seven Oaks.

Mr. Minenko: Okay, then I would like to ask the Minister responsible for The Amusements Act as to why the sections that are being repealed are in fact being repealed. I am just wondering if the Minister responsible could advise us as to those sections.

Hon. James McCrae (Minister of Justice and Attorney General): As the Minister responsible for this Bill, I take it the Honourable Member for Seven Oaks (Mr. Minenko) is referring to Clause 1, a matter of concern to Honourable Members in the New Democratic Party. I made information available to Honourable Members explaining these sections. I also make the commitment that if any of these sections are of concern to Honourable Members, we would agree to their deletion from this Bill and they can be handled in another way quite simply at the next Session.

Mr. Minenko: I would like to then draw the Honourable Minister's attention to Clauses 8(1) and (2), which deal with amendments to The Court of Queen's Bench Small Claims Practices Act. I have reviewed the Minister's comments that were provided and looked further into this matter. I am just wondering if the Minister could advise us why this new jurisdiction is being given to the Small Claims Court and what particular problem is it addressing to date, and if he could perhaps provide an adequate explanation, then perhaps we could let this come into force.

Mr. McCrae: This amendment comes about through consultation with the Chief Justice of the Manitoba Court of Queen's Bench, under which the Small Claims Court works. What this amendment would do would allow small claims hearing officers to decide matters of liability as opposed just to matters relating to monetary matters. As the Honourable Member will know, there are times when the issue of damages in

small accidents are not in dispute between insureds and Autopac and the issue of liability is the only issue to be decided. This amendment would allow small claims hearing officers to decide matters of liability.

Mr. Minenko: The next matter I would like to refer to the attention of the Minister is Clause 12, dealing with The Dental Health Services Act. The amendment which establishes remuneration to be paid to dentists who provide dental services on a basis other than a fee-for-services rendered, I am just wondering if the Minister could provide us with an explanation as to why this is required. Is it to correct something now or is it to provide something new?

Mr. McCrae: I can tell the Honourable Member that Section 12 amends Section 9 of The Dental Health Services Act, to authorize retroactive regulations. This amendment makes the provision consistent with parallel provisions in other health Acts. This type of legislation would fall under another Minister's authority and quite frankly I do not believe it is the wish of the House to go through very many of these. If the Honourable Member has concerns we will remove them from the Bill and deal with them when more time is available. We have made available to Honourable Members an explanation, legislative counsel would have been available to the Honourable Member. I am not going to be able to answer questions for all of the other departments.

These are statute law amendments that are routinely brought forward at the end of every Session and quite frankly if the Honourable Member has concerns we will agree to see those sections, as we have said with Section 1 and the other one referred to, Section 40— if the Honourable Member would like to list for me of the sections he has concerns with, I will tick them off and agree to their removal from this legislation, and we can deal with it in another way.

Mr. Minenko: Well, I just want to advise the Minister, I am not being an obstructionist by asking him these questions. I have some concerns and they may well be explained away by the Honourable Minister of Justice (Mr. McCrae). I have read the material that the Minister shows us, but I would like some more detail as to, because that was simply said, what the particular section is.

I understand that this Statute Law Amendment Act has become, over the years, unfortunately, more than simply correcting various drafting errors or so on, and that is where lies my concern.

I am just wondering if the Minister would mind just bearing with me for another few moments and asking the Chamber's indulgence to bear with me for another few moments, because these matters are of relative importance. I am not suggesting that we pull them. I am just unsure as to this addressing a particular matter in which the Government deals with these things.

I would like to then draw the Minister's attention to Clause 25, The Local Government Districts Act, where there is a change as to how certain individuals may be appointed as provided in The Civil Service Act and

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substituting, appointments by Cabinet. I am just wondering if the Minister could provide a short explanation as to why this particular clause is needed as part of this legislation, because again it is seeming to take something out of The Civil Service Act and then giving it to Cabinet to make those appointments. If the Minister could provide me with a sufficient explanation I am sure we could carry on.

Mr. McCrae: Mr. Deputy Chairman, the explanation I can provide for the Honourable Member is the explanation that I have already provided to the Honourable Member. If the Honourable Member is not satisfied with that information or wants more information, as I said, we will be quite happy to pull this provision from the Bill.

Mr. Deputy Chairman: We will proceed with clause-by-clause passage of the Bill. Shall Clause 1 pass?—(pass)

This is a rather lengthy Bill. Can we go in blocks of clauses? Clauses 2 to 10—(pass); Clauses 11 to 20—pass; Clauses 21 to 30—(pass); Clauses 31 to 40—(pass); Clauses—

POINT OF ORDER

Mr. Steve Ashton (Second Opposition House Leader): On a point of order, Mr. Deputy Chairman.

Mr. Deputy Chairman: The Member for Thompson, on a point of order.

Mr. Ashton: I believe the Government House Leader (Mr. McCrae) had agreed to withdraw Clauses 1 and 40.

Mr. Deputy Chairman: Is it agreed that Clauses 1 and 40 are withdrawn? Agreed.

* (0240)

Mr. Deputy Chairman: Clauses 41 to 45—(pass); Preamble—(pass); Title—(pass). Is it the will of the committee that I report the Bill? The Honourable Minister of Justice.

Mr. McCrae: Mr. Deputy Chairman, I move

THAT sections 1 and 40 be struck out and that Legislative Counsel be authorized to renumber the Bill to reflect the changes adopted in this committee.

(French version)

Il est proposé que les articles 1 et 40 soient supprimés.

Il est proposé que le conseiller législatif soit autorisé à renuméroter le projet de loi afin que soient reflétés les changements adoptés par le comité.

I move this motion in both the French and English languages.

Mr. Deputy Chairman: It has been moved by the Honourable Minister of Justice—dispense.

BILL NO. 103—THE STATUTE LAW AMENDMENT (RE-ENACTED STATUTES) ACT, 1990

Mr. Deputy Chairman: The Committee of the Whole will come to order to consider Bill 103, The Statute Law Amendment (Re-enacted Statutes) Act, 1990; (Loi de 1990 modifiant diverses dispositions législatives (Lois réadoptées)).

Does the Minister of Justice (Mr. McCrae) have an opening statement? Does the Justice Critic from the official Opposition, The Honourable Member for St. James (Mr. Edwards), have an opening statement? Does the Member from the Second Opposition Party have an opening statement? We shall proceed to consider Bill No. 103 clause by clause. Shall Clause 1 be passed—pass.

Can we proceed in blocks of clauses? Shall Clauses 2 to 10 be passed—pass; Clauses 11 to 19—pass; Preamble—pass; Title—pass. Bill be reported.

BILL NO. 106—THE RURAL MUNICIPALITY OF VICTORIA BEACH BY-LAW VALIDATION ACT

Mr. Deputy Chairman: The Committee of the Whole will come to order to consider Bill No. 106, The Rural Municipality of Victoria Beach By-law Validation Act (Loi validant l'arrêté sur la municipalité rurale de Victoria Beach). Does the Honourable Member for Lac du Bonnet (Mr. Praznik) have an opening statement?

Some Honourable Members: No.

Mr. Deputy Chairman: We shall proceed to consider Bill 106 clause by clause. Shall Clause 1 be passed—pass; Clauses 2 and 3—pass; Preamble—pass; Title—pass. Bill be reported.

Committee rise. Call in the Speaker.

IN SESSION

COMMITTEE REPORTS COMMITTEE OF THE WHOLE

Mr. Harold Gilleshammer (Deputy Chairman of Committee of the Whole): Mr. Speaker, the Committee of the Whole has considered Bill No. 99, The Appropriation Act, 1989; Bill No. 100, The Supplementary Appropriation Act, 1989; Bill No. 103, The Statute Law Amendment Act, 1990; Bill No. 106, The Rural Municipality of Victoria Beach By-law Validation Act, and has directed me to report the same without amendment.

Your committee has also considered Bill No. 102, The Statute Law Amendment Act, 1990, and has directed me to report the same with certain amendments.

I move, seconded by the Honourable Member for Lac du Bonnet (Mr. Praznik), that the report of the Committee of the Whole be received.

MOTION presented and carried.

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Hon. James McCrae (Government House Leader): I understand, Mr. Speaker, that we could now move to committee reports.

Mr. Speaker: Is it agreed? Agreed.

INDUSTRIAL RELATIONS

Mr. Parker Burrell (Chairman of Committees): Mr. Speaker, I beg to present the Third Report of the Committee on Industrial Relations.

Mr. Clerk (William Remnant): Your Standing Committee on Industrial Relations presents the following as their Third Report.

Your committee met on Thursday, February 22, 1990 at 10 a.m. and 8 p.m.; Friday, February 23, 1990 at 2 p.m.; Saturday, February 24, 1990 at 10 a.m. and 2 p.m.; Monday, February 26, 1990 at 10 a.m.; Tuesday, February 27, 1990 at 10 a.m. and 8 p.m.; Wednesday, February 28, 1990 at 8 p.m.; Thursday, March 1, 1990 at 10 a.m. and 8 p.m.; Friday, March 2, 1990 at 2 p.m.; Saturday, March 3, 1990 at 10 a.m. and 2 p.m.; Monday, March 5, 1990 at 8 p.m.; Tuesday, March 6, 1990 at 10 a.m. and 8 p.m.; Wednesday, March 7, 1990 at 8 p.m.; Thursday, March 8, 1990 at 8 p.m.; Tuesday, March 13, 1990 at 10 a.m. and 8 p.m.; and Wednesday, March 14, 1990 at 8 p.m., in Room 255 of the Legislative Building to consider Bills referred.

Your committee elected Mr. Helwer as Chairperson at the 10 a.m. meeting of Thursday, February 22, 1990, at the 2 p.m. meeting of Friday, February 23, 1990, at the 8 p.m. meeting of Thursday, March 1, 1990, at the 8 p.m. meeting of Monday, March 5, 1990, and at the 8 p.m. meeting of Thursday, March 8, 1990. Your committee elected Mr. Burrell as Chairperson at the 8 p.m. meeting of Thursday, February 22, 1990, at the 10 a.m. meeting of Thursday, March 1, 1990, at the 10 a.m. meeting of Tuesday, March 6, 1990 and at the 8 p.m. meeting of Tuesday, March 13, 1990. Your committee elected Mr. Praznik as Chairperson at the 8 p.m. meeting of Monday, March 5, 1990.

On March 14, 1990, Bills Nos. 47, 48, 50, 51, 52, 56 and 101 were transferred from the Standing Committee on Law Amendments to your committee for clause-by-clause consideration.

Your committee heard representations on Bills as follows:

Bill No. 31 - The Labour Relations Amendment Act; Loi modifiant la Loi sur les relations du travail;

Ms. Susan Hart-Kulbaba, Manitoba Federation of Labour
Mr. Grant Mitchell, Private Citizen
Mr. Ross Martin, Brandon and District Labour Council
Mr. Peter Olfert, Manitoba Government Employees' Association
Mr. David Newman, Manitoba Chamber of Commerce
Mr. Frank Goldspink, Manitoba Communist Party

Mr. Bill Gardner Jr., Winnipeg Chamber of Commerce
Mr. Leo Desilets, Manitoba-Winnipeg Building and Construction Trades Council
Mr. Brian Hunt, United Steel Workers of America
Mr. Colin Trigwell, United Food and Commercial Workers
Mr. Denis Fitzpatrick, Private Citizen
Mr. Jim Murphy, The Operating Engineers Union, Local 901
Mr. Lou Harries, Private Citizen
Mr. Ron Cote, Private Citizen
Mr. George Bergen, Private Citizen
Mr. Patrick Martin, United Brotherhood of Carpenters and Joiners of America, Local 343
Mr. Roland Doucet, Private Citizen
Ms. Anne Watson, Private Citizen
Mr. Grant Rodgers, Private Citizen
Mr. Rob Krezanski, Private Citizen
Ms. Karen Bell, Private Citizen
Ms. Shirley Van Schie, Private Citizen
Mr. Richard Naherny, Private Citizen
Ms. Karen Graham, Amalgamated Clothing and Textile Workers Union, Local 459
Ms. Jennifer Little, Private Citizen
Ms. Janice Briggs, Private Citizen
Mr. Lorne Morriveau, Private Citizen
Mr. Robert Watson, Human Resources Management Association
Ms. Bev Seman, Private Citizen
Mr. Robert De Groot, Private Citizen
Ms. Jacqueline Smith, Private Citizen
Ms. Sharon Christensen, Private Citizen
Mr. Pat McDonnell, Private Citizen
Mr. John Doyle, Private Citizen
Mr. Bernard Christophe, Manitoba Food and Commercial Workers Union, Local 832
Ms. Shirley Diakowich, Private Citizen
Ms. Debbie Enstedt, Private Citizen
Mr. A. Cerilli, Canadian Brotherhood of Railway Transport and General Workers
Mr. Robert Olien, Private Citizen
Mr. Paul Williamson, Private Citizen
Mr. George Smith, Canadian Federation of Labour, Manitoba Council
Ms. Lorraine Whitten, Private Citizen
Mr. Art Demong, Private Citizen
Mr. Grant Ogonowski, Private Citizen
Ms. Shelley Spak, Private Citizen
Mr. Terry Turcan, Private Citizen
Ms. Shirley Hamilton, Private Citizen
Mr. Andy Smith, Westfair Foods Ltd.
Mr. Patrick Joyce, Private Citizen
Ms. Gail Sourisseau, Private Citizen
Mr. Kenneth Emberly, Private Citizen
Ms. Linda Fletcher, Private Citizen
Ms. Kathy Kraychuk, Private Citizen
Ms. Rose Buss, Private Citizen
Ms. Mary Johnson, Private Citizen
Mr. Luc Jegues, Private Citizen
Ms. Melany Jackson, Private Citizen
Ms. Juliette MacDougall, Private Citizen
Ms. Lucy Marion, Private Citizen
Ms. Donna Payne, Private Citizen
Ms. Lila Hornby, Private Citizen
Mr. Robert Zeigler, Private Citizen

Mrs. Jan Malanowich, Private Citizen
Mr. Dennis Atkinson, Private Citizen
Mr. Robert Hilliard, Private Citizen
Mr. Hugh McMeel, Private Citizen
Mr. Daryl Reid, Private Citizen
Mr. John Pullen, Private Citizen
Mr. Len Sawatsky, Private Citizen

Written Presentations Submitted:

Manitoba Women's Agenda
Mr. Terry Dingle, Private Citizen
Mr. John Urkevich, Association of Employees Supporting Education Services
Mr. Robert McGregor, Unicity Taxi

Bill No. 57 - The Pension Benefits Amendment Act; Loi modifiant la Loi sur les prestations de pension

Mr. James McClelland, Private Citizen
Ms. Bev Hindle and Mr. Allan Reiger, Private Citizens
Mr. Jack King, Manitoba Bar Association
Ms. Jeri Bjornson, Manitoba Charter of Rights Coalition
Ms. Mona Brown, Manitoba Association of Women and the Law

Your committee has considered:

Bill No. 50 - The Wills Amendment Act; Loi modifiant la Loi sur les testaments;

Bill No. 51 - The Marital Property Amendment Act; Loi modifiant la Loi sur les biens matrimoniaux;

Bill No. 52 - The Family Maintenance Amendment Act; Loi modifiant la Loi sur l'obligation alimentaire;

Bill No. 57 - The Pension Benefits Amendment Act; Loi modifiant la Loi sur les prestations de pension;

Bill No. 80 - The Civil Service Superannuation Amendment Act; Loi modifiant la Loi sur la pension de la fonction publique;

Bill No. 101 - The Statute Re-enactment and By-law Validation (Municipal) Act; Loi sur la réadoption de lois et la validation d'arrêtés concernant diverses municipalités;

and has agreed to report the same without amendment.

Your committee has also considered:

Bill No. 31 - The Labour Relations Amendment Act; Loi modifiant la Loi sur les relations du travail;

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

MOTION:

THAT Bill 31 be amended by striking out section 5 and substituting the following:

"Review of final offer selection by committee

5(1) Notwithstanding section 2, within 30 days of this Act receiving royal assent, the minister shall designate or establish a committee to undertake a comprehensive review of the final offer selection process as provided in An Act to Amend The Labour Relations Act, S.M. 1987-88, c.58 (R.S.M. 1987 Supp. c. 19).

Committee report

5(2) The committee designated or established by the minister for the purpose of subsection (1) shall within five months after being designated or established, submit a report to the minister, including:

- (a) an assessment of the effectiveness of the final offer selection process; and
- (b) recommendations as to whether the final offer selection process should be re-enacted and given statutory form as provided under S.M. 1987-88, c.58, in its original form or with modifications.

Tabling of report

5(3) The minister shall lay the report referred to in subsection (2) before the Legislative Assembly immediately if the Legislative Assembly is in session, or, if the Legislative Assembly is not in session, within 15 days of the beginning of the next ensuing session.

Coming into force

6(1) Subject to subsection (2), this Act comes into force on January 1, 1991.

Coming into force: section 5

6(2) Section 5 comes into force on the day this Act receives royal assent."

Your committee has also considered:

Bill No. 47 - The Dependants Relief Act; Loi sur l'aide aux personnes à charge;

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

MOTION:

THAT section 5 be deleted.

THAT clause 10(2)(f) be deleted, and clause (g) be renumbered as clause (f).

MOTION:

THAT subsection 19(1) be struck out and the following substituted:

"This Act subject to the The Dower Act

19(1) The rights of a surviving spouse under The Dower Act have priority over the rights of a dependant under this Act."

MOTION:

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

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Your committee has also considered:

Bill No. 48 - The Intestate Succession and Consequential Amendments Act; Loi sur les successions ab intestat et modifiant diverses dispositions législatives;

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

MOTION:

THAT section 3 be amended

- (a) by deleting clauses (a) and (c);
- (b) by adding "or" at the end of clause (b);
- (c) by renumbering clauses (b) and (d) as clauses (a) and (b) respectively.

MOTION:

THAT clause 3(b) be struck out and the following substituted:

"(b) during the period of separation, one or both of the spouses made an application for divorce or an accounting or equalization of assets under The Marital Property Act and the application was pending or had been dealt with by way of final order at the time of the intestate's death;"

MOTION:

THAT subsection 17.3(4) of The Law of Property Act, as added by section 14, be amended by adding "Subject to section 36 of The Wills Act," at the beginning of the subsection.

THAT subsection 17.3(5) of The Law of Property Act, as added by section 14, be amended by adding "Subject to section 36 of The Wills Act," at the beginning of the subsection.

Your committee has also considered:

Bill No. 56 - The Workers Compensation Amendment Act (2); Loi no 2 modifiant la Loi sur les accidents du travail;

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

MOTION:

THAT the definition of "accident" in subsection 1(1) of the Act, as proposed in section 2 of the Bill, be amended by deleting subclauses (a)(iii) and (iv).

MOTION:

THAT the definition of "employer" in clause 2(c) be amended by striking out clause (a) and substituting the following:

"(a) a person

- (i) who has in service under a contract for hiring or apprenticeship, written or oral, expressed or implied, a person engaged in work in or about an industry, or

- (ii) who employs a person for more than 24 hours a week

(A) in domestic service,

(B) as a sitter to attend primarily to the needs of a child who is a member of the household, or

(C) as a companion to attend primarily to the needs of a child who is a member of the household;"

MOTION:

THAT the definition of "worker" in clause 2(e) be amended by striking out clause (j) and substituting the following:

"(j) a person who is employed for more than 24 hours a week by the same employer

(i) in domestic service,

(ii) as a sitter to attend primarily to the needs of a child who is a member of the household, or

(iii) as a companion to attend primarily to the needs of a child who is a member of the household;"

MOTION:

THAT section 5 be amended by adding the following after clause (c):

"(c.1) by repealing clause (c);"

MOTION:

THAT clause 1(3)(f) of the Act, as proposed in section 5 of the Bill, be deleted and the following substituted:

"(f) a person who

(i) ordinarily resides outside Canada;

(ii) is employed in the cartage trucking industry by an employer whose principal place of business is outside Canada; and

(iii) is temporarily working in or passing through the province."

MOTION:

THAT the Bill be amended by deleting section 7.

MOTION:

THAT the Bill be amended by deleting section 14.

MOTION:

THAT subsection 18(4) of the act, as proposed in section 15 of the Bill, be amended by deleting " , unless excused by the board on the ground that the report for some sufficient reason could not be made,".

MOTION:

THAT subsection 27(1.1) of the Act, as proposed in section 22 of the Bill, be amended by deleting "or for

time lost from employment, or both, owing to the accident" and substituting "as a result of the accident".

THAT subsection 27(11) of the Act, as proposed in section 23 of the Bill, be amended by deleting "doctor's" and substituting "medical".

THAT section 24 of the Bill be deleted.

MOTION:

THAT section 50.1 of the Act, as proposed in section 34 of the Bill, be amended

- (a) by striking out "solicit and may consider nominations" and substituting "consult with";
- (b) by striking out "from" after "(a)" and after "(b)".

MOTION:

THAT section 50.1, as added by section 34, be amended:

- (a) by striking out "and" at the end of clause (a);
- (b) by adding "and" at the end of clause (b);
- (c) by adding the following after clause (b):

"(c) persons on whom assessments are levied under this Part and with workers in industries subject to this Part, regarding the appointment of persons representative of the public interest."

MOTION:

THAT clauses 51.1(2)(c) and (d) of the Act, as proposed in section 36 of the Bill, be struck out and the following substituted:

"(c) equal numbers of members of the Board of Directors representative of workers, employers and the public interest, none of whom shall be an appeal commissioner."

THAT subsection 51.1(3) of the Act, as proposed in section 36 of the Bill, be amended by deleting everything after "Board of Directors".

MOTION:

THAT subsection 59(1) of the Act, as proposed in section 41 of the Bill, be deleted and the following substituted:

"C.E.O. and other employees

59(1) The Board of Directors shall appoint a person to be known as the Chief Executive Officer, and shall fix his or her salary and prescribe his or her duties, which shall include employing such persons as are necessary to carry out this Part, prescribing their duties and fixing their salaries; and the salaries shall be paid out of the accident fund."

MOTION:

THAT section 44 of the Bill be amended

- (a) by deleting proposed section 60.3;

(b) by renumbering proposed section 60.4 as 60.3;

(c) by adding the following after the new section 60.3:

Conflict of interest

60.4 An appeal commissioner shall not participate in the hearing of a matter in which he or she has a direct personal interest, or in which the chairperson of the Board of Directors determines that the appeal commissioner has an actual or apparent conflict of interest."

MOTION:

THAT subsection 97.1(1) of the Act, as proposed in section 79 of the Bill, be deleted and the following substituted:

Research and safety programs

97.1(1) The board may conduct research and safety programs on accident prevention, safety in the workplace, and treatment of workplace injuries, and on scientific, medical or other issues relating to workers compensation, and for that purpose the board may make such expenditures from the accident fund as it considers necessary or expedient."

MOTION:

THAT section 88 of the Bill be deleted.

MOTION:

THAT section 91 of the Bill be deleted.

MOTION:

THAT section 93 of the Bill be deleted.

MOTION:

THAT section 94 of the Bill be struck out and the following substituted:

"Subsection 105(10) repealed

94 Subsection 105(10) is repealed."

MOTION:

THAT section 95 of the Bill be deleted.

MOTION:

THAT section 97 be amended as follows:

- (a) in clause 109.1(1)(a), by adding "knowingly" before "makes a false statement";
- (b) in clause 109.1(1)(b), by adding "deliberately" before "fails to inform";
- (c) in clause 109.1(1)(c), by adding "knowingly" before "makes a false statement";
- (d) in clause 109.1(1)(d), by adding "knowingly" before "makes a false statement";
- (e) by striking out the words following clause 109.1(1)(d) and substituting the following:

"is guilty of an offence and is liable

- (e) where the person is a worker, to a fine not exceeding \$1,000. or to imprisonment not exceeding three months, or both; and
- (f) where the person is an employer, to a fine not exceeding \$5,000. or to imprisonment not exceeding three months, or both."

MOTION:

THAT section 100 of the Bill be deleted and the following substituted:

"Accidents to which this Act applies

100 The following provisions of the Act, as amended by this Act, apply only with respect to accidents that occur on or after the day that this Act comes into force;

- (a) sections 28, 29.1 and 32;
- (b) the definitions of "spouse" in subsection 1(1), and subsections 1(8), 29(1), 35(1), 77(3) and (4)."

MOTION:

THAT Bill 56 be amended by adding the following after section 101:

"Criminal acts to which amendments apply

101.1 The amendments to subsection 1(2) of The Criminal Injuries Compensation Act under section 101 of this Act apply only with respect to a criminal offence that occurs on or after the day that this Act comes into force."

MOTION:

THAT section 105 of the Bill be struck out and the following substituted:

"Coming into force

105 This Act comes into force on a day fixed by proclamation."

MOTION:

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

All of which is respectfully submitted.

Mr. Burrell: Mr. Speaker, I move, seconded by the Honourable Member for La Verendrye (Mr. Pankratz), that the report of the committee be received.

MOTION presented and carried.

**PUBLIC UTILITIES
AND NATURAL RESOURCES**

Mr. Harold Gilleshammer (Chairman of Committees):

Mr. Speaker, I beg to present (by leave) the Third Report of the Committee on Public Utilities and Natural Resources.

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

Your committee met on Thursday, March 1, Tuesday, March 6, and Thursday, March 8, 1990, at 10 a.m. and Monday, March 12, 1990 at 3 p.m. and 8 p.m., in Room 254 of the Legislative Building, to consider Bills referred. On March 12, 1990, at 3 p.m., your committee elected Mr. Helwer as Chairman and at 8 p.m., your committee elected Mr. Gilleshammer as Chairman.

Your committee heard representations on Bills as follows:

Bill No. 8 - The Endangered Species Act; Loi sur les espèces en voie de disparition

Mr. Jack Dubois, Manitoba Environmental Council

Bill No. 9 - The Forest Amendment Act; Loi modifiant la Loi sur les forêts

Mr. Ivan Balenovic, Mountain Quota Holders Association

Mr. Lyle Spicer, Southeast Quota Holders

Bill No. 84 - The Waste Reduction and Prevention and Consequential Amendments Act; Loi sur la réduction du volume et de la production des déchets et modifications corrélatives

Mr. Lance Morrison, Manitoba Soft Drink Recycling Inc.

Ms. Jennifer Hillard, Consumers' Association of Canada

Mr. Harvey Stevens, Manitoba Recycling Council
Dr. Robert Fenton, The Recycling Action Committee

Mr. John Amor, The Packaging Association of Canada

Bill No. 98 - The Manitoba Data Services Disposition and Consequential Amendments Act; Loi sur l'aliénation de la Commission des services d'informatique du Manitoba et modifications corrélatives

Mr. George Bergen, Private Citizen

Ms. Annette Maloney, Private Citizen

Mr. Peter Olfert, Manitoba Government Employees' Association

Mr. Ken Hildahl, Private Citizen

Mr. Pat McDonnell, Private Citizen

Your committee has considered:

Bill No. 9 - The Forest Amendment Act; Loi modifiant la Loi sur les forêts;

Bill No. 92 - The Manitoba Energy Foundation Repeal Act; Loi abrogeant la Loi sur la Fondation manitobaine de l'énergie;

and has agreed to report the same without amendment.

Your committee has also considered:

Bill No. 8 - The Endangered Species Act; Loi sur les espèces en voie de disparition;

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

MOTION:

THAT subsection 2(1) be struck out and the following substituted:

“Purposes

2(1) The purposes of this Act are:

- (a) to ensure the protection and to enhance the survival of endangered and threatened species in the province;
- (b) to enable the reintroduction of extinct species into the province; and
- (c) to designate species that are endangered or threatened with extinction in the province.”

MOTION:

THAT section 5 be amended

- (a) by deleting the period at the end of clause (c) and substituting a semi-colon; and
- (b) by adding the following after clause (c):

“and any biological status report prepared under this section shall be made available to the public.”

MOTION:

THAT subsection 6(1) be amended

- (a) by striking out “may” and substituting “shall”; and
- (b) by adding the following:
“to advise the minister in respect of
 - (a) the purposes of this Act;
 - (b) species that are endangered, threatened or extinct or whose habitats are endangered;
 - (c) species that should be designated under section 8; and
 - (d) any other matter pertaining to threatened, endangered and extinct species;

and shall report to the minister every two years on the status of endangered species in the province.”

Your committee has also considered:

Bill No. 84 - The Waste Reduction and Prevention and Consequential Amendments Act; Loi sur la réduction du volume et de la production des déchets et modifications corrélatives;

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

MOTION:

THAT section 5 be amended by striking out “within 15 days of the beginning of the next ensuing session” and substituting:

“The minister shall:

- (a) without delay, provide a copy of the report to each Member of the Legislative Assembly;
- (b) make copies of the report available to the public; and
- (c) lay the report before the Legislative Assembly within 15 days of the beginning of the next ensuing session.”

MOTION:

THAT subsection 6(1) be amended as follows:

- (a) by striking out “committees” in the section heading and substituting “committee”;
- (b) by striking out “may establish advisory committees” and substituting “shall establish an advisory committee”.

MOTION:

THAT subsection 6(2) be amended as follows:

- (a) by striking out “committees” in the section heading and substituting “the committee”;
- (b) by striking out “any committee” and substituting “the committee”.

MOTION:

THAT subsection 6(3) be struck out and the following substituted:

“Powers and duties of committee

6(3) The committee established under this section shall advise the minister in respect of

- (a) the purposes of this Act and its implementation; and
- (b) any exemption proposed to be made by regulation under clause 22(1)(n);

and shall exercise any powers and perform the duties and functions that the minister approves, confers or imposes on it.”

MOTION:

THAT the English version of clause 17(b) be amended by striking out “enforcement” and substituting “environment”.

MOTION:

THAT subsection 20(1) be amended as follows:

- (a) by striking out “\$1,000.” and substituting “\$25,000.”; and
- (b) by striking out “\$5,000.” and substituting “\$250,000.”.

MOTION:

THAT subsection 20(2) of the Bill be deleted and the following substituted:

Additional penalty

20(2) A judge may, in addition to any penalty imposed under subsection (1), require the convicted person to pay an additional fine that takes into account

- (a) any monetary benefit, or estimated monetary benefit, that accrues to the convicted person as a result of the offence; and
- (b) any environmental damage that results from the commission of the offence, and the cost or estimated cost of rectifying the environmental damage."

Your committee has also considered:

Bill No. 98 - The Manitoba Data Services Disposition and Consequential Amendments Act; Loi sur l'aliénation de la Commission des services d'informatique du Manitoba et modifications corrélatives;

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

MOTION:

THAT the following be added after section 5 of Bill 98:

"Definitions

5.1(1) In this section,

"board" means The Civil Service Superannuation Board constituted pursuant to The Civil Service Superannuation Act; ("Régie")

"date of purchase" means the day on which a purchaser purchases all or part of the assets or shares of Manitoba Data Services; ("date d'achat")

"fund" means The Civil Service Superannuation Fund constituted pursuant to The Civil Service Superannuation Act; ("caisse")

"pension plan" means the pension plan established for persons who are employees of Manitoba Data Services on the date of purchase. ("régime de pension")

Superannuation benefits

5.1(2) For the purposes of this Act and notwithstanding The Civil Service Superannuation Act,

- (a) Manitoba Data Services and the Minister of Finance may, in any proportion as between them that may be determined by the Minister of Finance, transfer to a trust account established by the Minister of Finance, an amount equal to the share which Manitoba Data Services has of the actuarial liability for benefits accumulated under The Civil Service Superannuation Act as a result of service to the date of purchase by persons who are employees of Manitoba Data Services on the date of purchase and who continue to be employees of the purchaser or the purchaser's subsidiary for at least 60 days after the date of purchase, as that liability and each of the elements used in arriving at that liability may be determined by the board's actuary and accepted by the board, the Minister of Finance and the purchaser;

- (b) the Minister of Finance may, subject to subsection (4), transfer the amount held in the trust account mentioned in clause (a) or any part of that amount to a pension trust fund established for the purchaser's pension plan or for the pension plan of the purchaser's subsidiary, as the case may be, or to the fund;

- (c) the board may, subject to subsection (4), transfer to a pension trust fund established for the purchaser's pension plan or for the pension plan of the purchaser's subsidiary, as the case may be, an amount equal to the share which the fund has of the actuarial liability for benefits accumulated under The Civil Service Superannuation Act as a result of service to the date of purchase by persons who are employees of Manitoba Data Services on the date of purchase and who continue to be employees of the purchaser or the purchaser's subsidiary for at least 60 days after the date of purchase, as that liability and each of the elements used in arriving at that liability may be determined by the board's actuary and accepted by the board, the Minister of Finance and the purchaser;

- (d) persons who were employees of Manitoba Data Services and who are receiving a pension or are entitled to a paid-up deferred pension from the fund on the date of purchase and persons who are employees of Manitoba Data Services on the date of purchase and who cease to be employees of the purchaser or the purchaser's subsidiary on or before a date which is 60 days after the date of purchase shall continue to be entitled to benefits determined in accordance with The Civil Service Superannuation Act, and Manitoba Data Services and the Minister of Finance shall transfer to the fund, in any proportion as between them that may be determined by the Minister of Finance, an amount equal to the share which Manitoba Data Services has of the actuarial liability for such benefits, as that liability and each of the elements used in arriving at that liability may be determined by the board's actuary and accepted by the board, the Minister of Finance and the purchaser.

Date of determination

5.1(3) Every actuarial liability required to be determined under subsection (2) shall be determined as at the date of purchase and the amount of such liability shall be adjusted to reflect assumed investment proceeds, actual contributions received and benefits and expenses paid after the date of purchase and any amounts already transferred.

Condition of transfers

5.1(4) No transfers shall be made under clause (2)(b), (c) or (d) until

- (a) an agreement is executed between the Minister of Finance and the purchaser requiring the purchaser or a subsidiary of the purchaser to establish a pension plan for persons who are employees of Manitoba Data Services on the date of purchase that is equivalent, to the extent possible, to The Civil Service Superannuation Act; and
- (b) the purchaser's pension plan established as described in clause (a) has been accepted for registration under The Pension Benefits Act.

Definitions

5.2(1) In this section,

"board" means The Civil Service Superannuation Board constituted pursuant to The Civil Service Superannuation Act; ("Régie")

"date of purchase" means the day on which a purchaser purchases all or part of the assets or shares of Manitoba Data Services; ("date d'achat")

"group insurance plan" means the group insurance plan established for persons who are employees of Manitoba Data Services on the date of purchase. ("régime d'assurance collective")

Insurance benefits

5.2(2) For the purposes of this Act and notwithstanding the Public Servants Insurance Act,

- (a) the board may, subject to subsection (4), transfer to a separate trust fund established for the purchaser's group insurance plan or for the group insurance plan of the purchaser's subsidiary, as the case may be, an amount equal to the actuarial liability for benefits accumulated under The Public Servants Insurance Act as a result of service to the date of purchase by persons who are employees of Manitoba Data Services on the date of purchase and who continue to be employees of the purchaser or the purchaser's subsidiary for at least 60 days after the date of purchase, as that liability and each of the elements used in arriving at that liability may be determined by the board's actuary and accepted by the board, the Minister of Finance and the purchaser;
- (b) persons who were employees of Manitoba Data Services and are entitled to benefits under The Public Servants Insurance Act and persons who are employees of Manitoba Data Services on the date of purchase and who cease to be employees of the purchaser or the purchaser's subsidiary as a result of retirement or disablement on or before a date which is at least 60 days after the date of purchase shall continue to be entitled to benefits determined in accordance with The Public Servants Insurance Act.

Date of determination

5.2(3) Every actuarial liability required to be determined under subsection (2) shall be determined as at the date of purchase and the amount of such liability shall be adjusted to reflect assumed investment proceeds, actual contributions received and benefits and expenses paid after the date of purchase and any amounts already transferred.

Condition of transfers

5.2(4) No transfers shall be made under this section until:

- (a) an agreement is executed between the Minister of Finance and the purchaser requiring the purchaser or a subsidiary of the purchaser to establish a group insurance plan for persons who are employees of Manitoba Data Services on the date of purchase that is equivalent, to the extent possible, to The Public Servants Insurance Act; and
- (b) the group insurance plan established as described in clause (a) has been reviewed and found to be acceptable by the board's actuary and the Minister of Finance."

MOTION:

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

MOTION:

THAT section 9 be amended by adding the following as subsections 15.1(3) and (4) of The Legislative Library Act:

"Offence and penalty

15.1(3) Where a person who stores or processes information described in subsection (1), without lawful authority, wilfully or negligently discloses information that is in a category of information protected by section 41 of The Freedom of Information Act, that person is guilty of an offence and is liable on summary conviction,

- (a) in the case of an individual, to a fine not exceeding \$5000. or to imprisonment for a term not exceeding six months, or both; and
- (b) in the case of a corporation, to a fine not exceeding \$25,000.

Offence by director of corporation

15.1(4) Where a corporation is convicted of an offence under subsection (3), every officer, director, employee or agent of the corporation who authorized the commission of the offence or assented to it or acquiesced or participated in it is also guilty of an offence and is liable to the penalty provided for in clause (3)(a)."

Mr. Gilleshammer: I move, seconded by the Honourable Member for Lac du Bonnet (Mr. Praznik), that the report of the committee be received.

Wednesday, March 14, 1990

MOTION presented and carried.

LAW AMENDMENTS

Mr. Helmut Pankratz (Chairman of Committees): Mr. Speaker, I beg to present (by leave) the Eighth Report of the Committee on Law Amendments.

Mr. Clerk (William Remnant): Your Standing Committee on Law Amendments presents the following as their Eighth Report.

Your committee met on Wednesday, March 7 and Thursday, March 8, 1990 at 8 p.m. in Room 254, Monday, March 12, 1990 at 3 p.m. and 8 p.m. in Room 255, and Wednesday, March 14, 1990 at 10:45 p.m., in Room 254 of the Legislative Building, to consider Bills referred.

On March 14, 1990, Bills Nos. 47, 48, 50, 51, 52, 56 and 101 were transferred from your committee to the Standing Committee on Industrial Relations for clause-by-clause consideration.

Your committee heard representations on Bills as follows:

Bill No. 47 - The Dependants Relief Act; Loi sur l'aide aux personnes à charge

Ms. Jeri Bjornson, Charter of Rights Coalition (Manitoba)

Mr. Jack King, Family Law Subsection, The Manitoba Bar Association

Ms. Annette Willborn, YM/YWCA - Winnipeg

Ms. Mona Brown, Manitoba Association of Women and the Law

Bill No. 48 - The Intestate Succession and Consequential Amendments Act; Loi sur les successions ab intestat et modifiant diverses dispositions législatives

Ms. Jeri Bjornson, Charter of Rights Coalition (Manitoba)

Mr. Jack King, Family Law Subsection, The Manitoba Bar Association

Ms. Annette Willborn, YM/YWCA - Winnipeg

Ms. Mona Brown, Manitoba Association of Women and the Law

Mrs. Bernice Sisler, Private Citizen

Bill No. 50 - The Wills Amendment Act; Loi modifiant la Loi sur les testaments

Ms. Jeri Bjornson, Charter of Rights Coalition (Manitoba)

Mr. Jack King, Family Law Subsection, The Manitoba Bar Association

Ms. Annette Willborn, YM/YWCA - Winnipeg

Ms. Mona Brown, Manitoba Association of Women and the Law

Bill No. 51 - The Marital Property Amendment Act; Loi modifiant la Loi sur les biens matrimoniaux

Ms. Jeri Bjornson, Charter of Rights Coalition (Manitoba)

Mr. Jack King, Family Law Subsection, The Manitoba Bar Association

Ms. Annette Willborn, YM/YWCA - Winnipeg
Ms. Mona Brown, Manitoba Association of Women and the Law

Bill No. 52 - The Family Maintenance Amendment Act; Loi modifiant la Loi sur l'obligation alimentaire

Ms. Jeri Bjornson, Charter of Rights Coalition (Manitoba)

Mr. Jack King, Family Law Subsection, The Manitoba Bar Association

Ms. Annette Willborn, YM/YWCA - Winnipeg

Ms. Mona Brown, Manitoba Association of Women and the Law

Bill No. 56 - The Workers Compensation Amendment Act (2); Loi no 2 modifiant la Loi sur les accidents du travail

Ms. Marla Niekamp, Manitoba Organization of Nurses Associations

Mr. Don Halechko, Injured Workers Association of Manitoba

Mr. William Laird, Manitoba Professional Fire Fighters Association

Mr. Harry Mesman, Manitoba Federation of Labour

Messrs. Garth Whyte, Winton Newman and I. D. Irvine, The Employer's Task Force on Workers Compensation

Ms. Lea Frame, City of Winnipeg

Written Presentations Submitted:

Mr. Wayne Bell, Private Citizen

Bill No. 59 - The Public Schools Amendment Act; Loi modifiant la Loi sur les écoles publiques

Mr. Gordon Newton, Manitoba Association of School Superintendents

Ms. Betty Husby and Mr. Aubrey Asper, The Manitoba Teachers' Society

Ms. Barb Buffie and Mr. Jerry MacNeil, The Manitoba Association of School Trustees

Mrs. Doreen Houston, Private Citizen

Mrs. Irene Friesen, Private Citizen

Mr. Lionel Orlikow, Private Citizen

Bill No. 60 - The Education Administration Amendment Act; Loi modifiant la Loi sur l'administration scolaire

Ms. Betty Husby, The Manitoba Teachers' Society

Bill No. 75 - The Insurance Amendment Act; Loi modifiant la Loi sur les assurances

Mr. William T. O'Brien, Insurance Brokers Association of Manitoba

Bill No. 78 - The Prearranged Funeral Services Amendment Act; Loi modifiant la Loi sur les arrangements préalables de services de pompes funébres

Mr. Dean Crowe, Manitoba Funeral Services Association

Mr. Robert Lang, Memorial Gardens Manitoba Limited

Heather and Gordon Patterson, Green Acres Memorial Gardens and Funeral Home
Mrs. Bev Fenwick, Private Citizen

Written Presentations Submitted:

Mr. Wayne D. Smith, Canada Trust

Your committee has considered:

Bill No. 60 - The Education Administration Amendment Act; Loi modifiant la Loi sur l'administration scolaire;

Bill No. 72 - The Securities Amendment Act; Loi modifiant la Loi sur les valeurs mobilières;

Bill No. 75 - The Insurance Amendment Act; Loi modifiant la Loi sur les assurances;

and has agreed to report the same without amendment.

Your committee has also considered:

Bill No. 59 - The Public Schools Amendment Act; Loi modifiant la Loi sur les écoles publiques;

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

MOTION:

THAT clause 41(1)(s) of the Act, as proposed in section 7 of the Bill, be amended by adding "subject to the order of a court to the contrary" after "(s)".

MOTION:

THAT clause 41(1)(s) of the Act, as proposed in section 7 of the Bill, be amended by striking out "or to both the parent or guardian and the pupil where the pupil has reached the age of majority," and substituting the following:

"or to a pupil who has reached the age of majority and, where the pupil gives written consent, to the parent or guardian of the pupil,".

MOTION:

THAT clause 41(1)(s) of the Act, as proposed in section 7 of the Bill, be amended by adding the following to the end of the clause:

"and every principal shall offer to designate an employee to assist a parent or guardian who is given access to information to interpret it;".

MOTION:

THAT section 48.1 of the Act, as proposed in section 10 of the Bill, be amended:

- (a) by striking out "a teacher" wherever it appears, and substituting "an employee";
- (b) by striking out "the teacher" wherever it appears, and substituting "the employee";
- (c) in subsection (3), by striking out "teacher's" and substituting "employee's";

- (d) in subsections (3) and (4), by striking out "the teacher's school board" and substituting "the employee".

MOTION:

THAT section 48.1 of the Act, as proposed in section 10 of the Bill, be amended by adding the following after subsection 48.1(4):

Definitions

48.1(5) In this section,

"employee" means an employee of a school board, school division or school district; ("employé")
"employer" means a school board, school division or school district ("employeur")."

MOTION:

THAT subsection 60(5) of the Act, as proposed in section 12 of the Bill, be amended by deleting "and" at the end of clause (b), renumbering clause (c) as clause (e), and adding the following after clause (b):

- "(c) the Department of Education has approved the core curriculum of the school;
- (d) the private school has a legally incorporated Board of Directors;
- (e) the private school has an elected advisory board that
 - (i) includes at least three persons who are parents or guardians of children enrolled in the private school;
 - (ii) reports on the private school on a regular basis during the school year, and not less often than once in each school term, to the parents or guardians of students enrolled in the private school; and
- (f) the private school has been in operation for a period of three years prior to receiving a grant under this subsection and has complied with clauses (a) to (d) for each of those years; and;"

MOTION:

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

Your committee has also considered:

Bill No. 78 - The Prearranged Funeral Services Amendment Act; Loi modifiant la Loi sur les arrangements préalables de services de pompes funébres;

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

MOTION:

THAT clause 2(3)(a), as proposed by section 3 of Bill 78, be amended by adding "or her" after "him".

MOTION:

THAT the proposed subsections 5(3) and 5(4), as set out in clause 5 of the Bill, be struck out and the following substituted:

“Interest and income to purchaser

5(3) Subject to subsection (4), where a prearranged funeral plan fails to provide that interest and income earned on moneys paid under the plan are payable to the purchaser upon a payment out of moneys to the purchaser under clause 6(1)(a), the plan is deemed to so provide and a provision in the plan to the contrary is unenforceable to the extent that it conflicts with this subsection.

Transitional: existing plans

5(4) In respect of a prearranged funeral plan entered into before the coming into force of this section, subsection (3) does not apply in respect of interest or income earned on moneys paid under the plan where the plan expressly provides that the interest or the income, or both, is not or are not payable to the purchaser upon a payment out of the plan moneys to the purchaser.”

MOTION:

THAT the proposed subsection 5(6), as set out in clause 5 of the Bill, be amended

- (a) by striking out “that accrues to,”; and
- (b) by striking out “by,” and substituting “on”.

All of which is respectfully submitted.

Mr. Pankratz: I move, seconded by the Honourable Member for Gimli (Mr. Helwer), that the report of the committee be received.

MOTION presented and carried.

PRIVATE BILLS

Mr. Helmut Pankratz (Chairman of Committees): Mr. Speaker, I have another report. I beg to present (by leave) the Second Report of the Committee on Private Bills.

Mr. Clerk (William Remnant): Your Standing Committee on Private Bills presents the following as their Second Report.

Your committee met on Thursday, March 8, 1990, at 10 a.m. in Room 255 of the Legislative Building and on Tuesday, March 13, 1990 at 8 p.m. in Room 254 of the Legislative Building to consider Bills referred. Your committee elected Mr. Pankratz as Chairperson at the 10 a.m. meeting of Thursday, March 8, 1990.

Your committee heard representations on Bills as follows:

Bill No. 16 - An Act to Protect the Health of Non-Smokers; Loi sur la protection de la santé des non-fumeurs

Mr. Dennis Smith, Manitoba Restaurant Association

Dr. Richard Stanwick, Manitoba Inter-Agency Council on Smoking and Health

Bill No. 88 - The Physically Disabled Persons Parking Act; Loi sur les aires de stationnement réservées aux handicapés physiques

Ms. Barbara Stuber, Society for Manitobans with Disabilities

Mr. Paul Le Jeune, Canadian Paraplegic Association

Mr. Frank Ens, Manitoba League for the Physically Handicapped

Bill No. 91 - The Public Health Amendment Act; Loi modifiant la Loi sur la santé publique

Dr. Frank Frisen, Manitoba Medical Association

Mr. Bill Rumley, Private Citizen

Mr. Jack Eyer, Northwest Child and Family Services Agency

Mr. Arne Peltz, Private Citizen

Sgt. Al Caron, City of Winnipeg Police Department

Bill No. 95 - The Certified General Accountants Act; Loi sur les comptables généraux agréés

Mr. Mark O'Neill, The Certified General Accountants Association of Manitoba

Bill No. 104 - The Professional Home Economists Act; Loi sur les conseillers en économie domestique

Ms. Marilyn Nosko, Manitoba Association of Home Economists

Your committee has considered:

Bill No. 16 - An Act to Protect the Health of Non-Smokers; Loi sur la protection de la santé des non-fumeurs;

Bill No. 96 - An Act to amend An Act respecting the Roman Catholic Archiepiscopal Corporation of Winnipeg and the Roman Catholic Archdiocese of Winnipeg; Loi modifiant “An Act respecting the Roman Catholic Archiepiscopal Corporation of Winnipeg and the Roman Catholic Archdiocese of Winnipeg”;

Bill No. 104 - The Professional Home Economists Act; Loi sur les conseillers en économie domestique;

and has agreed to report the same without amendments.

Your committee has also considered:

Bill No. 88 - The Physically Disabled Persons Parking Act; Loi sur les aires de stationnement réservées aux handicapés physiques;

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

MOTION:

THAT clause (b) of the definition of “permit” in section 1 be struck out and the following substituted:

“(b) by a competent licencing authority in another jurisdiction in respect of a vehicle used in the transportation of a physically disabled person; (“permis”)

MOTION:

THAT section 2 be amended by adding “or in a manner that renders the designated parking space inaccessible” after “parking space”.

MOTION:

THAT subsection 3(2) of Bill 88 be amended by adding “or to a municipality” after “disabled persons,”.

MOTION:

THAT subsection 3(3) be amended as follows:

- (a) by striking out the heading and substituting “International symbol of access”; and
- (b) by striking out “internationally accepted symbol of access” and substituting “international symbol of access”.

MOTION:

THAT subsection 3(7) be struck out and the following substituted:

“Transitional

3(7) A driver verification decal or dashboard or parking placard issued to a physically disabled person by

- (a) the Driver and Vehicle Licencing Division of the Department of Highways and Transportation;
- (b) the City of Winnipeg; or
- (c) an organization that is delegated authority to issue permits under subsection 3(2);

that is valid on the day this Act comes into force, is deemed to be issued under this section.”

MOTION:

THAT clause 5(2)(b) be amended by striking out “12 feet” and substituting “3.7 m” and by striking out “8 feet” and substituting “2.4 m”.

MOTION:

THAT clause 6(b) be amended by striking out “internationally accepted symbol of access” and substituting “international symbol of access”.

MOTION:

THAT section 8 be amended by striking out “appointed under an Act of the Legislature”.

MOTION:

THAT the English version of subsection 11(2) be amended by striking out “parked space” and substituting “parking space”.

MOTION:

THAT section 12 be renumbered as section 13 and the following be added as section 12:

“C.C.S.M. reference

12 This Act may be referred to as chapter P63 of the Continuing Consolidation of the Statutes of Manitoba.”

MOTION:

THAT section 12, renumbered as subsection 13(1), be struck out and the following substituted:

“Coming into force

13(1) Subject to subsection (2), this Act comes into force on a day fixed by proclamation.

Section 7 royal assent

13(2) Section 7 comes into force on the day this Act receives royal assent.”

Your committee has also considered:

Bill No. 91 - The Public Health Amendment Act;
Loi modifiant la Loi sur la santé publique;

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

MOTION:

THAT the definition of “intoxicating substance” in subsection 27.1(1) be amended by striking out clauses (a), (b), (c) and (d) and substituting the following:

- “(a) adhesives, cleaning solvents, thinning agents and dyes containing toluene or acetone;
- (b) petroleum distillates or products containing petroleum distillates including naphtha, mineral spirits, Stoddard solvent, kerosene, gasoline, mineral seal oil and other related distillates of petroleum;
- (c) fingernail polish remover containing acetone or aliphatic acetates;
- (d) any substance that is required under the Hazardous Products Act (Canada) or the regulations to that Act to bear the label “Vapour Harmful”, “Vapour Very Harmful” or “Vapour Extremely Harmful”; or
- (e) any substance which emits, gives off or produces a gas, vapour fume or liquid that is specified by regulation as an intoxicating substance for the purpose of this section. (“substance intoxicante”)

MOTION:

THAT subsection 27.1(3), as set out in section 2 of the Bill, be amended as follows:

- (a) by striking out “or” at the end of clause (c);
- (b) by adding “or” at the end of clause (d); and
- (c) by adding the following as clause (e):

“(e) where the intoxicating substance is to be used as a fuel source and is placed directly into the fuel reservoir of machinery or equipment.”

MOTION:

THAT subsection 27.1(4) as set out in section 2 of the Bill be amended by adding “or a peace officer” after “inspector”.

MOTION:

THAT subsection 27.1(6), as added by section 2, be struck out and the following substituted:

“Evidence of nature of substance

27.1(6) Information or wording appearing

- (a) on the labels attached to the bottles, packages, tins, tubes, or other containers, in which a substance is sold, displayed or delivered;
- (b) in any printed or written descriptive matter displayed with, or accompanying an intoxicating substance, when sold or offered for sale; or
- (c) in any advertising matter respecting an intoxicating substance published or distributed by the maker or a seller of the intoxicating substance;

is, in the absence of evidence to the contrary, proof of the nature of the substance.”

MOTION:

THAT section 2 be amended by adding the following as subsection 27.1(7):

“Proof by analysis

27.1(7) In a prosecution or proceeding under this Act, a certificate of analysis furnished by an analyst authorized by the minister for the purpose is admissible in evidence as prima facie proof of the facts stated in the certificate and of the authority of the person giving it without further proof of the person's appointment or signature.”

MOTION:

THAT proposed new clause 28(pp) of The Public Health Act, as set out in section 3 of Bill 91, be amended by striking out “product” and substituting “substances”.

MOTION:

THAT section 5 be amended by striking out “on royal assent” and substituting “on a day fixed by proclamation”.

Your committee has also considered:

Bill No. 95 - The Certified General Accountants Act; Loi sur les comptables généraux agréés;

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

MOTION:

THAT Bill 95 be amended in the French version by striking out “agrée” or “agréés”, wherever either occurs as part of “comptable général agréé” or “comptables généraux agréés”, and substituting “licencié” or “licenciés” as required in each instance.

MOTION:

THAT subsection 3(3) of Bill 95 be amended by striking out “less” and substituting “fewer”.

MOTION:

THAT subsection 3(6) of Bill 95 be amended by striking out “for the balance of the unexpired term” and substituting “until the next annual general meeting of the association”.

MOTION:

THAT subsection 4(1) of Bill 95 be amended

- (a) by striking out “or” at the end of clause (a) and substituting “and”;
- (b) by striking out clause (b);
- (c) by striking out “personal fitness” in clause (c) and substituting “character”; and
- (d) by renumbering clause (c) as clause (b).

MOTION:

THAT clause (dd) in subsection 6(1) of Bill 95 be amended by striking out “sections 18 and 19” and substituting “sections 4, 18 and 19”.

MOTION:

THAT section 10 of Bill 95 be struck out.

MOTION:

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

All of which is respectfully submitted.

Mr. Pankratz: Mr. Speaker, I move, seconded by the Honourable Member for Lac du Bonnet (Mr. Praznik), that the report of the committee be received.

MOTION presented and carried.

REPORT STAGE

Hon. James McCrae (Government House Leader): Mr. Speaker, could we now move to report stage and you could call the Bills in numerical order.

BILL NO. 8—THE ENDANGERED SPECIES ACT

Hon. Harry Enns (Minister of Natural Resources): Mr. Speaker, I am pleased to move, seconded by the Minister of Labour (Mrs. Hammond), that No. 8, The

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Endangered Species Act (Loi sur les espèces en voie de disparition), be now read a third time and passed.

* (0250)

Mr. Speaker: It has been moved by the Honourable Minister of Natural Resources (Mr. Enns), seconded by the Minister of Labour (Mrs. Hammond), that Bill No. 8, The Endangered Species Act; Loi sur les espèces en voie de disparition, amended and reported from the Standing Committee on Public Utilities and Natural Resources, be concurred in. Oh—

Mr. Enns: I bow to the will of the bureaucracy of the House, and I put it on the record. It is a new innovation that has not been the practice of this House. The practice of this House has been that when committee Chairmen report from the Committee Stage of the Bill that in fact is the report stage of the Bill, but if we want to add more paper, more bureaucracy, so be it.

I move, seconded by the Minister of Labour (Mrs. Hammond), that Bill No. 8, The Endangered Species Act (Loi sur les espèces en voie de disparition), amended and reported from the Standing Committee on Public Utilities and Natural Resources, be concurred in.

QUESTION put, MOTION carried.

BILL NO. 9—THE FOREST AMENDMENT ACT

Hon. Harry Enns (Minister of Natural Resources): Mr. Speaker, I move, seconded by the Minister of Northern Affairs (Mr. Downey), (by leave) that Bill No. 9, The Forest Amendment Act; Loi modifiant la Loi sur les forêts, as amended and reported from the Standing Committee on Public Utilities and Natural Resources, be concurred in.

QUESTION put, MOTION carried.

BILL NO. 16—AN ACT TO PROTECT THE HEALTH OF NON-SMOKERS

Mr. Gary Doer (Leader of the Second Opposition): I move, seconded by the Member for St. Johns (Ms. Wasylcia-Leis), (by leave) that Bill No. 16, An Act to Protect the Health of Non-Smokers (Loi sur la protection de la santé des non-fumeurs), reported from the Standing Committee on Private Bills, be concurred in.

QUESTION put, MOTION carried.

BILL NO. 31—THE LABOUR RELATIONS AMENDMENT ACT

Hon. Gerrie Hammond (Minister of Labour): I move, seconded by the Minister of Natural Resources (Mr. Enns), (by leave) (by leave) that Bill No. 31, The Labour Relations Amendment Act (Loi modifiant la Loi sur les relations du travail), as amended and reported from the Standing Committee, be concurred in.

QUESTION put, MOTION defeated.

Mr. Speaker: Order, please. The Honourable Member for Osborne.

Mr. Reg Alcock (Opposition House Leader): Yeas and Nays, Mr. Speaker, on that, please.

Mr. Speaker: Call in the Members. The question before the House is the concurrence motion of Bill No. 31.

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

* (0300)

YEAS

Alcock, Angus, Carr, Charles, Cheema, Driedger (Niakwa), Edwards, Evans (Fort Garry), Gaudry, Gray, Kozak, Minenko, Patterson, Roch, Rose.

NAYS

Ashton, Burrell, Connery, Cowan, Cummings, Derkach, Doer, Downey, Driedger (Emerson), Ducharme, Enns, Ernst, Filmon, Findlay, Gilleshammer, Hammond, Harapiak, Harper, Helwer, Hemphill, Maloway, Manness, McCrae, Mitchelson, Oleson, Pankratz, Penner, Plohman, Praznik, Storie, Wasylcia-Leis.

Mr. Clerk (William Remnant): Yeas, 15; Nays, 31.

Mr. Speaker: I declare the motion defeated.

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please; order, please.

BILL NO. 47—THE DEPENDANTS RELIEF ACT

Hon. James McCrae (Minister of Justice and Attorney General): Mr. Speaker, I move, seconded by the Minister of Finance (Mr. Manness), (by leave) that Bill No. 47, The Dependants Relief Act (Loi sur l'aide aux personnes à charge), as amended and reported from the Standing Committee on Industrial Relations, be concurred in.

QUESTION put, MOTION carried.

BILL NO. 48—THE INTESTATE SUCCESSION AND CONSEQUENTIAL AMENDMENTS ACT

Hon. James McCrae (Minister of Justice and Attorney General): Mr. Speaker, I move, seconded by the Honourable Minister of Labour (Mrs. Hammond), (by leave) that Bill No. 48, The Intestate Succession and Consequential Amendments Act (Loi sur les successions ab intestat et modifiant diverses dispositions législatives), as amended and reported from the Standing Committee on Industrial Relations, be concurred in.

QUESTION put, MOTION carried.

Wednesday, March 14, 1990

**BILL NO. 50—THE WILLS
AMENDMENT ACT**

Hon. James McCrae (Minister of Justice and Attorney General): Mr. Speaker, I move, seconded by the Honourable Minister of Housing and Urban Affairs (Mr. Ducharme), (by leave) that Bill No. 50, The Wills Amendment Act (Loi modifiant la Loi sur les testaments), as amended and reported from the Standing Committee on Industrial Relations, be concurred in.

QUESTION put, MOTION carried.

**BILL NO. 51—THE MARITAL PROPERTY
AMENDMENT ACT**

Hon. James McCrae (Minister of Justice and Attorney General): Mr. Speaker, I move, seconded by the Honourable Minister of Environment (Mr. Cummings), (by leave) that Bill No. 51, The Marital Property Amendment Act (Loi modifiant la Loi sur les biens matrimoniaux), as amended and reported from the Standing Committee on Industrial Relations, be concurred in.

QUESTION put, MOTION carried.

**BILL NO. 52—THE FAMILY MAINTENANCE
AMENDMENT ACT**

Hon. James McCrae (Minister of Justice and Attorney General): Mr. Speaker, I move, seconded by the Honourable Minister of Culture, Heritage and Recreation (Mrs. Mitchelson), (by leave) that Bill No. 52, The Family Maintenance Amendment Act (Loi modifiant la Loi sur l'obligation alimentaire), as amended and reported from the Standing Committee on Industrial Relations, be concurred in.

QUESTION put, MOTION carried.

**BILL NO. 56—THE WORKERS
COMPENSATION AMENDMENT ACT (2)**

Hon. Edward Connery (Minister of Co-operative, Consumer and Corporate Affairs): Mr. Speaker, I move, seconded by the Minister of Highways (Mr. Albert Driedger), (by leave) that Bill No. 56, The Workers Compensation Amendment Act (2) (Loi no 2 modifiant la Loi sur les accidents du travail), as amended and reported from the Standing Committee on Industrial Relations, be concurred in.

QUESTION put, MOTION carried.

**BILL NO. 57—THE PENSION BENEFITS
AMENDMENT ACT**

Hon. Gerrie Hammond (Minister of Labour): I move, seconded by the Minister of Family Services (Mrs. Oleson), (by leave) that Bill No. 57, The Pension Benefits Amendment Act (Loi modifiant la Loi sur les prestations de pension), as amended and reported from the Standing Committee on Industrial Relations, be concurred in.

QUESTION put, MOTION carried.

**BILL NO. 59—THE PUBLIC SCHOOLS
AMENDMENT ACT**

Hon. Leonard Derkach (Minister of Education and Training): I move, seconded by the Minister of Family Services (Mrs. Oleson), (by leave) that Bill No. 59, The Public Schools Amendment Act (Loi modifiant la Loi sur les écoles publiques), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

QUESTION put, MOTION carried.

* (0310)

**BILL NO. 60—THE EDUCATION
ADMINISTRATION AMENDMENT ACT**

Hon. Leonard Derkach (Minister of Education and Training): Mr. Speaker, I move, seconded by the Minister of Agriculture (Mr. Findlay), (by leave) that Bill No. 60, The Education Administration Amendment Act (Loi modifiant la Loi sur l'administration scolaire), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

QUESTION put, MOTION carried.

**BILL NO. 61—THE CITY OF WINNIPEG
AMENDMENT ACT (2)**

Hon. Gerald Ducharme (Minister of Urban Affairs): I so move, seconded by the Minister of Environment (Mr. Cummings), (by leave) that Bill No. 61, The City of Winnipeg Amendment Act (2) (Loi no 2 modifiant la Loi sur la Ville de Winnipeg), as amended and reported from the Standing Committee on Municipal Affairs, be concurred in.

QUESTION put, MOTION carried.

**BILL NO. 62—THE CITY OF WINNIPEG
AMENDMENT ACT (3)**

Hon. Gerald Ducharme (Minister of Urban Affairs): I move, seconded by the Minister of Environment (Mr. Cummings), (by leave) that Bill No. 62, The City of Winnipeg Amendment Act (3) (Loi no 3 modifiant la Loi sur la Ville de Winnipeg), as amended and reported from the Standing Committee on Municipal Affairs, be concurred in.

QUESTION put, MOTION carried.

**BILL NO. 72—THE SECURITIES
AMENDMENT ACT**

Hon. Edward Connery (Minister of Co-operative, Consumer and Corporate Affairs): Mr. Speaker, I move, seconded by the Minister of Rural Development (Mr. Penner), (by leave) that Bill No. 72, The Securities Amendment Act (Loi modifiant la Loi sur les valeurs mobilières), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

QUESTION put, MOTION carried.

Wednesday, March 14, 1990

**BILL NO. 73—THE HIGHWAY
TRAFFIC AMENDMENT ACT (6)**

Hon. Albert Driedger (Minister of Highways and Transportation): Mr. Speaker, I move, seconded by the Minister of Culture (Mrs. Mitchelson), (by leave) that Bill No. 73, The Highway Traffic Amendment Act (Loi no 6 modifiant le Code de la route), reported from the Standing Committee on Law Amendments, be concurred in.

QUESTION put, MOTION carried.

**BILL NO. 74—THE HIGHWAY TRAFFIC
AMENDMENT ACT (7)**

Mr. Speaker: Bill No. 74, The Highway Traffic Amendment Act (7); Loi no 7 modifiant la Code de la route, the Honourable Minister of Highways and Transportation.

Hon. Albert Driedger (Minister of Highways and Transportation): I have an amendment to Bill No. 74, and I move that Bill No. 74 be amended by striking out clause (b) of the French version of section 126, as set out in section 13 of the Bill and by substituting—and, Mr. Speaker, I want to apologize to all the French-speaking people. I am going to try and read this in French because we have not been set up that way so bear with me. And my apologies once again.

“(b) le virage à droite

- (i) en étirant la main et le bras gauches vers le haut à l'extérieur du véhicule;
- (ii) en étirant la main et le bras droits horizontalement;”

(English version)

Clause 126(b) is repealed and the following is substituted:

“(b) a right turn,

- (i) by extending his left hand and arm out and upward from the vehicle; or
- (ii) by extending his right hand and arm horizontally; and”

QUESTION put, MOTION carried.

Mr. Speaker: The Honourable Minister of Highways and Transportation, on the main motion.

Mr. Albert Driedger: Mr. Speaker, I move, seconded by the Minister of Culture (Mrs. Mitchelson), (by leave) that Bill No. 74, The Highway Traffic Amendment Act (7) (Loi no 7 modifiant le Code de la route), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

QUESTION put, MOTION carried.

* (0320)

**BILL NO. 75—THE INSURANCE
AMENDMENT ACT**

Hon. Edward Connery (Minister of Co-operative, Consumer and Corporate Affairs): Mr. Speaker, I move, seconded by the Minister of Agriculture (Mr. Findlay), (by leave) that Bill No. 75, The Insurance Amendment Act (Loi modifiant la Loi sur les assurances), as reported from the Standing Committee on Law Amendments, be concurred in.

QUESTION put, MOTION carried.

**BILL NO. 78—THE PREARRANGED
FUNERAL SERVICES AMENDMENT ACT**

Hon. Edward Connery (Minister of Co-operative, Consumer and Corporate Affairs): Mr. Speaker, I move, seconded by the Minister of Agriculture (Mr. Findlay), (by leave) that Bill No. 78, The Prearranged Funeral Services Amendment Act (Loi modifiant la Loi sur les arrangements préalables de services de pompes funèbres), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

QUESTION put, MOTION carried.

**BILL NO. 80—THE CIVIL SERVICE
SUPERANNUATION AMENDMENT ACT**

Hon. Gerrie Hammond (Minister of Labour): I move, seconded by the Minister of Northern Affairs (Mr. Downey), (by leave) that Bill No. 80, The Civil Service Superannuation Amendment Act (Loi modifiant la Loi sur la pension de la fonction publique), as reported from the Standing Committee on Industrial Relations, be concurred in.

QUESTION put, MOTION carried.

**BILL NO. 84—THE WASTE REDUCTION
AND PREVENTION AND CONSEQUENTIAL
AMENDMENTS ACT**

Hon. Glen Cummings (Minister of Environment): I move, seconded by the Minister of Northern Affairs (Mr. Downey), (by leave) that Bill No. 84, The Waste Reduction and Prevention and Consequential Amendments Act (Loi sur la réduction du volume et de la production des déchets et modifications corrélatives), as amended and reported from the Standing Committee on Public Utilities and Natural Resources, be concurred in.

QUESTION put, MOTION carried.

Mr. Speaker: The Honourable Member for Flin Flon, on a point of order.

Mr. Jerry Storie (Flin Flon): On a point of order, Mr. Speaker. This is taking an undue length of time. I agree with my colleague, the Member for Lakeside (Mr. Enns),

who stood earlier and said: In this Legislature, to my knowledge since I have become a Member, this is the only time where there have been individual report stages dealing with every amendment that was dealt with in committee.

Previous experience tells me that the only time we, as a Legislature, dealt with report stage was when there were additional amendments to Bills after the committee had met and the Government had introduced or others had introduced additional amendments. We now have, by practice or precedent, four stages of a Bill.

Mr. Speaker, if there is some reason why this must continue, then I would suggest that we accept, by leave, the report stages of all the committees' amendments that have been made in a committee and already approved, by leave.

Mr. Speaker: No leave. The report stage is a process which is required by our Rules. There is no leave to dispense of the reading, so we will just carry on.

BILL NO. 88—THE PHYSICALLY DISABLED PERSONS PARKING ACT

Mr. Mark Minenko (Seven Oaks): Mr. Speaker, I move, seconded by the Member for Kildonan (Mr. Cheema), (by leave) that Bill No. 88, The Physically Disabled Persons Parking Act (Loi sur les aires de stationnement réservées aux handicapés physiques), as amended and reported from the Standing Committee on Private Bills, be concurred in.

QUESTION put, MOTION carried.

BILL NO. 91—THE PUBLIC HEALTH AMENDMENT ACT

Ms. Judy Wasylycia-Leis (St. Johns): Mr. Speaker, I move, seconded by the Member for Logan (Ms. Hemphill), (by leave) that The Public Health Amendment Act; Loi modifiant la Loi sur la santé publique, as reported from the Standing Committee on Private Bills, be concurred in.

QUESTION put, MOTION carried.

BILL NO. 92—THE MANITOBA ENERGY FOUNDATION REPEAL ACT

Hon. Clayton Manness (Minister of Finance): Mr. Speaker, on behalf of the Minister of Energy and Mines (Mr. Neufeld), seconded by the Minister of Justice (Mr. McCrae), I move (by leave) that Bill No. 92, The Manitoba Energy Foundation Repeal Act (Loi abrogeant la Loi sur la Fondation manitobaine de l'énergie), as amended and reported from the Standing Committee on Public Utilities and Natural Resources, be concurred in.

QUESTION put, MOTION carried.

* (0330)

BILL NO. 95—THE CERTIFIED GENERAL ACCOUNTANTS ACT

Mr. Darren Praznik (Lac du Bonnet): Mr. Speaker, I move, seconded by the Honourable Member for Minnedosa (Mr. Gilleshammer), (by leave) that Bill No. 95, The Certified General Accountants Act; Loi sur les comptables généraux agréés, as amended and reported from the Standing Committee on Private Bills, be concurred in.

QUESTION put, MOTION carried.

BILL NO. 96—AN ACT TO AMEND AN ACT RESPECTING THE ROMAN CATHOLIC ARCHIEPISCOPAL CORPORATION OF WINNIPEG AND THE ROMAN CATHOLIC ARCHDIOCESE OF WINNIPEG

Mr. James Carr (Fort Rouge): I move, seconded by the Honourable Member for Transcona (Mr. Kozak), (by leave) that Bill No. 96, An Act to amend An Act respecting the Roman Catholic Archiepiscopal Corporation of Winnipeg and the Roman Catholic Archdiocese of Winnipeg; Loi modifiant "An Act respecting the Roman Catholic Archiepiscopal Corporation of Winnipeg and the Roman Catholic Archdiocese of Winnipeg," reported from the Standing Committee on Private Bills, be concurred in.

QUESTION put, MOTION carried.

BILL NO. 98—THE MANITOBA DATA SERVICES DISPOSITION AND CONSEQUENTIAL AMENDMENTS ACT

Hon. Clayton Manness (Minister of Finance): Mr. Speaker, I move, seconded by the Minister of Northern Affairs (Mr. Downey), (by leave) that Bill No. 98, The Manitoba Data Services Disposition and Consequential Amendments Act (Loi sur l'aliénation de la Commission des services d'informatique du Manitoba et modifications corrélatives), as amended and reported from the Standing Committee on Public Utilities and Natural Resources, be concurred in.

QUESTION put, MOTION carried.

Mr. John Angus (St. Norbert): Mr. Speaker, I just wanted to, it is Bill No. 98, and I wanted to make some comments on the record. This may not be the appropriate time. I would be guided by you.

Mr. Speaker: Order, please. Order. Report stage is not debatable. That was already agreed to.

Mr. Speaker: Report stage, Bill No. 99—Oh, the Honourable Member for Brandon East.

Mr. Leonard Evans (Brandon East): I want to record a negative voice on Bill 98. Nay.

Mr. Speaker: On division.

BILL NO. 99—THE APPROPRIATION ACT, 1989

Hon. Clayton Manness (Minister of Finance): Mr. Speaker, I move, seconded by the Minister of Environment (Mr. Cummings), (by leave) that Bill No. 99, The Appropriation Act, 1989 (Loi de 1989 portant affectation de crédits), as reported from the Committee of the Whole, be concurred in.

QUESTION put, MOTION carried, on division.

BILL NO. 100—THE SUPPLEMENTARY APPROPRIATION ACT, 1989

Hon. Clayton Manness (Minister of Finance): Mr. Speaker, I move, seconded by the Minister of Justice (Mr. McCrae), (by leave) that Bill No. 100, The Supplementary Appropriation Act, 1989 (Loi de 1989 portant affectation supplémentaire de crédits), as reported from the Committee of the Whole, be concurred in.

QUESTION put, MOTION carried.

BILL NO. 101—THE STATUTE RE-ENACTMENT AND BY-LAW VALIDATION (MUNICIPAL) ACT

Hon. James McCrae (Minister of Justice and Attorney General): Mr. Speaker, I move, seconded by the Honourable Minister of Finance (Mr. Manness), (by leave) that Bill No. 101, The Statute Re-enactment and By-Law Validation (Municipal) Act (Loi sur la réadoption de lois et la validation d'arrêtés concernant diverses municipalités), as reported from the Standing Committee on Industrial Relations, be concurred in.

QUESTION put, MOTION carried.

BILL NO. 102—THE STATUTE LAW AMENDMENT ACT, 1990

Hon. James McCrae (Minister of Justice and Attorney General): Mr. Speaker, I move, seconded by the Honourable Minister of Finance (Mr. Manness), (by leave) that Bill No. 102, The Statute Law Amendment Act, 1990 (Loi de 1990 modifiant diverses dispositions législatives), as amended and reported from the Committee of the Whole, be concurred in.

QUESTION put, MOTION carried.

BILL NO. 103—THE STATUTE LAW AMENDMENT (RE-ENACTED STATUTES) ACT, 1990

Hon. James McCrae (Minister of Justice and Attorney General): Mr. Speaker, I move, seconded by the Honourable Minister of Finance (Mr. Manness), (by leave) that Bill No. 103, The Statute Law Amendment (Re-enacted Statutes) Act, 1990 (Loi de 1990 modifiant diverses dispositions législatives (Lois réadoptées)), as reported from the Committee of the Whole, be concurred in.

QUESTION put, MOTION carried.

BILL NO. 104—THE PROFESSIONAL HOME ECONOMISTS ACT

Mr. Harold Gilleshammer (Minnedosa): Mr. Speaker, I move, seconded by the Honourable Member for Lac du Bonnet (Mr. Praznik), (by leave) that Bill No. 104, The Professional Home Economists Act (Loi sur les conseillers en économie domestique), reported from the Standing Committee on Private Bills, be concurred in.

QUESTION put, MOTION carried.

* (0340)

BILL NO. 106—THE RURAL MUNICIPALITY OF VICTORIA BEACH BY-LAW VALIDATION ACT

Mr. Darren Praznik (Lac du Bonnet): Mr. Speaker, I move, seconded by the Honourable Member for La Verendrye (Mr. Pankratz), (by leave) that Bill No. 106, The Rural Municipality of Victoria Beach By-Law Validation Act; Loi validant l'arrêté sur la municipalité rurale de Victoria Beach, as reported from the Committee of the Whole, be concurred in.

QUESTION put, MOTION carried.

Hon. James McCrae (Government House Leader): Mr. Speaker, now that we are finished with that very interesting procedure called report stage, we will get on with third readings.

THIRD READINGS

Bill No. 8, The Endangered Species Act; Loi sur les espèces en voie de disparition;

Bill No. 9, The Forest Amendment Act; Loi modifiant la Loi sur les forêts;

Bill No. 16, An Act to Protect the Health of Non-Smokers; Loi sur la protection de la santé des non-fumeurs;

Bill No. 47, The Dependants Relief Act; Loi sur l'aide aux personnes à charge;

Bill No. 48, The Intestate Succession and Consequential Amendments Act; Loi sur les successions ab intestat et modifiant diverses dispositions législatives;

Bill No. 50, The Wills Amendment Act; Loi modifiant la Loi sur les testaments;

Bill No. 51, The Marital Property Amendment Act; Loi modifiant la Loi sur les biens matrimoniaux;

Bill No. 52, The Family Maintenance Amendment Act; Loi modifiant la Loi sur l'obligation alimentaire;

Bill No. 56, The Workers Compensation Amendment Act (2); Loi no 2 modifiant la Loi sur les accidents du travail;

* (0350)

Bill No. 57, The Pension Benefits Amendment Act; Loi modifiant la Loi sur les prestations de pension;

Bill No. 59, The Public Schools Amendment Act; Loi modifiant la Loi sur les écoles publiques;

Bill No. 60, The Education Administration Amendment Act; Loi modifiant la Loi sur l'administration scolaire;

Bill No. 61, The City of Winnipeg Amendment Act (2); Loi no 2 modifiant la Loi sur la Ville de Winnipeg;

Bill No. 62, The City of Winnipeg Amendment Act (3); Loi no 3 modifiant la Loi sur la Ville de Winnipeg;

(by leave) were each read a third time and passed.

BILL NO. 63—THE CONSUMER PROTECTION AMENDMENT ACT (3)

Mr. Speaker: Third reading, Bill No. 63, The Consumer Protection Amendment Act (3); Loi no 3 modifiant la Loi sur la protection du consommateur, standing in the name of the Honourable Member for Radisson (Mr. Patterson). Is there leave that this matter remain standing? No leave. The Honourable Member has lost his right for third reading.

QUESTION put, MOTION carried.

Bill No. 72, The Securities Amendment Act; Loi modifiant la Loi sur les valeurs mobilières;

Bill No. 73, The Highway Traffic Amendment Act (6); Loi no 6 modifiant le Code de la route;

Bill No. 74, The Highway Traffic Amendment Act (7); Loi no 7 modifiant le Code de la route;

Bill No. 75, The Insurance Amendment Act; Loi modifiant la Loi sur les assurances;

Bill No. 78, The Prearranged Funeral Services Amendment Act; Loi modifiant la Loi sur les arrangements préalables de services de pompes funébres;

Bill No. 80, The Civil Service Superannuation Amendment Act; Loi modifiant la Loi sur la pension de la fonction publique;

Bill No. 84, The Waste Reduction and Prevention and Consequential Amendments Act; Loi sur la réduction du volume et de la production des déchets et modifications corrélatives;

Bill No. 88, The Physically Disabled Persons Parking Act; Loi sur les emplacements de stationnement réservés aux handicapés physiques;

Bill No. 91, The Public Health Amendment Act; Loi modifiant la Loi sur la santé publique;

Bill No. 92, The Manitoba Energy Foundation Repeal Act; Loi abrogeant la Loi sur la Fondation manitobaine de l'énergie; (on division)

* (0400)

Bill No. 95, The Certified General Accountants Act; Loi sur les comptables généraux agréés;

Bill No. 96, An Act to amend An Act respecting the Roman Catholic Archiepiscopal Corporation of Winnipeg and the Roman Catholic Archdiocese of Winnipeg; Loi modifiant "An Act to amend An Act respecting the Roman Catholic Archiepiscopal Corporation of Winnipeg and the Roman Catholic Archdiocese of Winnipeg";

(by leave) were each read a third time and passed.

BILL NO. 98—THE MANITOBA DATA SERVICES DISPOSITION AND CONSEQUENTIAL AMENDMENTS ACT

Hon. James McCrae (Minister of Justice and Attorney General) presented Bill No. 98, The Manitoba Data Services Disposition and Consequential Amendments Act; Loi sur l'aliénation de la Commission des services d'informatique du Manitoba et modifications corrélatives, for third reading.

MOTION presented.

Mr. John Angus (St. Norbert): Mr. Speaker, I know that the hour is early, and I do not want to take an awful lot of the Members' time, especially when they are tired, but I do believe that it is important to put a few words on the record. While I recognize the initiatives the Government is taking, and I concur in the desired end result of using the roots of MDS to catapult an industry into national prominence, I nonetheless have to express some concerns. The concerns are as follows:

We have been asked to approve The Manitoba Data Services Disposition and Consequential Amendments Act, which in effect gives the power to the Government to market this corporation. Mr. Speaker, we are about to pass that Bill. However, we are doing it without the benefit of seeing any form of a signed agreement. While we were able to, at the committee stage, negotiate in two or three important clauses—one that protects the confidentiality of Manitobans, and I would like to address that a little further in a minute, one that protects the employees of the corporation—nonetheless there were a number of items that were taken in good faith, indicated by the Government that those items would be in the agreement.

Mr. Speaker, I have to say and serve warning to the Government, specifically to the Minister of Finance, that if in fact those items that he has indicated are in the agreement are in fact not in the agreement, I am not sure what recourse the legislation has or the legislators have, but I have personally invested an awful lot of time reviewing this particular Act, reviewing the opportunities that this Act will allow and encouraging amendments in terms of confidentiality and in terms

of the protection of the specific employees that are working there. Based on the good faith of the Government to approve those amendments and put them in there and the assurances that there are going to be other assurances and other spin-off benefits, I am prepared to move or to have our Party stand behind the approval of this Bill.

(Mr. Minenko, Acting Speaker, in the Chair)

Mr. Acting Speaker, the things that are not in here that I understand are going to be in any form of signed agreements that we enter into, to a sales purchase agreement, that relates specifically to confidentiality, are the control by an independent source, probably linked to Treasury Board or the the Auditor's department, the Provincial Auditor, which would give them the right to, without any notice at all, go in and review the security features of the MDS corporation, that is, all of the terminals, all of the computers, all of the PCs—any facet that the Auditor felt was worthy of investigation—to ensure that the controls the agreement insists are there are in fact there.

Mr. Acting Speaker, I cannot go far enough to express the importance to all Members of the Government, the Government's backbenchers and the Opposition that if they are serious about trying to make this particular corporation work well, then we have to put ourselves in a position whereby we do not create a fear amongst normal Manitobans that their personal and private information is going to be transmitted willy-nilly around the country.

Mr. Acting Speaker, it is a very, very important component of the agreement that we have taken in faith that the Government has agreed to include that and the fact that they have indicated to us that they are going to allow every Member of the corporation between 60 and 120 days to choose to move over to the Civil Service in another capacity filling posted jobs if they can find them.

* (0410)

Mr. Acting Speaker, the criteria that I had established at the beginning for economic spinoff for this particular organization, this company, to be able to provide to Manitobans, let me restate that the Team 2000 report, the Liberal economic paper on the economy of the province and all of the signs indicate that this city and this province is in desperate need of a springboard of this nature. Quite frankly this corporation has the potential of becoming a technological centre of influence on this continent—on this continent. That is how broad it goes. It can bring jobs and it can create energies that hitherto have been unheard of. This is a very, very positive step in the right direction.

Again, let me assure you that the Government is signing the package. There will be a number of people who will be looking closely at the economic spinoffs and the benefits and encouraging them to make the most of those. Mr. Acting Speaker, as far as the employees are concerned, it is very, very important that we provide the protection that they deserve, because they have worked hard to help put this company in a position where it can be sold at a massive profit to

the province in a general sense. I cannot overstate the emphasis that we all have to put on giving a degree of comfort and security to the average citizen that their personal and confidential records are going to be secure, that they are not going to be lost.

Mr. Acting Speaker, with those brief comments, I will urge the passage of this Bill. Thank you.

Mr. Leonard Evans (Brandon East): I too just have a couple of words to say on Bill No. 98. While we share some mutual concerns with the last speaker and the Liberal Party with regard to confidentiality and also with regard to protection of employees, we would go further, Mr. Acting Speaker, and say it is not in the public interest to sell this corporation at this time.

We believe that we are being asked to take too much on faith. We do not know what is going to be in the agreement. I know the Minister is in a bit of a bind there, but nevertheless we still are not clear as to what protection we have with regard to confidentiality of records.

We are in a better position with regard to employee security, but having spoken to some of the employees who listened at the public hearings and the committee hearings, the average employee still has many questions with regard to their future security and with regard to other benefits, whether it be sick leave, holiday leave or other things that they had mentioned to me that they were concerned with, and I could not give them the answers.

The Minister is asking us to have faith in himself and in the agreement that he is going to make and then this amendment to the Bill that he has brought in with regard to pensions and insurance and so on.

So we have those same concerns. We are also concerned that the taxpayers in Manitoba may be ripped off, because what we are doing here is giving a monopoly to one company for a number of years. I do not know how we are going to be assured that we are not going to be charged excessive rates by that monopoly.

I have raised this matter before. I am not going to dwell on it. I know the Minister says he is going to monitor it and so on, but there is a lot of literature in the United States indicating the lack of success by Governments to control private monopolies. We are dealing with a private monopoly that we are setting up, Mr. Acting Speaker.

We are also concerned about the transfer of work out of the province that could occur. The best of intentions may be stated by the Minister. He may have the best of intentions, but a year or two or three down the line we may face a different situation and lose something of what we have.

(Mr. Speaker in the Chair)

Mr. Speaker, the main argument for this Bill is that it is going to create jobs. It will have some industrial benefits. We all want more jobs because surely we know jobs, particularly good jobs, are rather scarce in Manitoba, high paying jobs are rather scarce, but we believe that you could have this spinoff.

You could have this expansion in jobs if you gave the existing Crown corporation, MDS, the mandate to go out and sell its services beyond the province and create those additional jobs, because this is the only way a private company is going to do it.

The only way a private company is going to want to hire more employees to do more work is because it is going to try to sell its services out and beyond the provincial boundaries. We say give that mandate, and if not to a public corporation, as my colleague from Dauphin has suggested, why not a joint venture between the Government and the private sector?

That is an angle that is used in many countries of the world: Japan, Germany, Italy. In many countries of the world, there are joint ventures between Government and private enterprise. In some ways you get the best of both worlds. You get certain public control and yet you get the initiatives of the private sector as well. At any rate so we do not have the confidence that this is the only way to have an expansion of technological industry in this province, expansion of these kinds of jobs.

So, Mr. Speaker, as we have stated several times during the Session on various occasions, we stand opposed to this Bill on principle and would certainly vote against it.

QUESTION put, MOTION carried, on division.

Bill No. 99, The Appropriation Act, 1989; Loi de 1989 portant affectation de crédits, on division;

Bill No. 100, The Supplementary Appropriation Act, 1989; Loi de 1989 portant affectation supplémentaire de crédits;

Bill No. 101, The Statute Re-enactment and By-Law Validation (Municipal) Act; Loi sur la réadoption de lois et la validation d'arrêtés concernant diverses municipalités;

Bill No. 102, The Statute Law Amendment Act, 1990; Loi de 1990 modifiant diverses dispositions législatives;

Bill No. 103, The Statute Law Amendment (Re-enacted Statutes) Act, 1990; Loi de 1990 modifiant diverses dispositions législatives (Lois réadoptées);

* (0420)

Bill No. 104, The Professional Home Economists Act; Loi sur les conseillers en économie domestique;

Bill No. 106, The Rural Municipality of Victoria Beach By-Law Validation Act; Loi validant l'arrêté sur la municipalité rurale de Victoria Beach;

(by leave) were each read a third time and passed.

Hon. James McCrae (Government House Leader): Mr. Speaker, it gives me a good deal of pleasure to

move, seconded by the Honourable Minister of Finance (Mr. Manness), (by leave) that when the House adjourns today, it shall stand adjourned until a time fixed by Mr. Speaker, upon the request of the Government.

Mr. Speaker: It has been moved by the Honourable Government House Leader, seconded by the Honourable Minister of Finance, that when the House adjourns today, it shall stand adjourned until a time fixed by Mr. Speaker, upon the request of the Government. The Honourable Leader of the Opposition.

Mrs. Sharon Carstairs (Leader of the Opposition): Mr. Speaker, before I get into my major remarks, I would like to thank the staff, both here at the Table and throughout the building, for their service to each and every one of us during this particular Session of the Legislature. I would also like to thank the Government for getting me out of the midst of a very heavy snowstorm on my way back from Swan River and making it possible for me to be here for these minutes.

It is late and we are all tired, but there are some things that need to be said. There are things that need to be said about the way in which this Government governs. They are not particularly flattering things, Mr. Speaker, because the characteristic of each and every Minister of this Crown is that they would prefer to bully and intimidate instead of work in a co-operative way with the citizens of the Province of Manitoba. As we go through each and every ministry we can see it.

We have a Health Minister (Mr. Orchard) who chooses to bully nurses and physicians, who chooses to bully the people at Klinik. He does not seem to understand that if you want to help citizens of the Province of Manitoba you do not do it by a nasty streak, which he has exhibited over and over and over again.

What happens equally over and over and over again is that having played that streak they always have to compromise, they always have to come back and accept the inevitable. You have a Minister who stands in front of Klinik and tirades at them. Then, because he may be in an election year, and for no other reason they no longer are socialists, they are no longer dominated by Members of the third Party. All of a sudden there is a need to provide them with space, a need clearly identified many years before for a service that is so very necessary in our province.

We move on to the Minister of Highways (Mr. Albert Driedger). Now this is an honourable man, as are all Members of the House. That does not stop him from going and shaking hands with people dressed in costumes like the KKK who represent the most intolerant group of citizens on the North American continent. That is a form of bullying and that is tragic because that is not the measure of that man at all.

Then we move on to the Minister of Culture, Heritage and Recreation (Mrs. Mitchelson). This is someone who will spend \$4.5 million to build a casino and \$19,000 to hold a press conference, which is more than a child

care worker makes in this city. That is a form of bullying and abuse of the taxpayers because all too often the people who spend their money at gambling casinos, all too often the people who spend that money are people who cannot afford to spend that money, who become addicted to gambling for which no monies have been put aside by this Government out of their so-called largesse.

Then we have the Minister of Northern and Native Affairs (Mr. Downey). Well, this is the man who has put into place, Mr. Speaker, a decentralization policy that beats up on 700 civil servants. I came through Dauphin tonight, and I learned of an incident in which an audiologist who is stationed in Dauphin and who was to be considered as the chief audiologist because the individual presently holding the position had resigned was told that if he wanted the job he had to move to Winnipeg, that he could not have the job if he kept his residence in Dauphin. That is good management? We have civil servants who want to stay in communities. These so-called managers want to move them into Winnipeg. Meanwhile, they want to take people living in Winnipeg and move them where they do not want to go, without choice, force them—force them—to move where they do not want to move.

Then we have the Minister of Environment (Mr. Cummings), the Minister of Environment who has refused time after time after time to stand up for the people of this province. He refused—yes, you refused—to negotiate, to legislate, to make court action, will not defend the interests of our citizens. That, Mr. Speaker, is a form of bullying because he was elected as they all were to represent the interests of the citizens of this province. They have not chosen.—(interjection)—Well, it is unfortunate you did not listen.

* (0430)

When you do not know what sustainable development is, and they do not know, because when you look at The Forks development, when you look at the Repap Development, when you look at the Saskatchewan River Dam projects, and you realize this Government has not stood up to protect the citizens' interest on any of those, not a single one, then you realize that this is a Government that is not concerned about sustainable development, and is not concerned about the need to protect our air and water in the Province of Manitoba.

The Minister of Finance (Mr. Manness)—well, from that particular Minister, the bullying comes from the other side. He gets beaten up consistently by his federal cousins. They take money from him, left, right and centre. What is his response? Well, we have to be concerned about our poor federal cousins, they have a deficit they have to deal with.

So, it is all right if they cut, says the Minister of Finance. It is all right, says the Minister of Finance, if they want to impose a GST, a consumption tax, which he agrees with. He is in favour of consumption taxes. Consumption taxes which hurt those at lower incomes the most, that is what consumption taxes do. So we have a Minister of Finance who is willing to beat up on the lowest-income people in the Province of Manitoba.

Mr. Speaker, we move to the Minister of Housing (Mr. Ducharme). Well, the Minister of Housing, unfortunately, gets beaten up by his own colleagues. The Minister of Housing, who wanted to protect the tenants of this province, who wanted to ensure that they had decent housing, had the rug pulled out from under him by his own Premier (Mr. Filmon), because the Minister of Housing is an honourable man.

The Minister of Housing wanted to ensure good living accommodations for people in this province. He has been denied that because the landlords and the moneylenders had the ear of the Premier, and the landlords and the moneylenders were more important than his own Minister of Housing.

We move to the Minister of Energy and Mines (Mr. Neufeld), the Minister of Energy and Mines, who had an opportunity to protect the people at LynnGold. The Minister of Energy and Mines who would much rather be in Florida and, hopefully, after the next election he can be. The Minister of Energy and Mines who refuses to access the Mining Reserve Fund in order to at least compensate to some degree the residents of that community. Therefore, he too is a participant in the bullying tactics of this Government.

Then we have the Minister of Industry, Trade and Tourism (Mr. Ernst). The Minister of Industry, Trade and Tourism who only wants big developers to develop tourist projects is not prepared to listen to the needs and to the expressions of interests by those who would base their development on small but beautiful in this province of ours.

Mr. Speaker, we move on to the Minister of Family Services (Mrs. Oleson). The Minister of Family Services who starts her regime with the foster parents. She takes on them. She polls them, she tries to pit them against their own association. Then, like everything else with this Government, she is finally brought to her senses. Not because she wants to be, but because the pressures of minority Government make it possible and make it necessary. Then of course, she moves to Phase 2. Phase 2 was the child care workers who she treated the same way, but yet once again she is in a minority Government situation, so once again she has to do partly what is right but only because of the pressure that is applied in this House and by the child care workers themselves.

Then of course the Minister of Education (Mr. Derkach) who believes that it is fine to suspend a teacher without due process.—(interjection)—Well, that is what he is prepared to do. He now refers it immediately to certification, but he himself was quite prepared—he will not restore any licences which are certainly in abeyance at the present time even though these individuals have not had due process of law, because he is going to be judge, jury and executioner, all by himself. He has decided that he can do that.—(interjection)—

Now the children do not have to be the victims, as the Minister of Agriculture (Mr. Findlay) says. The children do not have to be the victims, because all Parties are in agreement that the teacher should be removed from the classroom until the charges have been proven or disproven, but we do not believe that

an individual, who has not had due process of law, should have their licence suspended, but we have a Minister who believes in that.

Then we have the Minister of Agriculture (Mr. Findlay). Well, the Minister of Agriculture, like his colleague the Minister of Highways (Mr. Albert Driedger), is one of the special Members of this House, one in whom we have a great deal of admiration, but the Minister of Agriculture unfortunately also lets his federal cousins beat up on him. He allows his federal cousins to remove oats from the Wheat Board, and does he defend the farmers who put it in under the Wheat Board? No, he does not. He says, it is all right, federal Government. You do it. You do it unilaterally. You do it without any consultation. Go ahead, do it. It is fine.

Where has he been when the federal Government wants the Province of Manitoba to pay additional funds into the Drought Assistance Board? Well, yes, sir, says the Minister of Agriculture, of course we will pay some more.

When the federal Government asks for some more money in crop insurance payments, yes, sir, says the Minister of Agriculture, of course we will give you some money out of the hard-earned farmers of Manitoba. Then he underspends the budget by \$24 million in the largest drought year since the 1930s. So it is no wonder that the farmers of Manitoba feel a little ganged up on by the Minister of Agriculture despite his honour as a Member of this House.

Then we have the Minister of Rural Development (Mr. Penner). Well, you know, I am not sure that this particular Member is a bully, because he is not around when the decisions he is supposed to be involved in are being made. The decisions are made by the Premier (Mr. Filmon). The decisions are made by the Minister of Northern Affairs (Mr. Downey). The decisions are made by the Minister of Labour (Mrs. Hammond), but this is the Minister of Rural Development. This is the Minister who is supposed to be in charge of decentralization. This is the Minister who we would like to think—because we do not have faith in a lot of them—would have done it differently, that he would have done it with some compassion, that he would have done it with some reasonableness.

Unfortunately, he was not given a chance. The rug was pulled completely out from underneath his feet like they were from the Minister of Housing (Mr. Ducharme), while it was taken over by other ministries.

Then of course the Minister of Natural Resources (Mr. Enns)—well, the Minister of Natural Resources would like to be open with the people of Manitoba, so he was open with the people on CJOB. He said very publicly on CJOB that, you know, the Government cannot get its money from the federal Government, that we have asked, we have begged, and they are renegeing. Well, when we had tried to ask him questions that afternoon, who pulled it out from underneath his feet? Well, of course, none other than the master bully of all, the Premier of the Province of Manitoba.

* (0440)

Finally, we have the Minister of Labour (Mrs. Hammond), who has consistently said in response to

question after question, whether it is deaths in apartment buildings, whether it is scaffolding running amuck, whether it is changes in standards, we are looking into it, she tells us. Well, she is always looking into it. A man dies on an elevator, and she is looking into it. Three days later the elevator is still not working, but she is looking into it. She is doing everything possible, and does not seem to understand that people are suffering as a result of the lack of action, and that too is a form of bullying.

This is the legacy of this administration, over and over and over again. The thing that we must remember, Mr. Speaker, is that if this is their attitude when they are in a minority Government, God help the people of this province if they ever form a majority because they have taken sector after sector after sector.—(interjection)—Well, he does not do anything, so I ignored it.

Sector after sector after sector of this Government is reflective on the need only of themselves and of what they envisage as some kind of election agenda, but never are people at the bottom line, never in this province. You know, we deal on a regular basis in this House with the House Leader and the Attorney General (Mr. McCrae) and it is always nice on this side of the House to know when we are absolutely dead on, because if we are he gets nastier and nastier and nastier—that is the style.—(interjection)—When the facts are right, the sarcasm comes out. It is an interesting strategy on the part of the Minister of Justice.

Of course, we have the Premier who is the head of it all. Put a stamp on it and he thinks every issue is like a squash ball. He has to hit it with all his might. Well, it may work on a squash court, but the people of the Province of Manitoba are not squash balls and they resent being abused in the way that they are by the Premier of the Province of Manitoba. They resent the fact that never, never can they make a decision based on people values, on compassion and on caring. Mr. Speaker, this Premier has taken on a mantle that makes Sterling Lyon look like a pussy cat, because at least Sterling Lyon was honourable and carried through. These people never carry through. They change their minds about everything. Witness tonight. All we have to do is look at the Bills that came down tonight to know.

An Honourable Member: The love-in is back.

Mrs. Carstairs: Well, the love-in is back or something is back. The problem is that they never, ever think a problem through. They never decide, Mr. Speaker, on the basis of people, and because they do not, they are forced time and time and time again to change their minds, but we will come back into the next Session, and we will continue to change their minds, because they have to change their minds if indeed the people of this province are to be well served. Thank you.

Some Honourable Members: Oh, oh!

Mr. Speaker: The Honourable Member for Concordia has the floor. Order.

Wednesday, March 14, 1990

Mr. Gary Doer (Leader of the Second Opposition): The Honourable Member for St. James (Mr. Edwards) was mentioning something about owing people. I would like to thank the Honourable Member for St. James for all his strategy in the last while.

Mr. Speaker, I would like to start my comments off by -(interjection)- the leader of F-Troop is at it again.

If I could get on with my comments, please, Mr. Speaker. Usually the motion of adjournment has a touch of decorum to it, and I would suggest that—

I would like to start off first of all, Sir, in applauding you and your fair judgments along the way. I notice that it took us about 200 days before you were putting your gloves on today in Question Period, and you have done remarkably well in a very, very interesting environment, to say the least.

We all respect the thrusts and parry of our system, and we all quite enjoy it, but I know the referee in this three-sided Rubik's Cube is often challenged, and we thank you, Sir, for your wise judgments and the repetitive judgments you issued today.

We would also like to thank all the staff of the Legislature. I am sure they are sitting here now thinking: why do they always wait 400 days and then pass 600 Bills at the last minute and then make us scurry back and forth, second and third reading? I cannot figure it out. I have been part of this thing four times now. I do not know why we do it this way. I cannot give out a logical explanation. It seems to happen magically, Mr. Speaker, and then all of a sudden we do it, but I know that they had to persevere -(interjection)- he keeps going, Mr. Speaker.

Mr. Speaker, again, I want to stay on the high road, and it is very tough, very tough. I want to thank legal counsel. I do not know -(interjection)- they are still here. I know the many amendments that we bring in continually on our Bills are challenging for legal counsel. I know that you have worked very hard. I would like to thank on behalf of our caucus all the work you have done on all the Bills we have drafted and not introduced, all the amendments we drafted and not brought in, all the things we had to redraft nine or 10 times, Mr. Speaker, and I know that holds true to all Parties. It is truly excellent and competent work, in spite of the circumstances you work under.

Mr. Speaker, I would like to also say some nice things about all of us as MLAs. We live in a democracy. It is a wonderful instrument that we participate in. Sometimes I think we take it for granted. It has many twists and turns to it. We have participated on some good sides of those twists and some bad sides of those turns, but it is something that I think we all respect as Members of this Legislature. I think certainly our caucus congratulates all Members from all political Parties on the work and the effort they brought on behalf of people of Manitoba to the Session.

Mr. Speaker, we are going into an interesting time. I think it is worth noting that in the next 100 days, this Legislature, which has produced an all-Party report, will be under tremendous pressure dealing with the Meech Lake Accord. I think that all of us watching the

media and listening to what is going on in this country are deeply concerned about the issues that we want to see improved in our Constitution and the issues that we feel very strongly about improving in the constitutional process.

As we go out in our traditional comments, and I will make some more traditional ones in a minute, I think it is worth noting that there will be some areas we still will have to work very closely together. I think that is very important to remember tonight as we go through what is going to be a very difficult time, I would imagine, in terms of our province and the country. I know we will continue to work together on seeking the improvements that Manitobans presented in the 300 public presentations that were made to all Parties and the report that we were able to produce.

Mr. Speaker, we are very concerned about our country and about our province in it. We believe that there has been, and we say it quite sincerely, an Americanization of our country, the values and the principles under which we live. We fundamentally disagree with those changes in our country. We believe the changes that have been produced, and I say this in a non-partisan way, in the last two federal budgets on health and post-secondary education fundamentally change the nature in which the citizens of this country deal with their Governments and their services in this country in terms of the quality, standards and values that we hold so dear as unique as Canadians.

* (0450)

I also believe, Mr. Speaker, that we will have to fight for those institutions that we may have taken for granted over the last number of decades. We all believe strongly in the institution of Medicare and certainly our Party that fought so hard, our forefathers and foremothers who fought so hard, for that institution that provides universal care and provides a care that is not preferential on the basis of wealth, income and status in life but on the basis of health care needs that we work to preserve that health care system. Surely we know that major decreases in the monies that are coming to our province for providing for that health care system will mean that it is the slow and steady erosion of that health care program that makes us so unique as Canadians to many other countries.

Post-secondary education—Mr. Speaker, we were at the university today, the Member for St. James (Mr. Edwards), the Member for Lakeside (Mr. Enns) and myself at another non-partisan pre-election debate, they called it. They too are very concerned about the access and the ability of students and the future of their younger brothers, their younger sisters, their cousins to enter into our universities with a \$373 million decrease in our post-secondary education over the next four or five years.

Is it going to mean that we go further and further away from a system that allows generally the majority of people in this country to be involved in post-secondary education and the post-secondary education of their choice, no matter what their geographic region and no matter what their standard and wealth in society

is? We have some very, very big challenges ahead I believe as we move into the 1990s.

Mr. Speaker, we do have an alternate vision to the Government. They believe primarily in the free market system as the engine of all things that produce goods. We have a different vision in the New Democratic Party.

We believe that, yes, the free market system—and the market system is a very important component of our society. We also believe that the Government and the institutions of the public, through their elected representatives, is an equal partner to develop the opportunities, the values and the services, that we find so vital in our province.

So when we are dealing with the Government on issues day-to-day, we come at it from our own particular vision, Mr. Speaker, which is different than the Government's vision, different than their philosophy, and that is the way it should be, in terms of what we believe in and what we will fight for the people of Manitoba.

That fight will always be rectified in a short-term basis every time we go to the polls. We respect that part of the democracy and will continue to fight for our vision and our philosophy that is quite frankly different than the Government's philosophy.

In terms of some of the issues, Mr. Speaker, we have raised them time and time and time again in the House. It is worth noting, as we conclude tonight on adjournment, we are very concerned about the provincial health care system.

We are very concerned, and have consistently raised the whole issue of preventative health. We are pleased that the Government went ahead with Klinik. We believe that is a very important development, Mr. Speaker, but we are absolutely disappointed, and continue to be very disappointed, at the lack of support for our home care program in the province, the underspending in that area, and the lack of other preventative health care systems.

I have mentioned the Health Action Centre, tied to the Health Sciences Centre, that maybe does not have the media profile that Klinik has on Broadway. It maybe not had the protests and the demonstrations perhaps, but it is still a very important inner city health component. We feel that the prevention that goes on at that clinic is very, very important.

We are very concerned, and we disagree with the management style of the Minister. I enjoy debating the Minister in this House, and I have missed his extremely partisan comments in his time of discomfort and illness. I wish him speedy recovery on those illnesses. We do not believe in his style that calls doctors liars and fights nurses and does not have nurses on the Health Advisory task forces.

We believe co-operation with the people who are delivering the services is a better way to go. We believe that by having nurses on those Health Advisory task forces, by trying to join with the doctors, not in an insulting way, but in a tough bargaining way, we will start to form the partnerships in our communities that

will allow us, Mr. Speaker, to provide better health care services for all the people of Manitoba and that, Sir, is ultimately the goal for all of us.

In the area of education, Mr. Speaker, we believe that we have a fundamental disagreement with the Liberals and Conservatives, in terms of the priorities of funding. I actually thought the Leader of the Opposition (Mrs. Carstairs) was going to applaud the Minister of Education (Mr. Derkach). I was wondering when she was going through the list what she was going to say about the Minister of Education, because on the largest issue I think that the Conservatives and Liberals are together, and we fundamentally disagree.—(interjection)— Yes, well, we will get to FOS in a minute.

Mr. Speaker, we again believe that the Government at minimum should have supported the amendment from the Member for Flin Flon (Mr. Storie) that would have frozen the money as it was, would have had a moratorium on the funding to private schools at the 50 percent level, which the Government was already at, would have had a tripartite committee of trustees, school teachers and the UMM, not something that we normally propose on committees, plus two Members assigned by the Minister to study the effects of what you are doing. We are just throwing money after this problem after money, in terms of private schools.

At the time that our public school system is being so starved, Mr. Speaker, we do not believe you should have a massive acceleration in the percentage increases for the private schools of this province. What would have been wrong with the Liberals and Tories supporting the New Democratic resolution as sponsored by our critic, the Member for Flin Flon (Mr. Storie), stopped it and evaluated whether we were right about the erosion of the public school system or whether they were right that there will not be any erosion. If this Government has made a mistake and if this Opposition has made a mistake—and I think they have and our Party believes you have—and if there is a massive change in the enrolment in our public school system, it will have monumental consequences on the education system in our province. It could potentially have a two-tier education system in this province. That is a fundamental difference from the 8,000 to 9,000 to 10,000 students who have been traditionally in the private schools in the Province of Manitoba.

We believe that the Government should be very, very careful on a management perspective, if not on a philosophical perspective, on going with such a radical change. We believe the Opposition should not give the Government a blank cheque in that area. We think you are both making a really big mistake. Again we come at it from our vision of having the public school system as the paramount system. Mr. Speaker, you better evaluate the enrolment factors every year, because the New Democratic Party will continue to fight on this issue and will continue to raise the issue of the priorities of funding and the enrollment and the way in which our resources are allocated in our public school system.

On the issue of economy, Mr. Speaker, we again, as I say, have a different philosophy. We believe that the province should work with the private sector, the public sector and the employee sector to generate new

opportunities and new potential for the people of Manitoba. We were involved in establishing many of the things under the health care sector that the Government is carrying out. We were involved in some of the high-tech areas before. We are very, very worried beyond the partisan shots in this House in Question Period.

We are very worried that we have gone from a population gross of 9,000 and 10,000 per year right throughout the '80s. We have gone to a situation of zero population growth, and that cannot be refuted. It is a zero population growth since the Government has taken office. The Government will say it is part of a national trend in terms of the economy, but it is not part of the national trend to be tenth in retail sales. It is not part of the national economy to be last in personal bankruptcies. It is not part of the national trend to be last in terms of personal bankruptcies. It is not part of the national trend, Mr. Speaker, to be one of only two provinces in the country where there is going to be a negative employment growth. We have consistently stated that the Government has to develop a made-in-Manitoba economic development strategy. They cannot just rely on the quasi-sovereignty of the private sector for this province. It will fail them as it has failed the province before. They have to join in partnership to provide opportunities.

Mr. Speaker, the agricultural economy—and the Minister knows we have asked this Government to come up with an agricultural strategy. I may not agree with Grant Devine's strategy in Saskatchewan, but at least he has declared war on the whole agricultural situation in the Province of Saskatchewan. Now that is something I thought this Government would do. We do not believe that the Government can sit back and idly support the President of the United States subsidizing, contrary to the Free Trade Agreement, the American grain industry by about \$950 million which will have a radical decrease in the grain prices. When we first raised this, the Government told us, well, we just think the Americans are bluffing to bluff down the Europeans.—(interjection)

Mr. Speaker, the farmer from Charleswood speaks from his feet, but I can tell you it is a very serious situation. I know he knows that as well, because he deals with the farm implement dealers and the farm implement manufacturers that are closing down in this province unfortunately, and that is not good for our province either.

* (0500)

The Member for Brandon East (Mr. Leonard Evans) has already mentioned in the manufacturing jobs, 8,000 or 9,000 less. We can go on and on and on about the economic situation of this province, Mr. Speaker, but we will continue as we have in Question Period. Suffice it to say, we are very worried.

When you look at the northern situation, Mr. Speaker, the aboriginal situation, it is even more serious. We have it under the Government's own statistics, just a recorded unemployment rate of about 14 percent in the North, but we know that unemployment is much, much higher. Here we have a situation at the time of

the highest unemployment in that region of our province, and particularly in the aboriginal communities we are seeing the situation where the federal Government is cutting back on the ERDA programs dramatically in this province.

We are seeing the Government of the Day negotiate southern development agreements which we are not opposed to but not maintaining a northern economic development strategy. We are seeing the Government of the Day not speak up when the post-secondary education programs are being radically cut. We do not see the Government speak up when the Native communication program—and it was absolutely immoral for the federal Government in the last budget to treat aboriginal people as if they are people in downtown Toronto with a cap on their funding when you consider the inherent situation in the economies and the communities of those people.

Mr. Speaker, the Leader of the Opposition (Mrs. Carstairs) mentioned housing. We have raised housing time and time again in this Chamber, and we will continue to raise it. There was an excellent Bill provided. It had excellent consultation; it had the White Paper; it had the draft; it was all ready to go. Bill 42 is one of the tragedies of our twilight hour in this Session, the fact that all the work provided by housing groups has been left in a state of suspended animation, I suppose, but certainly not in a state of action where the people, the tenants in this province can get the kind of relief and quick justice and fair justice that was anticipated and drafted in the Bill.

The Leader of the Opposition (Mrs. Carstairs) has already recalled and recounted—and we have tabled letters demonstrating that clearly this was the effort of the powerful and rich in our economy, not the disenfranchised who needs the most help in our housing Bill.

Mr. Speaker, the environment continues to be an issue that all of us talk about, all of us want to do a lot more about, but we have some serious questions about it in Manitoba. We do not believe—and I have said this to the Minister and I have written this to the Minister—the Government should proceed on a one-phase licensing of Repap. We believe, as the environmental community and as the company has stated, that we should have a review of all three phases before the licences are issued.

We do not believe in the cutting area—and I see the Minister of Finance (Mr. Manness) shaking his head—change for the Swan River area. I say this to the Member for Swan River (Mr. Burrell), you should fight in that caucus because that cutting area that has been delivered to Repap is wrong. It is not fair, it is not economic and it does not make sense. It certainly would not have been signed by those of us in the New Democratic Party.

Mr. Speaker, we can go on and on about the issues in the environment but what about the vision of our environment? Where do we see the vision in our environment? Why are we building a three-storey office building in a parking lot in the Oak Hammock Marsh? I would like Ducks Unlimited to have a new building,

but why do we put it in the Oak Hammock Marsh? Is that part of the Government's vision, concrete in the marsh?

What about the whole area of The Forks, Mr. Speaker? Why are we building the tourism building in The Forks? Why are we not having that placed somewhere else and—

An Honourable Member: That is the place for it.

Mr. Doer: Well, Mr. Speaker, I disagree with you and a lot of other people disagree. We do not want as much brick. That is why we have a different philosophy. That is why we are different political Parties. We do not want to see the bricks and mortar on that site. Those of us who were involved in getting that back from the CN as partners in the tripartite agreement, those of us who were involved for a year and a half in the negotiations to make that part of the public domain are very concerned about where that is going. We have suggested to the Premier (Mr. Filmon) that he put some planning people on The Forks' board. We had people like Allen Artibisek on that board and Jean Friesen. We think the Government would be well advised to look at their appointments because there really needs to be some breaks in planning going on in The Forks' development.

Finally, Mr. Speaker, our Party, the New Democratic Party, has consistently raised issues of working people and their families. We have consistently raised issues that are important to the health of workers at the workplace and in their environment. We have raised from Day One the change in the cancer causing materials at the workplace and in the environment. We will continue to raise those issues on behalf of working people. We have raised the issue of pensions and the clawback of pensions. We will continue to fight for fair workers compensation in this province. We will continue to fight with all our energy any attempt by the Liberals and Conservatives to roll back the fair provisions in The Labour Relations Act. We will continue to fight with all our energy on those issues. We said in May, in June when this Bill was first introduced that we would take you on.

Mr. Speaker, we were totally disappointed in the Liberal Party. We have stated that, because they said they would listen to the public. I would just give one bit of last-minute advice to the Liberal Party. You are a lot better off when you take a position based on principle and you follow through on your principles. When you try to twist and turn and change your position for public relations reasons, the ultimate public relations conclusion will be very negative. We did not make any deals with the Chamber of Commerce. We are going to continue to fight for working people and we will do that in whatever Session and whatever committee we are in.

I thank you very, very much for helping us get through this point of adjournment here tonight. Thank you very much, Mr. Speaker.

Some Honourable Members: Oh, oh!

Hon. Gary Filmon (Premier): Mr. Speaker, I too wish to put a few concluding remarks on the record. I was

prepared to forgo that opportunity, but given the outburst of the Leader of the Opposition (Mrs. Carstairs) and the remarks of the Leader of Second Opposition Party (Mr. Doer), I feel that I should at least address a few of the points that are raised.

I begin by saying a sincere thank you on behalf of all Members of the Government Caucus to all of the members of the staff of the Chamber and indeed staff who have served so diligently throughout the course of the Session. I see that a number of them are long suffering in the gallery to just make sure that this thing does end tonight. I cannot actually criticize them for staying there, not believing that it is over till it is over, like Yogi Berra.

Mr. Speaker, I certainly thank you for your patience and diligence and your continued even-handed approach even though from time to time I am on the wrong side of that even hand. My enthusiasm gets away from me from time to time.

I do want to say that despite the fact that this is the second longest Session in the history of the province, despite the fact that it has taken I think considerably longer than it ought to have to go through the agenda of this Legislature, despite the fact that Opposition Members have filibustered, frustrated, thrown roadblocks in our way from time to time, I do believe that the efforts have been worth it and the accomplishments are many and ones of which I believe all Members of the Legislature can be proud.

Certainly, legislation such as bringing in the toughest drunk driving legislation in the country is, I believe, a measure of which we can all take a great deal of pride.

Certainly, the assessment reform legislation, which is the first—

* (0510)

An Honourable Member: Sixteen amendments.

Mr. Filmon: Well, Mr. Speaker, it is mentioned that there were amendments. Indeed, there were amendments to the Bill. The fact is that the majority Governments dodged the issue of assessment reform for more than 20 years. I can show on the record, calls from municipal Governments and politicians throughout this province for more than 20 years, calls on the provincial Government to bring in meaningful, real assessment reform. I think it is a remarkable achievement that a minority Government has done that and done that very successfully.

The Workers Compensation Board reforms to the Government structure and to many aspects of the operation of that corporation will, I believe, have long-lasting positive effect on behalf of injured workers and indeed employers and all others who rely upon the board for its judgment and its coverage.

The Waste Reduction and Prevention Act, The Ozone Depleting Substances Act, some meaningful pieces of legislation in the area of the environment that continues to see us, as a province, take the leadership role in the country in terms of protection of our environment.

The Manitoba Data Services Disposition Act, notwithstanding comments to the contrary by Members of the New Democratic Party and the typical wishy-washy comments of the Liberals wanting to be on both sides of that issue, notwithstanding that, that Act will allow our Government to proceed on a major initiative in economic development in this province that will bring jobs, a considerable number of jobs, major investment and become the foundation piece for a major information-technology industry growth in this province.

The Marital Property Amendment Act, the package of legislation on family law, Mr. Speaker, that did indeed pass through this Legislature in this Session, I think, is again a progressive piece of legislation of which all Members ought to be proud.

The Endangered Species Act, The Forest Amendment Act, pieces of legislation on the environmental side in Natural Resources that again are a credit to this minority Government in the Legislature and the ability that we have had to put through important pieces of legislation.

The re-establishment of the Independent Law Reform Commission and all that it means to the development of laws and the assessment and review of laws in our province, I think was a good achievement.

The Fiscal Stabilization Act, that Act that the Liberal Party, of course, spoke against, voted against and attempted to scuttle, that will ultimately result in a cushioning of the blows and effects of reductions in revenue to this province in the next year or so, that will help us to avoid having to do what the Leader of the Opposition (Mrs. Carstairs) said she would have no option but to do, and that was to raise personal taxes to people. That legislation too is a very important piece of legislation, and I commend the New Democratic Party for having seen the wisdom of forward fiscal planning in some thing such as that.

Mr. Speaker, other initiatives that were fought tooth and nail by the official Opposition, the Liberal Party in this Legislature, were tax cuts to individual Manitobans, putting \$61 million back in the pockets of needy Manitobans, of Manitoba families, fought against, voted against by the Liberal Party of this province, a great tragedy, a great shame, but typical, I might say typical, of the shortsightedness of the Liberal Party in this Legislature.

The deficit reduction, Mr. Speaker, two stable years getting the deficit down under \$150 million after six straight years in the \$500 million to \$600 million deficit range under a New Democratic Government—I might say I could not help but think about the comments of the Leader of the New Democratic Party (Mr. Doer) who was talking about how things were so much better under New Democratic Party policies and think about what the public thought about those year after year after year structural deficits in the range of \$500 million to \$600 million a year that resulted in us having the first or second highest rates of personal income taxes in the country, the first or second highest rates of corporate taxes in this country, the second highest overall rate of taxation right across the board of any province in this country.

That is the legacy of the New Democratic Party. Those are the policies that people in this province said, thanks

but no thanks and turfed them out unceremoniously. They did not remember fondly New Democratic Party policies in this province. They thought about Manitoba Telephone System, \$30 million blown in Saudi Arabia, in the sands of Saudi Arabia. They thought of MPIC, Autopac under this former administration, and a 45 percent increase in rates over two years.

Mr. Speaker, no one in this province, in his or her right mind, is missing their economic or fiscal policies, believe me. They are indeed happy under this administration and the most recent job statistics say that 4,000 more people are employed this year versus last year in this province.

Manufacturing capital investment in 1989 increased by well over 80 percent, the second highest in the country. Overall growth as a province, according to an average of seven economic forecasts for 1989, is in the range of 4 percent to 5 percent, again, amongst the highest growth of any province in the country. Those are the kind of positive things people are experiencing and know about as a result of the efforts of this administration.

Mr. Speaker, we certainly do have fundamental differences with the New Democrats in economic and fiscal policy and in many areas such as free trade. I listened of course with interest to the Leader of the New Democratic Party (Mr. Doer) talking about free trade and blaming every single possible ill for this province and this country on the Free Trade Agreement. Yet in one of the few objective analyses that is done of the Free Trade Agreement that was reported in an article on January 19, 1990, in the Globe and Mail, the headline is, Free trade found helping Canadian business. It goes on to bring out six separate points in which the Free Trade Agreement helps the economy and the business climate of Canada even in its first-year analysis of that agreement.

Before I go too much further I want to express my great dismay at the Leader of the Opposition (Mrs. Carstairs) and the tenure and the tone that she took in rushing back to this Legislature to unburden herself of all of the venom and vitriol that she had pent up in her. I heard a lot of it over the weekend in her speech to the Liberal Party annual meeting. I might say that I had a friend who was there and reported to me - (interjection)- No, as a matter of fact, they had a panel on economic development policy so they had to bring in some Tories to give them some advice, Mr. Speaker. He told me that the Leader of the Opposition gave her keynote speech and he quit counting after she mentioned my name over 40 times. I am sorry if I am getting under the skin of the Leader of the Opposition but she will learn that all I do is keep repeating back her own statements.

* (0520)

An Honourable Member: And her own words.

Mr. Filmon: And her own words. They will come to haunt her as Manitobans realize that they cannot trust anything that she or her colleagues say, that her word and her policies are not to be believed and certainly not to be relied upon.

Mr. Speaker, when she began her comments by saying somewhat apologetically that she regretted that the things that she might be saying were not flattering toward the Government. I remind her that she has not said a flattering thing about our Government since we were elected. I remind her of how different that is to what she said in the years that she sat here as a third Party Leader, how she came here in 1986 and in her maiden speech said that she was going to bring a fresh new approach to this Legislature, that she was going to criticize only when criticism was due, but she would compliment and she would give a positive view of everything, that she would not be down in the gutter being negative and critical, carping and complaining that she would take a high-road positive view of things.

After listening to her half-hour diatribe, I say, Mr. Speaker, how are the mighty fallen to come down to this level and to give that kind of response? Where is that sincere, fresh, purposeful approach to Government in this province? Where, oh where, are those fresh new ideas that we were promised?

Mr. Speaker, she went one by one through the various people in the front rows of this administration and talked about all of the war crimes that she attributes to this administration all under the general heading of bullying.

Mr. Speaker, I have a great deal of difficulty with the two-faced duplicitous kind of comments and statements that she makes, because when she talks about her objection to raising funds by casinos and utilization of lotteries in this province, we have some excellent comments on the record from her talking, in terms of the Liberal Party, I might say, back in 1984, utilizing a lottery as a means of raising funds for their own Party. She said, when she was challenged about her views because she had said of course that lotteries were a tax on the poor, and she immediately said, well, the Party decided it was worth the gamble of offering \$25,000 in prizes because it needs the money.

She says, and quote, this is what she said, I am ineffective if I do not have some bucks. No principles, no principles whatsoever. She needs the bucks, that is her principle. She goes on, on the one hand, and on the other hand, Carstairs said she opposes the concept of lotteries because, quote, they are a tax on the poor, but since Government-run gambling operations are successful and appear to be here to stay, we might as well avail ourselves—principle, high principle.

Mr. Speaker, of course here we know at least she is being consistent with Liberal philosophy right across the country, because this article from Friday, November 17—I believe it was 1988, but I will go back and check that—from the Winnipeg Free Press, the title was: Lotteries proliferate under Peterson's anti-gambling Liberals.

It goes on to tell you how the Liberals have continued to expand and expand and expand the lotteries and the gambling in Ontario, despite the fact they are really against gambling. Well, at least all the Liberals are the same. They all say one thing and do another.

I might say when she gave her lecture on consumption taxes, and how she loathed consumption taxes, I was

a little surprised when in fact it was the federal Liberal Government in 1984, prior to their defeat, that was examining and in fact developing a national retail sales tax. That is the typical response that we get from Liberals in this Chamber, as we do from Liberals right across this country. On the one hand, when it comes to teachers in the public school system who are suspected of, or charged with, or accused of, abuse, sexual abuse or of something of that nature, they say err on the side of caution, consider the children first when you implement a policy that errs on the side of caution that considers the children and protects them first. They say no, do not do it, do not do it, do not do it, both sides of the issue, both sides of the issue.—(interjection)—

Mr. Speaker: Order, please.

Mr. Filmon: Mr. Speaker, I will get to the Member for St. Vital (Mr. Rose) in just a moment. He has a very important role, a vignette to play in this little talk.

The major theme of her address was on bullying. I want to illustrate to you the kind of compassion that the Leader of the Opposition, the Member for River Heights (Mrs. Carstairs), is capable of in her policies. This is of course what she said in her concern for those people who are disadvantaged in our society during the 1988 election campaign. It comes directly out of their policy. I can quote the entire policy, but I will shorten it by just reading the summary from a newspaper article of April 6, 1988: Carstairs said she would eliminate an \$800,000 education program the NDP proposed this year which aims to attract Natives, immigrants, the disabled and others who have had a hard time getting into university. That is the ACCESS program.

No, I kid you not, it was the Leader of the Liberal Party who made that commitment. I will not even talk about her policy of user fee charges in hospitals where she said that she would have charges for people for toothbrushes, food and meals and all of those kinds of things.

Here is another compassionate policy that she unveiled last fall in Minnedosa. To another question from the floor, Mrs. Carstairs indicated that 40 percent of people presently residing in personal care homes do not need to be there, these people require less than 20 minutes of care per day, they should be living at home. That is what she said. That is the most preposterous thing I have ever heard.

I have travelled through dozens and dozens and dozens of personal care homes in this province and I have not met people who do not need to be there. Personal care homes in this province have gone to people with higher and higher and higher level of care. They are not places that people are there because they are just there for the fun of it or they want to abuse the privilege of society. They are there because they need to be there. Yet this Liberal Opposition and their Leader would turf those people out on the street. That is not a compassionate leader, and that is not a compassionate Government, I would say.

* (0530)

Mr. Speaker, I just want to deal with a little bit more of last weekend's Liberal Party convention. I really enjoyed the article in the Sunday Winnipeg Sun about the poll results that had come out that day which said that the Liberal Party had lost five percentage points of support in the City of Winnipeg, their bastion—the City of Winnipeg. What did the article say? I quote: Carstairs tells Grits, poll results good news. If it is good news when you lose 5 percent, I guess it is great news when you lose 10 percent.

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please; order, please.

Mr. Filmon: Of course, the Deputy Leader wanted to join her, and in his comments he said, but of course they were doing so well, losing five points, because of the great performance of their rookies. He said, just imagine, we have done this well with rookie MLAs. Good grief.

Of course, one of the more amusing stories that will be told of this Legislative Session is of the Liberals time management. I think they were going to have seminars on various things like decorum, legislative practices, rules and so on, but now of course they are going to need one on time management.

Mr. Speaker, when I first came into this Legislature, there was a maximum of 90 hours for debate of Estimates. That was back in the late '70s. That rule was changed. I always regretted that rule was changed. It was done under a Conservative administration, I might say. That 90 hours of course became eventually 240 hours to consider the Estimates of Expenditure of all Government departments. Of course, the Liberal Party in this Legislature ran out of time this year. Of 240 hours, five complete departments were unable to be examined in any detail—five departments. They did not have time for Executive Council. They did not have time for Finance. They did not have time for Justice. They did not have time for Government Services. They did not have time for five full departments.

What did they say? They said, we are going to really hold you on that concurrence motion. We are going to hold you accountable. We are going to ask questions. We are going to debate. You are going to be here for days, they said, Mr. Speaker. Weeks, they said. Months, they said. What did it come down to? It came down to Horatio at the bridge, the Member for Inkster (Mr. Lamoureux) left to defend the honour of the Liberal Party and to fight against the concurrence motion all by himself.—(interjection)— Oh, he had the Member for Springfield (Mr. Roch). Of course, you can understand why we forget.

You would have to know that there was something unusual about what was going on because the Speaker kept leaving the Chair. The mace went down. The mace went up. The Speaker came back. We went into committee. We went out. You would have to know that this is not the normal routine matter, but after passing 17 Bills the concurrence motion went by without a question, without a word of debate, not a word. When it was over the Member for Inkster (Mr. Lamoureux)

asked, what happened? Some people make things happen. Some people watch things happen. The Liberals asked, what happened?

Mr. Speaker, the final disgrace of the Liberals in this Chamber, in this Session of course, was the fact that they have now been shown to be just like jelly. They are absolutely all over the place. I referred to them as centipedes last week. I do not think that is probably the best—it is chameleons. They are just everywhere on everything. They are all over the map.

Let us take just two separate issues. One is their constant criticism of decentralization, the criticism of decentralization. You know the minute that I made the announcement in Brandon last November the Leader of the Opposition (Mrs. Carstairs), the very next day, November 23, spoke to the Union of Manitoba Municipalities before she knew anything about the decentralization proposal. She knew nothing about it, Mr. Speaker. What did she say? She said: I do not want to take a lot of Winnipeggers and move them to rural Manitoba, quote, that is what she said. The Leader of the Liberal Party said that.

What did she say when she was in The Pas on February 10, 1989? She said, and here it is, Carstairs told The Times that if she were to form a Government next week some bureaucrats would be headed north to The Pas, Thompson and perhaps Flin Flon. Quote, we have to start putting some of those physical bodies in the North, she said. On the one hand, she is going to take those physical bodies and send them out, on the other hand, she says, I do not want to take a lot of Winnipeggers and move them to rural Manitoba. Where are you going to take them from if you are not going to take them from Winnipeg? Where are they going to get them? This is absolute nonsense.

Mr. Speaker, there are so many other examples that we can give of them being all over the map. Just like the Member for Fort Rouge (Mr. Carr) constantly saying: Why are you not doing something about this; why are you not doing something about that? His colleagues say: Look in these manholes; check this out; do that; check the sand out; do this; what are you doing; you are all irresponsible. Then he says here in the Legislature, Friday, March 2: Sometimes no action is the best action of all.

What is it? Do you want us to act or you do not want us to act? Come on, make up your mind.

Mr. Speaker, then of course we have their position on final offer selection. You know, I do not have to read to you the policy position paper of the Liberal Party in the last election, which was that if elected they would immediately repeal final offer selection, immediately repeal.

Now, what did they say when we introduced the final offer selection repeal Bill? This is what the Leader of the Opposition, one Sharon Carstairs, said August 19 to Mr. Robert J. Potter, Secretary Treasurer, R.M. of Louise, Crystal City, Manitoba: Dear Mr. Potter, thank you for your recent material on final offer selection. The Liberal Party in Manitoba is opposed to the current final offer selection legislation and have assured the

Government of our support for repeal. That is us she assured.

Mr. Speaker, at the same time, according to the head of the Manitoba Federation of Labour, the Member for St. Vital (Mr. Rose) was out there meeting with the Manitoba Federation of Labour and telling them that they were going to make a deal with them not to repeal final offer selection legislation, not to repeal.

* (0540)

In fact he went out of this House after and said to one of our Members that now he can go around saying he saved final offer selection. Now that is integrity, that is honesty.

That is the kind of truthfulness that people have come to expect from the Liberal Party of Manitoba. They are spineless jellyfish on everything that goes on. They want to be all things to all people, and they are all over the map. It will not work, because if you do not stand for something, you will fall for anything, and that is the Liberal Party of Manitoba.

Mr. Speaker, we need take no criticism from the Leader of the Opposition (Mrs. Carstairs) when it comes to the way in which this Government has handled its affairs in this province. This province has more people working; this province has greater investments; this province has greater growth, and this province has lower taxes and a lower deficit as a result of the efforts of this administration, no thank you whatsoever to the Liberal Party of Manitoba. I tell you that we will continue to provide the good Government and the sound fiscal policy that Manitobans depend upon, because we know that they will get it from our Party, and they can never get it from the Liberal Party in this province.

Some Honourable Members: Oh, oh!

Mr. Reg Alcock (Opposition House Leader): Mr. Speaker, I would prefer not to engage in this particular debate right now. I would like to take a moment, just as the House Leader for the Opposition, to thank a few people for the support and the assistance they have provided all of us this year. I would like, as the other Members have, to thank the Table staff and the legal staff and the people in the Hansard offices and everybody in this building that serves us so well. I would also like to thank the House Leader for the Government (Mr. McCrae), who has worked with me throughout this very, very long Session. I also would like to thank the House Leader for the NDP (Mr. Ashton), who has been of great assistance as we have tried to sort things out in this House.

I would be remiss if I did not mention a couple of other people. The former House Leader for the NDP continues to teach me. He continues to provide lessons for me, and each Session, Mr. Speaker, I learn a little more. I would also like to thank the Minister of Finance (Mr. Manness) for considerable assistance in sorting out these last few days, and helping us bring this Session to a close. It has been a very long and trying Session for all Members, and I am pleased to see it come to an end. I am looking forward to the time to

relax and to do a little research and do a little work in my constituency. I think I would be remiss, as I did not take advantage of the opportunity to speak on Bill 200, to thank the Whip for our Party who I think has been the butt of rather considerable levity for an error of mine, and I want that on the record too.

Some Honourable Members: Hear, hear!

Mr. Steve Ashton (Second Opposition House Leader): Mr. Chairperson, I want to join with the Member for Osborne (Mr. Alcock). I think it is appropriate to pay tribute to the people who have stuck through a pretty long Session. One hundred and forty-four days is I believe the second longest in history. Some of us remember an even longer Session. I do not know, to the Member for Osborne, some of us are just beginning to get our second wind, so some of us may be disappointed when we wake up tomorrow and not come in for Question Period and our normal routine.

Mr. Speaker, I want to indicate that it has been an incredible experience for me this year as House Leader. It has been my first Session as House Leader for our caucus, and although I have been a Member of this Legislature since 1981, I can indicate it has been an incredible experience seeing how democracy functions. Believe you me, books could be written on this Session in terms of how this Session has operated.

I do want to pay tribute to the Government House Leader (Mr. McCrae) and to the Liberal House Leader (Mr. Alcock). We have had our fights, we have worked together at other times and that is part of the democratic system. I want to join actually in terms of the sentiments expressed by the Member for Osborne (Mr. Alcock), I do credit the Minister of Finance (Mr. Manness) and a number of Members who were involved in discussions back and forth over the last period of time in terms of resolving matters.

I want to pay particular tribute to the Member for Churchill (Mr. Cowan). I can indicate that I entered this position at the beginning of the Session with a great deal of trepidation. Mr. Speaker, I am proud to have been able to work with the Member for Churchill throughout this Session. I believe he has shown he truly is a master of this House in every way, shape or form. I do not know whether we will be back. That will be something that will be decided I guess at this point by the Government in another Session, but we may indeed be back. We may be here for sometime. We do not know.

I think that to the Member for Churchill (Mr. Cowan) who is in his last Legislature, perhaps not his last Session, but who has indicated he will not be running because of the redistribution, I want to pay particular personal tribute. I have learned a lot from the Member for Churchill since 1981 as a Member of this Legislature. I have learned that much more as House Leader for our caucus over the past Session. Thank you, Mr. Speaker.

Some Honourable Members: Oh, Oh!

Mr. McCrae: Mr. Speaker, many thanks have been given this evening in the comments made by the various

speakers. Rather than go through and risk missing somebody, I will associate myself with the thanks offered by all the others who have done that this evening.

In three days the Session would have been 10 months old, Mr. Speaker. Children born last May 18 are now picking themselves up off their knees and walking, beginning to walk. I think it is only right that we take the time now to adjourn this House and get on with some other important Government business that we on this side will have to do in preparation for the months and years and who knows how long ahead.

An Honourable Member: Decades.

Mr. McCrae: Perhaps decades ahead.

I guess if I am singling people out, I will single out my counterparts for all of the good work we have tried to do together. We have certainly spent lots of time together, my colleagues on my side of the House who have been so tremendously helpful to me and to each other. I must say I am quite proud of the Party I am associated with in respect to the way we get along with each other and the way we are able to work together.

Mr. Speaker, you have been grand. Thank you.

QUESTION put, MOTION carried.

* (0550)

ROYAL ASSENT

Mr. Speaker: I am advised His Honour the Lieutenant-Governor is about to enter to grant Royal Assent.

Deputy Sergeant-at-Arms (Mr. A. Roy MacGillivray): His Honour the Lieutenant-Governor.

His Honour, George Johnson, Lieutenant-Governor of the Province of Manitoba, having entered the House, and being seated on the Throne:

Mr. Speaker addressed His Honour in the following words:

Mr. Speaker: May it please Your Honour:

The Legislative Assembly, at its present Session, passed Bills, which in the name of the Assembly, I present to Your Honour and to which Bills I respectfully request Your Honour's Assent:

Ms. Deputy Clerk (Bev Bosiak):

Bill No. 8, The Endangered Species Act; Loi sur les espèces en voie de disparition;

Bill No. 9, The Forest Amendment Act; Loi modifiant la Loi sur les forêts;

Bill No. 16, An Act to Protect the Health of Non-Smokers; Loi sur la protection de la santé des non-fumeurs;

Bill No. 47, The Dependents Relief Act; Loi sur l'aide aux personnes à charge;

Bill No. 48, The Intestate Succession and Consequential Amendments Act; Loi sur les successions ab intestat et modifiant diverses dispositions législatives;

Bill No. 50, The Wills Amendment Act; Loi modifiant la Loi sur les testaments;

Bill No. 51, The Marital Property Amendment Act; Loi modifiant la Loi sur les biens matrimoniaux;

Bill No. 52, The Family Maintenance Amendment Act; Loi modifiant la Loi sur l'obligation alimentaire;

Bill No. 56, The Workers Compensation Amendment Act (2); Loi no 2 modifiant la Loi sur les accidents du travail;

Bill No. 57, The Pension Benefits Amendment Act; Loi modifiant la Loi sur les prestations de pension;

Bill No. 59, The Public Schools Amendment Act; Loi modifiant la Loi sur les écoles publiques;

Bill No. 60, The Education Administration Amendment Act; Loi modifiant la Loi sur l'administration scolaire;

Bill No. 61, The City of Winnipeg Amendment Act (2); Loi no 2 modifiant la Loi sur la Ville de Winnipeg;

Bill No. 62, The City of Winnipeg Amendment Act (3); Loi no 3 modifiant la Loi sur la Ville de Winnipeg;

Bill No. 63, The Consumer Protection Amendment Act (3); Loi no 3 modifiant la Loi sur la protection du consommateur;

Bill No. 72, The Securities Amendment Act; Loi modifiant la Loi sur les valeurs mobilières;

Bill No. 73, The Highway Traffic Amendment Act (6); Loi no 6 modifiant le Code de la route;

Bill No. 74, The Highway Traffic Amendment Act (7); Loi no 7 modifiant le Code de la route;

Bill No. 75, The Insurance Amendment Act; Loi modifiant la Loi sur les assurances;

Bill No. 78, The Prearranged Funeral Services Amendment Act; Loi modifiant la Loi sur les arrangements préalables de services de pompes funèbres;

Bill No. 80, The Civil Service Superannuation Amendment Act; Loi modifiant la Loi sur la pension de la fonction publique;

Bill No. 84, The Waste Reduction and Prevention and Consequential Amendments Act; Loi sur la

réduction du volume et de la production des déchets et modifications corrélatives;

Bill No. 88, The Physically Disabled Persons Parking Act; Loi sur les aires de stationnement réservées aux handicapés physiques;

Bill No. 91, The Public Health Amendment Act; Loi modifiant la Loi sur la santé publique;

Bill No. 92, The Manitoba Energy Foundation Repeal Act; Loi abrogeant la Loi sur la Fondation manitobaine de l'énergie;

Bill No. 95, The Certified General Accountants Act; Loi sur les comptables généraux agréés;

Bill No. 96, An Act to amend An Act respecting the Roman Catholic Archiepiscopal Corporation of Winnipeg and the Roman Catholic Archdiocese of Winnipeg; Loi modifiant "An Act respecting the Roman Catholic Archiepiscopal Corporation of Winnipeg and the Roman Catholic Archdiocese of Winnipeg";

Bill No. 98, The Manitoba Data Services Disposition and Consequential Amendments Act; Loi sur l'aliénation de la Commission des services d'informatique du Manitoba et modifications corrélatives;

Bill No. 101, The Statute Re-enactment and By-Law Validation (Municipal) Act; Loi sur la réadoption de lois et la validation d'arrêtés concernant diverses municipalités;

Bill No. 102, The Statute Law Amendment Act, 1990; Loi de 1990 modifiant diverses dispositions législatives;

Bill No. 103, The Statute Law Amendment (Re-enacted Statutes) Act, 1990; Loi de 1990 modifiant diverses dispositions législatives (Lois réadoptées);

Bill No. 104, The Professional Home Economists Act; Loi sur les conseillers en économie domestique;

Bill No. 106, The Rural Municipality of Victoria Beach By-law Validation Act; Loi validant l'arrêté sur la municipalité rurale de Victoria Beach.

Mr. Clerk (William Remnant): In Her Majesty's Name, His Honour the Lieutenant-Governor, doth assent to these Bills.

Mr. Speaker: May it please Your Honour:

We, Her Majesty's most dutiful and faithful subjects, the Legislative Assembly of Manitoba in Session assembled, approach Your Honour with sentiments of unfeigned devotion and loyalty to Her Majesty's person and Government, and beg for Your Honour the acceptance of these Bills:

Bill No. 99, The Appropriation Act, 1989; Loi de 1989 portant affectation de crédits;

Bill No. 100, The Supplementary Appropriation Act, 1989; Loi de 1989 portant affectation supplémentaire de crédits.

Mr. Clerk: His Honour the Lieutenant-Governor doth thank Her Majesty's dutiful and loyal subjects, accepts their benevolence and assents to these Bills in Her Majesty's name.

(His Honour was then pleased to retire.)

(GOD SAVE THE QUEEN WAS SUNG)

Mr. Speaker: As is traditional, I would like to inform Honourable Members that the Speaker's Office is open for a few refreshments.

This House is now adjourned and will stand adjourned until a time fixed by Mr. Speaker, on the advice of the Government.