



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

**DEBATES  
and  
PROCEEDINGS  
(HANSARD)**

39 Elizabeth II

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Speaker*



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

**Members, Constituencies and Political Affiliation**

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

## LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, December 14, 1990

The House met at 10 a.m.

### PRAYERS

### ROUTINE PROCEEDINGS

### PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

**Mr. Jack Reimer (Chairman of the Committee on Law Amendments):** Mr. Speaker, by leave, I beg to present the Second Report on the Committee on Law Amendments.

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

Your committee met on Thursday, December 13, 1990, at 10 a.m. and at 5:30 p.m. in Room 255 of the Legislative Building to consider Bills referred.

Your committee heard representations on Bills as follows:

Bill 13—The Residential Tenancies and Consequential Amendments Act; Loi sur la location à usage d'habitation et modifiant diverses dispositions législatives

Mr. Jim Linton - Winnipeg Hydro

Ms. Linda Williams - Winnipeg Housing Concerns

Ms. Lillian Zagonchuk

Mr. Henry Elias - Private Citizen

Mr. Lewis Rosenberg - Professional Property Managers' Association

Mr. Richard Swystun - Private Citizen

Mr. Frank Cvitkovitch - The Mortgage Loan Association of Manitoba

Mr. Herbert William Cooper - Private Citizens

Mr. William Snell

Mr. Harold McQueen - The Social Assistance Coalition of Manitoba

Mr. Denis Souchay - Royal Realty Services Ltd.

Ms. Sharon Grabowieski - Logan Community Centre

Ms. Julie Van de Spiegle - Landholders' League of Manitoba

Ms. Karen Tjaden - United Church (Conference of Manitoba and

Northwestern Ontario)

Mr. Stan Fulham - Kinew Housing Company

Mr. Peter Warkentin - Dart Holdings Ltd.

Written Submissions:

Mr. Reg Loepky - Private Citizen

Bill 25—The Ombudsman Amendment Act; Loi modifiant la Loi sur l'Ombudsman

Mr. Bill Norrie - Mayor, City of Winnipeg

Your committee has considered:

Bill 13—The Residential Tenancies and Consequential Amendments Act; Loi sur la location à usage d'habitation et modifiant diverses dispositions législatives

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

### MOTION

#### In Committee

### PROPOSED AMENDMENT TO BILL 13 THE RESIDENTIAL TENANCIES AND CONSEQUENTIAL AMENDMENTS ACT

Moved by The Honourable Mr. Ducharme

THAT the definition of "tenant" in subsection 1(1) be amended by striking out "who pays rent or on whose behalf rent is paid in return for the right to occupy a rental unit" and substituting "who occupies or is entitled to occupy a rental unit under a tenancy agreement".

### MOTION

#### In Committee

### PROPOSED AMENDMENT TO BILL 13 THE RESIDENTIAL TENANCIES AND CONSEQUENTIAL AMENDMENTS ACT

Moved by The Honourable Mr. Ducharme

THAT paragraph 2 of section 29 be amended by striking out "other than at the beginning of the

tenancy" and substituting "except at the time the tenancy agreement is entered into".

### MOTION

#### In Committee

### PROPOSED AMENDMENT TO BILL 13 THE RESIDENTIAL TENANCIES AND CONSEQUENTIAL AMENDMENTS ACT

Moved by The Honourable Mr. Ducharme

THAT subsection 31(1) be amended by striking out "from the date the tenancy begins until the security deposit is disbursed" and substituting "from the date the security deposit is paid until it is disbursed".

### MOTION

#### In Committee

### PROPOSED AMENDMENT TO BILL 13 THE RESIDENTIAL TENANCIES AND CONSEQUENTIAL AMENDMENTS ACT

Moved by The Honourable Mr. Ducharme

THAT subsection 50(2) be amended by adding the following at the end of the subsection:

"except that, for the purpose of Part 3, an assignment is deemed to have taken place 60 days after the end of the term of subletting".

### MOTION

#### In Committee

### PROPOSED AMENDMENT TO BILL 13 THE RESIDENTIAL TENANCIES AND CONSEQUENTIAL AMENDMENTS ACT

Moved by The Honourable Mr. Ducharme

THAT subsection 60(2) be amended

(a) by striking out "not less than 7 days"; and

(b) by striking out "gives notice in writing to the director" and substituting "advises the director in writing".

### MOTION

#### In Committee

### PROPOSED AMENDMENT TO BILL 13 THE RESIDENTIAL TENANCIES AND CONSEQUENTIAL AMENDMENTS ACT

Moved by The Honourable Mr. Alcock

THAT section 93 be amended by renumbering subsections (1) and (2) as subsections (2) and (3) and by adding the following as subsection (1):

#### **Termination re move to personal care home**

**93(1)** If a tenant of a rental unit has been accepted into a personal care home, the tenant may terminate the tenancy by giving the landlord a notice of termination that is not less than 1 rental payment period effective on the last day of a rental payment period.

### MOTION

#### In Committee

### PROPOSED AMENDMENT TO BILL 13 THE RESIDENTIAL TENANCIES AND CONSEQUENTIAL AMENDMENTS ACT

Moved by The Honourable Mr. Ducharme

THAT subsection 97(4) be amended by adding "unless the director orders otherwise" at the end of the subsection.

### MOTION

#### In Committee

### PROPOSED AMENDMENT TO BILL 13 THE RESIDENTIAL TENANCIES AND CONSEQUENTIAL AMENDMENTS ACT

Moved by The Honourable Mr. Ducharme

THAT subsection 157(2) be amended by striking out "An order of possession made by the director" and substituting "If an order of possession made by the director is not complied with by the date specified in the order, the order".

Your committee has also considered:

Bill 25—The Ombudsman Amendment Act; Loi modifiant la Loi sur l'Ombudsman

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

**MOTION****In Committee****PROPOSED AMENDMENT TO BILL 25  
THE OMBUDSMAN AMENDMENT ACT**

Moved by Ms. Friesen

THAT section 2 be amended by adding the following section:

**Five year sunset clause**

**15.2(1)** Subject to subsection (3), section 15.1 expires and is no longer in force and effect on the fifth anniversary date of the coming into force of the section.

**Review by Assembly**

**15.2(2)** Upon expiry of section 15.1, the Standing Committee of the Assembly on Privileges and Elections, or such other committee of the Assembly or other committee or person as the Assembly may specify by resolution, shall review the services provided by the Ombudsman to the City of Winnipeg under section 15.1 and shall, no later than 6 months after expiry of section 15.1, table a report, with or without recommendations, in the Assembly.

**Services continue during review**

**15.2(3)** Notwithstanding subsection (1), an agreement between the Ombudsman and the City of Winnipeg under section 15.1, entered into before expiry of the section, shall, at the election of either party, remain in force and effect until such time as the Legislature otherwise provides.

**MOTION****In Committee****PROPOSED AMENDMENT TO BILL 25  
THE OMBUDSMAN AMENDMENT ACT**

Moved by The Honourable Mr. Ducharme

THAT the Bill be amended by striking out section 3 and substituting the following:

**Delay of ombudsman's service**

**3** Notwithstanding sections 65 to 73 of The City of Winnipeg Act, the City of Winnipeg may delay providing the services of an ombudsman under that Act until an agreement under section 15.1 of The Ombudsman Act is concluded or July 1, 1991, whichever first occurs; and no action or proceeding may in the meantime be taken against the City of Winnipeg in respect of sections 65 to 73.

**Coming Into force**

**4(1)** This Act, except section 3, comes into force on the day it receives royal assent.

**Section 3 retroactive**

**4(2)** Section 3 is retroactive and is deemed to have come into force on November 3, 1990.

All of which is respectfully submitted.

**Mr. Reimer:** Mr. Speaker, I move, seconded by the Honourable Member for Fort Garry (Mrs. Vodrey), that the report of the committee be received.

**Motion agreed to.**

**Mr. Marcel Laurendeau (Chairman of the Committee on Industrial Relations):** Mr. Speaker, by leave, I beg to present the First Report of the Committee on Industrial Relations.

**Mr. Clerk:** Your Standing Committee on Industrial Relations presents the following as their First Report.

Your committee met on Wednesday, December 12, 1990, at 8 p.m. in Room 255 of the Legislative Building and on Thursday, December 13, 1990, at 8 p.m. in Room 254 of the Legislative Building to consider Bills referred. On December 12, 1990, your committee elected Mr. Laurendeau as Chairperson.

Your committee heard representations on Bills as follows:

Bill 12—The Labour Relations Amendment Act; Loi modifiant la Loi sur les relations du travail;

Mr. Sidney Green - Manitoba Progressive Party

Mr. Albert Cerilli - Canadian Brotherhood of Railway, Transport and General Workers

Mr. Pat Martin - Private Citizen

Mr. Rob Hilliard - Manitoba Federation of Labour

Bill 23—The Employment Standards Amendment Act (2); Loi no 2 modifiant la Loi sur les normes d'emploi

Mr. John Doyle - Manitoba Federation of Labour

Your committee has considered:

Bill 12—The Labour Relations Amendment Act; Loi modifiant la Loi sur les relations du travail;

Bill 23—The Employment Standards Amendment Act (2); Loi no 2 modifiant la Loi sur les normes d'emploi;

and has agreed to report the same without amendment.

All of which is respectfully submitted.

**Mr. Laurendeau:** Mr. Speaker, I move, seconded by the Honourable Member for Fort Garry (Mrs. Vodrey), that the report of the committee be received.

**Motion agreed to.**

\* (1005)

### TABLING OF REPORTS

**Hon. Clayton Manness (Minister of Finance):** Mr. Speaker, I rise to table the fourth Quarterly year-end Report for the Manitoba Public Insurance Corporation.

### MINISTERIAL STATEMENT

**Hon. Clayton Manness (Minister of Finance):** Mr. Speaker, I have a ministerial statement.

Mr. Speaker, I rise today on a matter of significant concern to all Manitobans. This is the last opportunity that we have before the end of 1990 to lay before the Legislature and the taxpayers of Manitoba this Government's position regarding funding for public sector wage settlements.

In September we presented an economic statement designed to continue building a climate that will allow Manitoba to take charge of its own economic future to encourage entrepreneurship, economic growth and jobs, to develop hospitable communities that will educate our children for the opportunities in the 21st Century and to accomplish economic growth in a manner that respects our environment.

However, there is a threat to this goal. Manitoba is at a decision-making point in its economic history. Over the next two years a true spirit of co-operation and partnership among us all will be essential if Manitoba is to successfully meet the fiscal and economic challenges before us. We need to pull together and share the burden through moderation and co-operation.

This side of the House, Mr. Speaker, strongly believes that before starting along the path to economic renewal any Government must first put its own house in order. Economic renewal cannot be achieved if a Government's own finances are out of control. No benefit can come from significant increases in the deficit under conditions of flat revenues.

Given the commitment of our Government not to increase personal taxes and to make every effort to

not increase general taxation, the deficit can only be kept in check through responsible management, wise spending of our taxpayer dollars and choosing our priorities carefully.

As public sector salaries constitute the majority of all Government expenditures, it is only fitting that the Government indicate its general approach to public sector wage negotiations. Without including Crown corporations, this Government has a wage envelope exceeding \$2 billion, which funds the salaries of civil servants, university professors, teachers, doctors, nurses and others.

Inasmuch as the Government is prepared to offer a nominal funding envelope to a combination of all those drawing salaries from the public purse, it is imperative that general funding guidelines be announced today.

As a Government, we have established a target of a 3 percent average wage increase for all those employees paid by Government. In order to recognize the relative imbalances within the public wage sector, some groups will receive greater increases from the fixed pool of funds, while some groups will receive less. Only one group of publicly funded employees can expect a settlement in excess of all others, that being the nurses.

If we are to be fair and reasonable to nurses and give them more, then others in the public sector have to share in making nurses our No. 1 priority. That means that the funding provision for some groups will be zero.

Mr. Speaker, as a Government, we recognize that nurses are special and that they do have specific concerns that need to be addressed. We value the crucial role nurses play in the health care field, a role that is ever evolving but all too often has been taken for granted. It is only in the last few years that Governments and society in general are becoming more attuned to the changing scene the nursing profession is experiencing.

As a Government, we realize there is a wide range of issues related to nursing—supply, recruitment, retention, training, staffing patterns, workplace conditions, labour relations, nurse abuse, to name a few.

We also recognize that nurses often feel as if their input is not valued or acknowledged in the health care system. We also recognize that nurses, as a professional group, can be greater partners in the decision-making process, to share the lead in

performing and reforming our health care system with the end goal being an affordable system that works.

We have listened to the concerns of Manitoba nurses. We understand the challenges and how the focus must be on the development of creative solutions. This announcement today is part of this Government's strategy to build the foundations for a decade of strong economic revitalization which can and will benefit all Manitobans.

To position this province for growth and to remain competitive during this challenging period, we all must share the burden. This province has the potential for a sound future for all its citizens. To realize our full potential in the 1990s, we must take control of our future now through a process of planned economic renewal.

Thank you, Mr. Speaker.

\* (1010)

**Mr. Gary Doer (Leader of the Opposition):** Mr. Speaker, today we see the continued carryout carrying on at the provincial Government of the Chambers of Commerce agenda. The clear articulation of that agenda is contained in the Chambers of Commerce communiques. It, of course, is quite interesting for us that the bravado that the Minister is trying to express in this House now was not part of their election platform, not part of the agenda; it was not part of their campaign.

Let me give you a couple of examples in a minute, because the Government talks about getting their own house in order. I have cited cases where '91 and '92 have had negotiated agreements between the provincial Government and Ministers of this Crown that include cost-of-living increases in '91 and '92.

Now the question remains: Did they have one standard of negotiations before the election and during the election and another standard of negotiations after the election when they were in the flush of their majority? What has that got to do with the economic realities of this province, Mr. Speaker? Maybe it has more to do with the realities, the short-term realities of the Progressive Conservative Party.

We believe in a free collective bargaining process. We believe that the economy, the recruitment and retention of people in the public services, whether they are Crown corporations or whether they are the direct public service, should be

indeed the indicators that are taken in terms of collective bargaining.

I remember some of the rhetoric from some of the Ministers opposite, including the Premier, Mr. Speaker, about tough bargaining in the '77 to '81 period. You know what happened? They were tough for a couple of years and then they settled the doctors at the highest settlement ever in the history of the province, at 15 percent, when they were in Government before. When we look at of course the sweetheart agreement that this Government reached with their friends in the medical community which gave them arbitration, what are we going to do, have a certain percentage of increase for doctors under arbitration and then we are going to have a worker at the Portage school getting a lot less percent under this so-called Government policy?

We will watch for the fairness of the collective bargaining process, Mr. Speaker. We will watch to see the fairness of various groups.

Mr. Speaker, again this Government was concerned about the salaries for judges, and it brought forward legislation last year that took away the control of Cabinet to set salaries for judges. We commented then that it was setting a bad precedent for a group in society that is relatively well-off. Are we going to have one standard of settlements for judges and another standard of settlement for a secretary working at Dauphin? That is usually when we find out what Tory justice is—it is unfair justice.

Mr. Speaker, there are wage settlements at St. Boniface College at 5 percent. There are COLAs, et cetera, so if the Government is talking about getting its own house in order, I hope it treats university professors the same as it does for line workers across the province. I suggest the Government's house has not been in order, not been in order at all.

Mr. Speaker, we have articulated for a long time that this Government is on a collision course with the nurses. It has refused to place them on the Advisory Council of Health. The Minister of Health (Mr. Orchard) refused to place the Nurses' Union on the Advisory Council of Health. The nurses were asking for input into the health care system a year and a half ago. This Minister of Health, in front of 500 nurses, snubbed his nose and his Government's nose at the Nurses' Union.

\* (1015)

Second, Mr. Speaker, the eight major administrative bodies of the medical area of hospitals and the Nurses' Union negotiated freely a pay equity settlement, agreed to by management, agreed to by the nurses. This Minister of Health and this Government rolled back that pay equity settlement and then manipulated when they would get their payment and timed it for today.

I suggest, Mr. Speaker, that we believe in fair collective bargaining. We believe in fair for the taxpayers and fair for the employees, but we will watch the way this Government treats the elites of our province versus the other people. I know that Tories never treat people fairly. Thank you very much.

**Mr. Reg Alcock (Osborne):** Merry Christmas, Mr. Speaker.

**Mr. Speaker:** To you.

**Mr. Alcock:** One week before Christmas this Government has chosen to recognize a need that the nurses in this province have expressed for a very long time, and that is good. They have recognized that nurses have been undersupported and underpaid for a very long time.

They acknowledge the need to correct that, but they do that by saying that public sector employees are a threat to the economic well-being of this province. They do that by pitting public sector employees against each other. They say that we will support the nurses. We will recognize their legitimate concerns, but we will do it at the expense of other people in the community. Instead of looking at the legitimate cases put forward by each sector in the economy, by each group in the economy, they have made their decisions now.

Well, Mr. Speaker, we believe that people should have the opportunity to put their case forward and not have it prejudged by the Government. We think it is wrong for them to pit one group in this community against another. I believe that public sector employees in this province are prepared to work with the Government toward their goal of economic revitalization, but the Government starts off very badly when it accuses them of being a threat to the economic well-being of this province.

**An Honourable Member:** It is not in there.

**Mr. Alcock:** It says it—page two.

## 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 John W. Gunn School sixty-eight Grade 9 students. They are under the direction of Wendy Rutherford. This school is located in the constituency of the Honourable Member for Transcona (Mr. Reid).

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

## ORAL QUESTION PERIOD

### Winnipeg Education Centre Funding

**Mr. Gary Doer (Leader of the Opposition):** Mr. Speaker, for the last couple of years we have been raising the issue of ACCESS programs with the Government of the Day. We believe that ACCESS programs are an investment in our community that pays off, not only for the people, but for our total society.

Social workers, teachers, other vital human resources have been trained in our ACCESS programs, Mr. Speaker, and have become part of our community for aboriginal and multicultural people, particularly in northern and the inner city of this province.

My question is to the Premier. We agreed to build the Winnipeg Education Centre. We had funding from the Department of Education and the Core Area Agreement. I know, I was the Minister involved with the core. The Government stalled it, stopped it and studied it, and even when their studies came out they have stalled it and stopped it.

Will the Premier today commit the money that was left for the Winnipeg Education Centre or is he going to cancel it and put it under the knife in terms of the investment for people in the inner city of this province? I would ask the Premier to answer that question.

**Hon. Leonard Derkach (Minister of Education and Training):** Mr. Speaker, as the Leader of the Opposition knows, for two years now we have been attempting to make sure that the federal Government contributes its fair share to the programs under the ACCESS and BUNTEP programs.



Our province and our Government has committed itself to these programs. Indeed we have put some \$2.6 million, additional money, into these programs to ensure that they would continue at least for that period of time when we could not arrive at an agreement with the federal Government.

Our commitment is strong and solid for the ACCESS programs, but without the federal Government there are going to have to be some very serious looks at the programs that exist at the present time.

Mr. Speaker, we are prepared to commit our share of funding to make sure that the ACCESS program exist. In a time of instability, in terms of the federal Government's commitment to these programs, we cannot continue to go ahead with building construction when we do not know what the federal Government's commitment to these programs will be in the future.

\* (1020)

### ACCESS Programs Funding

**Mr. Gary Doer (Leader of the Opposition):** Mr. Speaker, this Government has not negotiated an agreement with the federal Government for ACCESS programs because they do not care about ACCESS programs. That is plain and simple. They do not care about it. They do not want it to succeed.

When you want a southern sewer and water agreement, it is there. When you want an agreement with the federal Government for a complex at Oak Hammock Marsh for Ducks Unlimited, you get a federal-provincial agreement, Mr. Speaker. When it comes to the students of the inner city or the aboriginal people of the North, you do not care about it.

My question to the Premier is: If he is completely unsuccessful in negotiating with the federal Government as the Minister responsible for federal-provincial relations, will he reallocate money from the \$7 million corporate training fund that has been in this budget for the inner city ACCESS program? Will he reallocate money from his bricks and mortar programs, one of which is a complex at Oak Hammock Marsh, for the inner city, for the needed priorities of the students in the inner city of Winnipeg?

**Hon. Gary Filmon (Premier):** Mr. Speaker, I think that the Leader of the Opposition should be very

careful in his attempt to try and paint people and talk about caring. We have all seen the misery that was inflicted on this province by New Democratic administrations back in the '80s. We have seen the cuts. We have seen, you know, for three straight years increases in welfare that ranged from 2 percent to 3 percent at a time when inflation was double that. Those are the kinds of things that they did to the people in need in this province.

We have seen the kinds of reductions, the huge impositions of tax increases, the huge increases in utility costs, the starving of the women's shelter system and the freezing of construction on health care. We have seen the kind of justice, we have seen the kind of fairness the New Democratic administration—the only administration in the history of this province to permanently close hospital beds was the New Democratic administration of which he was a part.

If we want to talk about caring, if we want to talk about fairness and equity, we will match our record against his any day of the week.

**Mr. Doer:** I asked the Premier very simply, he has some choices, there are some options. He is the head of Treasury Board, he is the head of the federal-provincial negotiations, which have failed for two years miserably.

The question now is to the Premier. You have an option. You can reallocate some money that you are putting aside, \$7 million to corporate training, for the inner city students to ensure that we have 70 percent to 80 percent hiring of aboriginal inner city people in our community institutions. You can reallocate money from some of your other bricks and mortar programs for the building of the Winnipeg Education Centre. Will the Premier make the choice for the inner city people, who need the most in terms of investment in our communities, or is he going to make the choice for the Ducks Unlimited complex and the corporate tax breaks that he has allocated in his budget? Those are the options.

**Mr. Filmon:** You know, I should not be surprised when the Leader of the Opposition does not understand the matters that are in the budget in the Estimates. There is no money set aside for corporate training. There is, Mr. Speaker, a provision whereby those who provide training, who invest in training for inner city people, for aboriginal people, for all people who are to be employed by

their corporation, will then have that as a reduction of their payroll tax paid.

There is no money being put out by this Government. There is no fund set up. If they invest the money in training it will come off the amount of payroll tax that they pay. -(interjection)- It will come for inner city people, it will come for aboriginals, it will come for -(interjection)-

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

**Mr. Filmon:** Mr. Speaker, I did not interrupt the Member when he was questioning. I allowed him to put out his question; however, wrong-headed it was, however misdirected it was, I let him have his question.

We will continue to support the ACCESS program. We will continue to support BUNTEP as we did in this budget. Despite federal offloading, we put in the money to ensure that program continues. We will continue to negotiate with Ottawa to see a continuation of that very, very critical priority for training for aboriginals, for training for people in need in this province. We will continue to force Ottawa to live up to their commitments.

\* (1025)

### **Manitoba Nurses' Union Monetary Offer**

**Ms. Judy Wasylycia-Lels (St. Johns):** Mr. Speaker, today the Minister of Finance (Mr. Manness) produced a statement saying that nurses are special, that they have specific concerns that need to be addressed. They are so special that this Government, as of earlier this morning, still had not put a monetary position on the table. Yet today is the last day of scheduled negotiations, and tomorrow 10,500 nurses at 89 facilities will be taking a strike vote because of this Government's intransigence and indifference to their concerns.

I want to ask the Premier, since he is head of Treasury Board, if he can tell us if the offer is going on the table today and whether or not that offer will be reasonable and fair and special to ensure that we are not into an unnecessary conflict situation, which can only be harmful to the patients of Manitoba.

**Hon. Gary Filmon (Premier):** Mr. Speaker, to begin with I might say that the negotiations that are being carried out are being carried out by the Manitoba Health Organizations as bargaining agents. They are at the table -(interjection)- Mr. Speaker, I wonder if the Member for Concordia (Mr. Doer) would not be

so agitated and would allow me to get the question answered. They are at the table and have been at the table.

I can tell you that we have been very closely following the process and have been very, very pleased to see the elimination in very rapid course of all of the non-monetary issues. That was all done a matter of more than two weeks prior to the expiration of their current agreement on the 31st of December, and we have been very happy to see that progress. As a result, through MHO we have met during the course of this week to give them as recently as yesterday the monetary allocation that is there for them to put on the table with respect to the nurses.

We have done our part but we have to know, Mr. Speaker, that MHO ultimately is the one who structures the offer and who puts forward the various elements of it, because they are not dealing with just one category. There are LPNs; there are RNs; there is old money in there from pre-existing commitments on pay equity; there are new pay equity commitments to be made; there is a whole series of elements to be offered. Our monetary package has been put to the MHO as recently as yesterday, and we have to trust MHO as the chief bargaining agent to be able to structure their offer in a satisfactory way.

### **Department of Health Staffing Increases**

**Ms. Judy Wasylycia-Lels (St. Johns):** That does not explain how this Government waits till the very last second in negotiations after knowing about the problems for a year and a half.

I want to ask the Premier if it is acceptable for this Government to have a Minister of Health (Mr. Orchard) who has been talking tough with the nurses and dragging his heels with the nurses who rank among the lowest paid nurses in the country, but a Minister of Health who at the same time has increased in this past year alone staff bureaucrats in his administration, planning and communication offices by seven and increasing the budgets of those offices by over \$300,000.00?

**Hon. Gary Filmon (Premier):** Without accepting any of the preamble as being accurate or fair, Mr. Speaker, I will say this, that we have said consistently to the nurses that they rank in our judgment very high in terms of need and priority for

settlement. The statement that was made today by the Minister of Finance (Mr. Manness) indicated that the nurses are our highest priority in terms of public service settlements and that we recognize their entitlement as being greater.

I myself have said we will treat them generously. That has been on the record. The Minister of Health (Mr. Orchard) has attended recent seminars, gone out, spoken and dialogued with nurses directly in their workplaces to indicate that we are concerned about their working conditions. We are concerned about all sorts of non-monetary issues that were listed and talked about in the statement this morning. I would ask the Member for St. Johns not to misrepresent the sincerity and the good intention of this Government.

**Ms. Wasylycia-Lels:** The Premier should check into how his Minister of Health has doubled his communicators in his office in the last 18 months and still not communicate an offer to the nurses.

\* (1030)

### Nursing Profession Shortages

**Mr. Speaker:** Order, please. The Honourable Member, kindly put her question now, please.

**Ms. Judy Wasylycia-Lels (St. Johns):** Will the Premier oversee his Minister of Health in these negotiations to resolve a very serious nursing shortage, which according to just a few months ago saw 200 vacant positions at the Health Sciences Centre; 70 at St. Boniface; a 10.3 percent vacancy rate in Thompson and generally across this province a very critical nursing shortage?

**Hon. Gary Filmon (Premier):** Mr. Speaker, I can tell you that we will not be so irresponsible as the Member opposite to try and take a very serious and a very important matter as this and make it a political football by trying to bargain in this House. We would not do that.

We respect the nurses much more than the Member opposite, who wants to score cheap political points on this issue. We will not do that. We will not do what the NDP did when they went and put in jeopardy the health care system of this province by not settling with the doctors for nine months after their contract had expired in 1988. Those are the kinds of irresponsible actions that we will not take.

We will work co-operatively with MHO, with the nursing profession to try and resolve as amicably as possible and to balance, of course, the very serious concerns that we have with respect to the available dollars. We have said that the nurses will be treated more generously and as fairly as we can possibly treat them, Mr. Speaker.

### Aboriginal Education Government Commitment

**Mrs. Sharon Carstairs (Leader of the Second Opposition):** Mr. Speaker, as of tomorrow the funding for the Winnipeg Education Centre from the Core Area Initiative will be lost to the Province of Manitoba. That means we will not build a centre. The Minister of Education indicated that he would rather see the money go into programs.

If he is prepared to see that kind of money go into programs, will he make a commitment today that despite what their federal cousins feel about the needs of our aboriginal and inner city communities, they will meet those needs and they will guarantee their level of funding to these groups so that education of these people can continue within Manitoba?

**Hon. Leonard Derkach (Minister of Education and Training):** Mr. Speaker, indeed the BUNTEP programs, the ACCESS programs are important to this province. They are important not only to us as a society as a whole, but more important to those people who are in the programs right now.

What we have been attempting to do with the federal Government is to ensure that they will indeed make their commitment firm, not just for one year, but for indeed the duration of those programs. We made it very clear that our commitment is firm and solid. Indeed, we improved our commitment by \$2.6 million.

Our commitment is there, and I can assure the Member that we will live up to our share of our commitment even if the federal Government cannot live up to its.

### Federal-Provincial Agreements Education Programs

**Mrs. Sharon Carstairs (Leader of the Second Opposition):** That is the first time the Minister has made that commitment. Is he saying in the House today that if the federal Government does not meet its funding—and one cannot trust the federal

Government to meet any funding—the funding presently coming from the Department of Education of the Province of Manitoba will continue to flow even though there is no federal-provincial agreement?

**Hon. Leonard Derkach (Minister of Education and Training):** Yes, Mr. Speaker.

**Mrs. Carstairs:** Has the Minister of Education taken that position to the federal Government, that they are prepared to put their money up front, and they will shame the federal Government until the federal Government matches that funding so that we can ensure that there is a full program? Right now there is not even going to be a half program.

**Mr. Derkach:** Mr. Speaker, I met with the Honourable Tom Siddon last week, and that position was put forth to him. Yes, indeed, the federal Government is aware that our funding is in place, and we are prepared to live up to our share of the commitment for the ACCESS and BUNTEP programs in this province.

### Garrison Diversion Project Government Action

**Ms. Marianne Cerlill (Radisson):** Mr. Speaker, in December 1988 the NDP asked the Conservative Government about the status of money from Congress given to the U.S. Corps of Engineers to study feasibility of the Mid-Dakota project, as we were concerned about how the transfer of water would affect Manitoba fish stocks in Manitoba's water and, as with Rafferty, we were told not to worry. We learned today that the project is now being considered to go ahead.

My question is for the Minister of Natural Resources (Mr. Enns). What action is this Government taking for this project to protect the interests of Manitoba?

**Hon. Gary Filmon (Premier):** Mr. Speaker, just for the edification of the Member for Radisson, our Government has carried on the same activities that were in place under the former New Democratic administration. We have continued to retain the lobbyists in Washington—I believe it is Wegman, a legal firm of lobbyists in Washington—to ensure that we are well informed on this issue, that during the course of various reviews and discussions that are being taken on by what is called the Consultative Technical Group that had been put in place by the IJC formerly, as a result of their decisions on

Garrison previously, that there were Canadian representatives on that Consultative Technical Group.

There were Manitoba people, particularly one Bob Clarkson, who was the same person who carried that responsibility for the former NDP Government here in Manitoba—has continued to follow through and meet with at various crucial points the people who are continuing to review options in North Dakota for various water transfers or water provision activities for the drought-stricken areas of that province.

As a result of that, all of the information that was released yesterday was information that was known to our administration, that had been followed up by our administration and was the subject of a telephone call that I had with Governor Sinner over a week ago when we got the preliminary report of this Consultative Technical Committee.

### Manitoba Interests

**Ms. Marianne Cerlill (Radisson):** Mr. Speaker, my first supplementary is also for the Minister of Natural Resources (Mr. Enns).

Seeing as how this Government plans to follow the NDP initiatives, will the Government establish, as the NDP did, an anti-Garrison Diversion office, a fight-back office, to protect Manitoba's interests?

**Hon. Gary Filmon (Premier):** Mr. Speaker, what I have indicated is that all of the elements of the anti-Garrison movement that were established—I might say that so-called NDP office involved an office, but the elements of the fight were carried on throughout the 1970s and throughout the 1980s by Parties of different political stripes. I am sure she would not be aware, but in the '70s all-Party groups went down to the United States and in the 1980s as well that was carried on.

It was not a partisan battle and it is not a partisan battle, will not be, but it will be a firm battle to ensure that there will be no interbasin transfer of water that will endanger in any way the quality of water supply in Manitoba. Under those circumstances we continue to be involved in all the discussions to ensure that no such project would ever be proposed or funded by the United States.

If she wants to ask a third question, I can give the assurances that have been given at those very committee meetings that resulted in the technical report that has now stimulated her questions.

**Ms. Cerilli:** Mr. Speaker, can this Government give some assurance that there will not be back-room deals as we saw with Rafferty, and will they make the process public that they are going to use with negotiating this agreement?

\* (1040)

**Mr. Filmon:** Mr. Speaker, these are the assurances that have been placed on the record by those people who were doing this technical consultative review of various proposals that North Dakota was putting forth.

The Government of Canada reiterated its opposition to the development of any features which would adversely affect the quality of waters flowing into Canada. The United States responded by restating its assurances that it would continue to comply with the provisions of the Boundary Waters Treaty of 1909 and that it would not construct any features of the Garrison Diversion unit which would adversely affect the quality of waters flowing into Canada.

Those are the assurances that were given in the discussions that led to the technical committee report that has stimulated her questions today.

### **University of Brandon BUNTEP Program Funding**

**Mrs. Sharon Carstairs (Leader of the Second Opposition):** Mr. Speaker, my follow-up question is to the Minister of Education (Mr. Derkach), because I was quite pleased with his statements earlier today, that he said clearly that the province was willing to put their money on the table.

In light of that, can he tell me if he has now worked out with the University of Brandon a method by which they can fund the BUNTEP program in Norway House? The University of Brandon made it clear to him that they could pick up the federal Government contribution if he would in fact send the monies from the Province of Manitoba. Is that program now up and running in the Province of Manitoba?

**Hon. Leonard Derkach (Minister of Education and Training):** Mr. Speaker, the program has never stopped, but let me tell the Member for River Heights that I met with the university Board of Governors last night and I will be meeting with the president hopefully this afternoon to discuss those very issues.

I can tell you that our commitment to the BUNTEP program is indeed very strong. As a matter of fact, when we took office there was no such thing as a BUNTEP centre in this province. It was housed in one of the buildings at Thompson and did not have an identification of its own. We moved to give it an identity. It is now located in its own building in Thompson. There is a sign which indicates that this is the BUNTEP centre, and the program is alive and well. Our commitment to that program is indeed very firm and very solid, and we intend to continue with it.

**Mrs. Carstairs:** My question is very simple. Are the 35 students who were ready for training at Norway House now being trained by the university and BUNTEP? All they required was the funding from the Province of Manitoba and that funding was not forthcoming.

**Mr. Derkach:** Mr. Speaker, the funding for those students was in place for one year, but what happens to those students in the following year? That is the dilemma we face right now, to ensure that if those students are taken into the program this year that there will be indeed a commitment from the federal Government for that program for the following three years, so that those students can graduate. That is the holdup at the present time.

**Mrs. Carstairs:** Mr. Speaker, this Minister is giving us to believe with this hand that the money is there and with the other hand that it is not there. Can he tell this House why those students are not being funded when he and his Premier have indicated that they are the souls of generosity and they are prepared to put that money on the table?

**Mr. Derkach:** Mr. Speaker, the Member does not seem to understand that we have indicated very clearly that our commitment to that program is there. It is the federal Government money that we are waiting for.

If the federal Government is prepared to commit itself to ensure that these students who enter that program will be supported through the duration of that program, there is no problem in our putting our money forward and ensuring that those students will continue in the program and graduate.

### **Keewatin Community College Hiring Freeze**

**Mr. Oscar Lathlin (The Pas):** Mr. Speaker, Merry Christmas to you, Sir.

**Mr. Speaker:** Thank you.

**Mr. Lathlin:** My question is for the First Minister (Mr. Filmon).

Residents of The Pas and the surrounding communities are relieved today that the Repap mill is reopening. However, there are still very many northern people, including the people in The Pas, who are very angry with the cuts to Northern Affairs and Keewatin Community College done by this Premier and his Government.

The ACCESS programs at the Winnipeg Education Centre are not the only valuable programs providing training for our aboriginal people and other Northerners that are now in jeopardy because of a hiring freeze imposed by this Government at KCC.

My question is: Is the Premier willing to lift the hiring freeze imposed by the Minister of Education at Keewatin Community College?

**Hon. Leonard Derkach (Minister of Education and Training):** Mr. Speaker, I know the programs that the Member is referring to. Indeed I received a letter just yesterday from individuals who are concerned about the fact that the contracts may not be honoured because of this alleged hiring freeze.

Mr. Speaker, I can tell you that we have enough staff at Keewatin Community College to deliver those programs and indeed the commitment will be fulfilled as the contract was signed.

**Mr. Lathlin:** Mr. Speaker, I would like to table two letters, one from the Swampy Cree Tribal Council, one from the Northern Women's Resource Incorporated from The Pas.

Since the Northern Women's Resource Centre signed a contract with the Keewatin Community College and the CIC for funding to deliver the program of skills orientation for the severely employment disadvantaged scheduled to start in just three weeks—in three weeks—will the Premier step in to save this program?

**Mr. Derkach:** Mr. Speaker, the program is not in jeopardy. I can tell you that there are sufficient numbers of staff within the community college to be able to deliver the programs, and those programs will be delivered.

**Mr. Lathlin:** My final supplementary is: Over 12 other projects, including the Swampy Cree Tribal Council, which are market-driven trading programs delivering vital programs including a training program in the Child and Family Services organized

by the Swampy Cree Tribal Council, paid for by the Swampy Cree Tribal Council and CIC, will the First Minister give us an assurance that he will lift the program?

It is not going to cost the province any more monies. Swampy Cree Tribal Council is paying for it. The CIC is paying for it. All they need is instruction and an accreditation. Will the Minister lift the freeze?

**Mr. Derkach:** Mr. Speaker, the NDP do not seem to understand that there is not a need for additional staff, because we have staff within the component of Keewatin Community College to be able to deliver those programs. All that is necessary is that programs be delivered, and I have indicated twice now that those programs will be delivered.

### Residential Schools Inquiry

**Mr. Elijah Harper (Rupert's Land):** Mr. Speaker, I wish you a Merry Christmas.

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

**Mr. Harper:** Mr. Speaker, my question is to the Premier. It is a very serious question.

For years and years Governments have assaulted the aboriginal people in this country through policies of assimilation and integration and genocide, and we were denied basic fundamental human rights such as to practise our religion, our culture and language.

Governments have used religious organizations to suppress us and oppress us, and these religious organizations act as agents to implement these policies. We, as aboriginal people, were subject to those kinds of policies.

My question to the Premier is: Because of these policies and the result of the tremendous damage and hurt felt by aboriginal people, not only in this province but across the country, will he support the special commission that has been demanded by the other aboriginal organizations, including the Assembly of Manitoba Chiefs, to the abuse by the residential schools and many of the religious schools in this province?

\* (1050)

**Hon. Gary Filmon (Premier):** Mr. Speaker, first, I take this opportunity to publicly congratulate the Member for Rupert's Land on being named Canada's Newsmaker of the Year. I certainly think that his role in the constitutional debates and discussions earlier

this year has been well recognized by those who made that decision.

I take the opportunity as well to return his greetings for the season, and certainly not only to him but to all Members of the Legislature extend not only best wishes for Christmas but the holiday seasons that many are celebrating as well as the new year.

Mr. Speaker, the question that the Member raises is one that we have responded to in the past. We have indicated that the kinds of commissions and inquiries that have been called for are ones that properly fall within the realm of the federal Government and the various religious bodies and orders that had been responsible for those residential schools throughout the country. It is not a matter that pertains only to schools in Manitoba. It is a matter that pertains to schools throughout Canada.

Certainly there have been many stories about similar residential schools in Saskatchewan, Alberta, British Columbia and so on. Any type of commission reviewing the actions that took place, the way in which education was delivered, I think ought to be done on a co-operative basis amongst the aboriginal community, the religious orders and the federal Government, who has primary jurisdiction.

**Mr. Harper:** Mr. Speaker, my understanding is the Government had already said no to the question when this was raised.

My question is: What is this Premier prepared to do to make sure that the public inquiries commission is being done, because as aboriginal beings we were denied our physical being, our spiritual being, and to exist we were stripped of our human dignity? What is this Premier prepared to do to have this commission and also to assist in the healing process that is being carried on by many aboriginal people?

**Mr. Filmon:** Mr. Speaker, I have indicated before in this Legislature that we encourage the federal Government to work with the aboriginal community and the various religious orders to set up these kinds of reviews and examinations to allow aboriginal people to have their say, to express their very strong views and feelings about the manner in which they were treated, the facilities and the circumstances in which they were educated and lived for all these years in these institutions and to be able to have the kind of public cleansing that I know the Member for

Rupertsland and the various members of the aboriginal community want to see take place to ensure that they can feel good about their role in society and their future in this country.

**Mr. Harper:** I ask the Premier again, what is he prepared to do—concrete actions that will result in an investigation?

I can personally attest to the abuses at the residential school. I saw students strapped 100 times and be forced to stand in line and watch this beating. I saw a young woman strapped for writing to her parents in her Cree syllabic language. We were denied our culture, denied our language. What is he prepared to do concretely to take action?

**Mr. Filmon:** Mr. Speaker, I will repeat my first response that this is not a matter that is particular to the Province of Manitoba. I have been reading throughout the country about the existence and the treatment in these schools, these residential schools that were run primarily by religious orders in every province in this country.

The constitutional responsibility for aboriginal people falls under the Government of Canada. The schools that are in question as to their treatment are in every province of this country. The religious orders that have been responsible for this had schools throughout the country.

I say to the Member with all due respect that we support the calls for a review, a commission to study the effects on the aboriginal people and to help in the cleansing process, in opening up the sensitivity of the country to the concerns of the aboriginal community, but it must come from a partnership amongst the Government of Canada, the aboriginal people and the various religious orders that were responsible for these institutions.

I will support that thoroughly, totally and completely, Mr. Speaker, that that is the genesis that must result in the kind of review that I know he and others members of the aboriginal community want.

### **Pay Equity Voluntary Extension**

**Ms. Becky Barrett (Wellington):** Mr. Speaker, my question is for the Minister responsible for the Status of Women.

In 1985 this House unanimously passed pay equity legislation. Women across Manitoba felt that now they were about to begin to have the benefits due them. It now appears that they will not see these

benefits because the Government is unwilling to extend the legislation. Over a year ago we asked for the extension of pay equity, and we are told that it was under study.

My question is: Will she table the results of these discussions regarding school boards and municipalities and tell the House whether these discussions on voluntary extensions are leading to full pay equity in those sectors?

**Hon. Bonnie Mitchelson (Minister responsible for the Status of Women):** Mr. Speaker, we had some just very brief discussion on pay equity in the announcement that was made by the Minister of Education (Mr. Derkach) and the Minister of Labour (Mr. Praznik) yesterday in the Estimates process involving the Status of Women. There were some concerns raised. I have discussed some issues with the Minister of Education. I know he could give a fuller answer.

### Pay Equity Extension

**Ms. Becky Barrett (Wellington):** Will this Government recognize that voluntary extension of pay equity will not work and that the only way that women in Manitoba are not going to be involved in a two-tier system is to extend through regulation, which they can do, pay equity to these sectors?

**Hon. Leonard Derkach (Minister of Education and Training):** Mr. Speaker, for some time now we have been dealing with the pay equity issue at the school division level. Yesterday we announced the extension of pay equity to individuals in the school divisions across this province and that school boards, on a voluntary basis, can participate in the program with Government support. I can indicate that school boards have been anxious to implement pay equity in their divisions for the most part, and indeed one division in this province has already moved to full implementation of pay equity within its jurisdiction.

Mr. Speaker, we have to understand that school divisions are autonomous bodies. I have heard from Members on the opposite side of the House that we have to preserve that autonomy, and indeed I agree with that. It is also important that those people working within those divisions are treated equitably, and that is why this Government has moved with a program where we will support pay equity in the school divisions across this province.

**Ms. Barrett:** Will the Minister guarantee that if a woman in a school division that cannot afford to implement pay equity because the Government will not adequately fund it, that if a woman in that school division is not paid at the same rate as a woman who is covered under pay equity, that they will then implement regulation pay equity extension, or will he admit that the principle is not being followed, that they do not believe in it?

**Mr. Derkach:** Mr. Speaker, I have to tell you that it was the former Government that brought in the legislation. The school divisions were not covered by that legislation and were considered as outside the legislation. That is the approach we are taking.

Mr. Speaker, let me indicate to you that we have taken one additional step and that is to allow support to school divisions so that they indeed will implement pay equity throughout their jurisdictions.

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

### SPEAKER'S RULING

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

On Monday, December 3, 1990, during debate on the urgency of a matter of urgent public importance, a point of order was raised by the Honourable Leader of the Second Opposition Party (Mrs. Carstairs) in which she alleged that the Honourable Minister of Health (Mr. Orchard) had referred to the Honourable Member for St. Johns (Ms. Wasylycia-Leis) as a dishonest person. The Honourable Leader of the Second Opposition Party asked that the Honourable Minister of Health apologize.

I indicated at the time that I did not hear the remarks, that I would review Hansard and return to the House with a ruling.

Hansard shows that the following phrases were uttered: "Balderdash! Your nose is growing a mile a minute. What a dishonest person." Hansard does not, however, indicate which Honourable Member spoke the words.

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

\* (1100)

**Mr. Speaker:** Order, please. I am therefore unable to rule on the matter; however, I would caution all Honourable Members that to accuse another Member of being dishonest has, on occasion, been ruled in the past as unparliamentary. All Members



should be very careful in the choice of their words in this Chamber, both on and off the record.

**Hon. Donald Orchard (Minister of Health):** Since I have been maligned in your ruling here by the Leader of the Second Opposition Party (Mrs. Carstairs), I simply want to wish you and her a Merry Christmas.

Furthermore, Mr. Speaker, although those words do have a very familiar ring to them, they could have come—

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

**Mr. Orchard:**—from such notables as—

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

**Mr. Orchard:** In all seriousness, Mr. Speaker, I did reflect on the Honourable Member's statements, which I did not at the time believe to be correct. I apologize to my honourable friend for having to use such language to describe her.

**Mr. Speaker:** I would like to thank the Honourable Minister of Health.

## ORDERS OF THE DAY

### House Business

**Hon. Clayton Manness (Government House Leader):** I would like to give notice that the Standing Committee on Law Amendments will sit January 16 at 8 p.m. and, if necessary, January 17 at 8 p.m. to consider Bill 24.

I would ask you to call the Report Stages of Bills 12, 13, 23 and 25. After that, would you call Third Readings of Bills in this order: 25, 23, 13 and 12.

### REPORT STAGE

#### BILL 12—THE LABOUR RELATIONS AMENDMENT ACT

**Hon. Darren Praznik (Minister of Labour):** Mr. Speaker, I move, seconded by the Honourable Minister of Natural Resources (Mr. Enns), that Bill 12, The Labour Relations Amendment Act; Loi modifiant la Loi sur les relations du travail, as reported from the Standing Committee on Industrial Relations, be concurred in.

\* (1110)

**Mr. Speaker:** It has been moved by the Honourable Minister of Labour, seconded by the Honourable Member of Natural Resources, that Bill 12, The Labour Relations Amendment Act; Loi modifiant la

Loi sur les relations du travail, as reported from the Standing Committee on Industrial Relations be concurred in. Agreed?

**Some Honourable Members:** No.

**Mr. Speaker:** No. Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** No.

**Mr. Speaker:** No. All those in favour, please say aye.

**Some Honourable Members:** Aye.

**Mr. Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

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

**Mr. Steve Ashton (Opposition House Leader):** Yeas and Nays, Mr. Speaker.

**Mr. Speaker:** Call in the Members. The question before the House is the motion from the Honourable Minister of Labour (Mr. Praznik) that Bill 12, The Labour Relations Amendment Act; Loi modifiant la Loi sur les relations du travail, as reported from the Standing Committee on Industrial Relations, be concurred in.

**A Standing Vote** was taken, the result being as follows:

### YEAS

Alcock, Carr, Carstairs, Cheema, Connery, Cummings, Dacquay, Derkach, Downey, Driedger, Ducharme, Enns, Ernst, Filmon, Findlay, Gaudry, Gilleshammer, Helwer, Lamoureux, Laurendeau, Manness, McAlpine, McCrae, McIntosh, Mitchelson, Neufeld, Orchard, Penner, Praznik, Reimer, Render, Rose, Stefanson, Sveinson, Vodrey.

### NAYS

Ashton, Barrett, Cerilli, Chomiak, Dewar, Doer, Evans (Interlake), Evans (Brandon East), Friesen, Harper, Hickes, Lathlin, Maloway, Martindale, Plohman, Reid, Santos, Storie, Wasylcyia-Leis, Wowchuk.

**Mr. Clerk (William Remnant):** Yeas 35, Nays 20.

**Mr. Speaker:** I declare the motion carried.

**BILL 13—THE RESIDENTIAL TENANCIES  
AND  
CONSEQUENTIAL AMENDMENTS ACT**

**Hon. Gerald Ducharme (Minister of Housing):** Mr. Speaker, I move, seconded by the Minister of Justice (Mr. McCrae), that Bill 13, The Residential Tenancies and Consequential Amendments Act; Loi sur la location à usage d'habitation et modifiant diverses dispositions législatives, as amended and reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

\* (1120)

**BILL 23—THE EMPLOYMENT  
STANDARDS AMENDMENT ACT (2)**

**Hon. Darren Praznik (Minister of Labour):** Mr. Speaker, it is my pleasure to move, seconded by the Honourable Minister of Highways and Transportation (Mr. Driedger), that The Employment Standards Amendment Act (2); Loi no 2 modifiant la Loi sur les normes d'emploi, as reported from the Standing Committee on Industrial Relations, be concurred in.

**Motion agreed to.**

**BILL 25—THE OMBUDSMAN  
AMENDMENT ACT**

**Hon. Gerald Ducharme (Minister of Urban Affairs):** Mr. Speaker, I move, seconded by the Minister of Justice (Mr. McCrae), that Bill 25, The Ombudsman Amendment Act; Loi modifiant la Loi sur l'Ombudsman, as amended and reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**THIRD READINGS**

**BILL 25—THE OMBUDSMAN  
AMENDMENT ACT**

**Mr. Speaker:** Is there leave for third reading of Bill 25? Agreed.

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, by leave, I move, seconded by the Minister of Justice (Mr. McCrae), that Bill 25, The Ombudsman Amendment Act; Loi modifiant la Loi sur l'Ombudsman, be now read a third time and passed.

**Motion agreed to.**

**BILL 23—THE EMPLOYMENT  
STANDARDS AMENDMENT ACT (2)**

**Mr. Speaker:** Is there leave for third reading of Bill 23? Agreed? Agreed.

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, I move, seconded by the Minister of Environment (Mr. Cummings), that Bill 23, The Employment Standards Amendment Act (2); (Loi no 2 modifiant la Loi sur les normes d'emploi), be now read a third time and passed.

**Motion agreed to.**

**BILL 13—THE RESIDENTIAL TENANCIES  
AND  
CONSEQUENTIAL AMENDMENTS ACT**

**Mr. Speaker:** Is there leave for third reading of Bill 13? Agreed? Agreed.

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, I move, seconded by the Minister of Northern Affairs (Mr. Downey), that Bill 13, The Residential Tenancies and Consequential Amendments Act; (Loi sur la location à usage d'habitation et modifiant diverses dispositions législatives), be now read a third time and passed.

**Motion presented.**

\* (1130)

**Mr. Doug Martindale (Burrows):** Mr. Speaker, under the House rules, one Member can speak during each Session for an unlimited length of time. That is something that I would like to do and am prepared to do.

It would great for the record to compare the NDP draft Bill with Bill 13 and look at the differences and see where the Government has watered it down. However, our House Leader has made an agreement. We have an all-Party agreement. Our Leader is an honourable individual. He honours his agreements, and so I will waive that opportunity and will limit myself to brief remarks.

I would like to thank our House Leader for the negotiating that he has done during this Session. He has done a great job. I would also like to thank our Whip for doing a great job as a new Whip and a new Member.

Mr. Speaker, I wanted to speak on this Bill today because yesterday there were presentations at the

Law Amendments Committee. There were very interesting presentations from landlords and people with property investments, and there were representations from tenants.

When it got to clause by clause reading, myself, on behalf of our Party, introduced amendments. Those amendments, many of them were supported by the Liberal Party. We thought that those were good amendments, specifically at Clause 29 on security deposits.

We amended that all security deposits be put in trust with the Residential Tenancies Commission, and what happened to this very good recommendation that was supported by a number of tenants' groups, but the Government voted it down. This was something that was in the NDP draft Bill, but changed in Bill 42, changed in Bill 13, and defeated by the Government in committee.

A related issue to security deposits is condition reports, and I had an amendment to require that condition reports be compulsory. This was something that was part of the NDP draft legislation, but left out of Bill 42 and left out of Bill 13. What happened to our amendment, what happened to the suggestion of tenants that condition reports be made compulsory? Were they accepted by the Government as a reasonable thing to protect low income tenants? No, this was defeated at the committee stage. This excellent amendment was defeated.

The Minister of Housing (Mr. Ducharme) has talked at great length about the education fund that has been set up under Section 36 and said that a good thing this will be for tenants, and for landlords, and the public to provide education about The Residential Tenancies Act and peoples rights and responsibilities. I introduced an amendment, which I thought was a sensible amendment, suggesting that instead of unspent revenue being returned to the Consolidated Revenue Fund at the end of the financial year March 31 that money all stay there so that all the money could be used to provide tenant education.

There were very good representations made by tenants. There was a very good brief presented on behalf of the United Church of Canada, which recommended that education could include a tenant advocacy office and a housing registry for tenants. Very good suggestions, a good way to use the money if the money is there, but what is the

Government going to do? They are going to return the unspent money to the Consolidated Revenue Fund at the end of each year, so my amendment on Section 36 was defeated.

Finally, on the matter of regulations, beginning in Section 194—and this was where I had a problem with the Bill, a rather interesting problem. Sure there were some technical and legal problems, and I am not well-versed in those areas so we had to trust the Government. We had to trust their legal counsel, and the lawyer who presented a brief that those amendments that were accepted by the Government, to my surprise, were all of a technical and legal nature. They were of course passed, and I assume that they were technical and legal. There might have been some legal problems that I am not aware of, and of course, I had some philosophical problems with parts of the Government's Bill.

The main problem I had was the theological problem. The Minister is saying to us, have faith in us. Basically that is what he was saying. He did not use the word or the expression, but I used the word and the expression. He said, trust me, it will be in the regulations. What are you going to do about this, Mr. Minister? Well, it will be in the regulations. What are you going to do to take care of that? Well, it will be in the regulations. I had a theological problem. The Minister is saying have faith in me, trust me.

We are waiting to see the regulations. We are waiting to see if this request, if this faith is well-placed, or whether it is misplaced. We will be reading the regulations with interest, because tenants made representations to me and to others saying that because the way the regulations are written now horrendous rent increases can be passed through in an entirely legal way by way of regulation. The result is that some tenants are experiencing 20 percent, 30 percent and 40 percent rent increase because capital costs are written off too soon. My amendment would have changed the regulation to prevent those kinds of rip-offs of tenants.

Mr. Speaker, we will be waiting to read the regulations and see if our faith in the Minister was well-placed or not, and to see if the regulations are good, and if they do protect tenants as the Minister has promised. We will be looking forward to the regulations to see if he kept his commitment and kept his promise. Thank you, Mr. Speaker.

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

**Mr. Reg Alcock (Osborne):** Last night we saw the conclusion of what was I think some five-years work, if you look at the people who began working on the committee that was struck by the former Government. We saw with considerable relief that the Minister of Housing (Mr. Ducharme) was able to live up to the commitments he gave us in the last Session and bring forward a Bill that was not substantially different. We heard from many people, Winnipeg Housing Concerns Group, SACOM, and others, that congratulated the Minister on having listened, having negotiated with them, and having put forward a Bill that was more comprehensible, more understandable, and in their words, a better Bill.

There are some areas—and the Member for Burrows (Mr. Martindale) has referenced a number of them that require some further work. We were disappointed, and we said at some length that we felt too much of this Bill had slipped away into regulation.

We can tell the Government now that there will be some items coming forward in the next Session to try to continue to request of the Government that they make those final few modifications that we think will build a truly effective system that protects tenants and at the same time is fair to landlords.

Madam Deputy Speaker, I do not want to end this Session on that note. I want to congratulate the Minister for an awful lot of very hard work. I want to thank him for living up to the undertakings that he gave to us when he withdrew Bill 42. I want to congratulate the House and all the people who worked so hard on this Bill for a truly fine piece of legislation that is going to better the relationship between landlords and tenants in this province for many years to come.

Thank you very much.

**Madam Deputy Speaker:** It is the will of the House to adopt the motion?

\* (1140)

**Hon. Gerald Ducharme (Minister of Housing):** I will not take too long because like everyone else we have waited a long time for this legislation.

I would just like to add some items to the record, probably in a way of congratulations on both sides of the House, and the tenants and the landlords who

participated in the long process of dealing with Bill 13, any previous Bills and any previous phantom of draft Bills that we cannot find or locate anywhere in the halls of the Legislature or with my people. However, I must congratulate the people who did participate.

There were a couple of questions in regard to the regulations brought forward by the Member for Burrows (Mr. Martindale). The Member for Burrows did mention that a lot of our parts in the Bill are dealt with in the regulations and as emphasized by this Minister yesterday, last night at the committees, that it was okay to put them in regulations in 1982. However, it is not okay by them to put them in the regulations in this draft in this Bill.

Madam Deputy Speaker, I think to sum up very quickly, when we outlined this Bill and when we went to this Bill over the last—when we started three years ago, the whole idea of the Bill was that Manitoba tenants would be among the best protected in Canada, and following these comprehensive changes that we put forward in this Bill that I have remarked on in my introduction, I feel this Government has accomplished that feat.

(Mr. Speaker in the Chair)

Mr. Speaker, I again want to especially thank the tenant groups and the landlords. We were criticized last year when we withdrew the Bill. We had the intention from the landlords and the tenants—not all people agreed on the final result of the Bill, but I believe through the consensus of the tenants, even last night they mentioned that it is a better Bill. It was well worth waiting for. Some of the landlords, I believe most of them who are the better landlords, feel that it is a good working type of Bill, and now it is up to our department to carry out the promises we did outline in this particular Bill.

Thank you, Mr. Speaker.

**Mr. Speaker:** The question before the House was the motion of the Honourable Government House Leader (Mr. Manness), seconded by the Honourable Minister of Northern Affairs (Mr. Downey), that Bill 13, The Residential Tenancies and Consequential Amendments Act; Loi sur la location à usage d'habitation et modifiant diverses dispositions législatives, be now read a third time and passed.

**Motion agreed to.**

## BILL 12—THE LABOUR RELATIONS AMENDMENT ACT

**Mr. Speaker:** Is there leave for third reading for Bill 12? Leave? Agreed.

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, I would like to speak on Bill 12.

**Mr. Speaker:** Order, please. The Honourable Government House Leader will introduce the Bill.

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, I am going to move the motion. I was reading something else.

Mr. Speaker, I move, seconded by the Minister of Health (Mr. Orchard), that Bill 12, The Labour Relations Amendment Act; (Loi modifiant la Loi sur les relations du travail), be now read a third time and passed.

### Motion presented.

**Mr. Lamoureux:** I feel somewhat obligated to speak on this Bill for a number of reasons. The primary reason is that the riding that I represent is a riding which at one time was represented by the New Democrats. It is a very working-class riding.

The manipulation that has been played in terms of politics by the New Democratic Party when it comes to labour is somewhat appalling to myself personally, Mr. Speaker. That is why I feel it is so important that I stand up and I do put a few words on the record.

The other evening when we were in committee, Mr. Speaker, we had heard from several presenters. One of the presenters that I found most enlightening was the former Member of the Legislative Assembly for Inkster, Mr. Sidney Green.

Mr. Sidney Green surprised me on some of the comments that he made. I would encourage all of those who are in the New Democratic Party to read what it is that he said. He referred back to a deal, a deal that was struck in terms of labour laws back in the early '80s. That deal was when the Premier then, Howard Pawley, and Sidney Green participated in a meeting in which a few people from the labour movement sat down with Howard Pawley and they negotiated a deal. The thrust of the deal was that the Government, if elected, Howard Pawley would introduce anti-scab legislation.

Mr. Speaker, the presenter, Mr. Sidney Green, was outraged when he heard that. The Member for Thompson stood up or sat in his chair, pointed to the

presenter and said, but that is not true. How would he know? Mr. Green got somewhat upset that the Member for Thompson would make that type of accusation, because Mr. Green was there and present when a few select people from the labour movement tried to negotiate—and you cannot blame the labour movement. They are trying to get what they feel is in the best interests, but Mr. Pawley and a few in the New Democratic Party were bought in. They were in the pockets of a few select people in the labour movement. We saw from there, and the Member for Thompson did not say on a point of order that that was out of place, nor did anyone from the New Democrats who were on the committee deny that that took place.

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

Mr. Acting Speaker, that concerns me. I will tell you the reason why it concerns me. It is that the NDP has a responsibility not just to the labour movement. They have a responsibility to the constituents that they represent. They are not acting in the best interests of the workers of this province. That is why they have been playing games for the last three years on final offer selection. The losers have been the workers of this province. We have seen the way that they have shafted the workers of this province.

When the Member for River Heights (Mrs. Carstairs) introduced an amendment which dealt with the needs of the working people in this province, what did the New Democrats do? We can understand why the Government would vote against our amendment, but what about the New Democrats? They voted against our amendment. This is the same party that says that they represent the working class. That is a bunch of hogwash. To use the word of the Minister of Health (Mr. Orchard), that is balderdash.

Mr. Acting Speaker, the other evening in committee I heard one of the presenters from MFL say that this is the David Newman Bill, referring to the repeal. -(interjection)- The Member for Transcona (Mr. Reid) says, that is right. We have other people who say, final offer selection is the Bernie Christophe Bill. We have final offer selection Bill, Bernie Christophe Bill. We have the repeal Bill, David Newman Bill. What about the workers?

Mr. Acting Speaker, what about the workers? What is in the best interests of the workers? Bernie Christophe was speaking for a few select people.

Because Bernie Christophe could not negotiate a deal does not mean that final offer selection should have eluded or not gone through the due process.

We could have had a good form of final offer selection. Why did the New Democratic Party, the Government at that time, go out and consult with only a few select people like Bernie Christophe? Why did they not go out and check with the Chamber of Commerce, with their own constituents? Why did they not put it through the due process?

Had they had the integrity to do that, Mr. Acting Speaker, maybe we would have a form of final offer selection today that would be acceptable, that all of the workers of the province would benefit from, but because the New Democratic Party, the administration at that time, chose not to seek and go through the proper process, final offer selection or what they refer to as the David Newman Bill is being repealed.

Who is the biggest loser out of this? Because of the actions of the Government of the Day and the New Democratic Party of the past, the workers of this province are the ones who have been sold short.

The Liberal Party came up with an amendment, an amendment that would have seen a chance for final offer selection to come back. What did the New Democrats do? They voted against the amendment. Once again, we see political manipulation by the New Democratic Party.

I was somewhat enlightened by the comments made by the Member for Radisson (Ms. Cerilli) when I was listening to her speak on Bill 12. I believe that she is the only individual in the New Democratic Party who really and truly believes what it is that she is saying. She said that final offer selection is good, even though it might be unequal, it still is good. We should not have to change it. We should not have to bring in any amendments. That is what the Member for Radisson said.

I could understand the NDP's position if they all believed what the Member for Radisson was saying, but they did not. Rather, they chose to play politics with such a sensitive issue—played politics. The Member for Flin Flon (Mr. Storie) knows all well about playing politics. He wants to talk about stupid ideas. I have never in my life seen such a stupid idea as the Member for Flin Flon spoke on this piece of legislation himself. You want to talk about stupid remarks, read your own remarks.

Mr. Acting Speaker, the Liberal Party has been accused of flip-flopping on final offer selection. If the Liberal Party can be accused of anything, we can be accused of listening to what the public was saying during the committee process. That is what you can say of the Liberal Party. That is the only thing you can accuse the Liberal Party of saying. I can accuse the New Democrats and the Conservative Government of standing idly by, sitting through, not saying anything. Their minds were made up. Last Session their mind was made up. It does not matter what type of presentation would have been made. If someone would have proposed a positive idea that could have made final offer selection better, it did not matter. It was irrelevant. The New Democrats and the Conservatives had their minds made up. They knew what they wanted.

Well, Mr. Acting Speaker, the Liberal Party knows what it wants. It wants fair labour legislation so that the employees and the employers can benefit using a tool through final offer selection. We were receptive to what was going on during the committee hearing meetings. We listened to the hundreds of people who made their presentation and we acted upon it. Through our amendment we would have seen final offer selection being chosen.  
-(interjection)-

\* (1150)

Mr. Acting Speaker, the Member for Transcona (Mr. Reid) wants a challenge. They want to speak on final offer selection. The Member for Thompson (Mr. Ashton) last night said, take it to the public and see what they have to say. I will challenge any Member of the New Democratic Party to go to any mall and I will go one on one on any individual in the public and see what they have to say about your political manipulation. I will anxiously await any Member of your caucus to call me up on that.

Mr. Acting Speaker, I saw last night in committee when the Liberal Party proposed an amendment and, even though I was not a Member of the committee—not by choice, I would have loved to have been a member, but the Liberal Party only unfortunately has one Member on that particular committee. Had I been a Member, I would have been privileged to be able to vote with my colleague for The Maples (Mr. Cheema) for what was a very positive amendment but, unfortunately, we lost that and, to some degree the Conservative Government, even though they have a majority, should have acted in a more responsible way.

The Minister of Education (Mr. Derkach) should be aware that they were a bit irresponsible last night when we had such a positive amendment that was brought forward by the Member for The Maples, an amendment that would have done well even for the business committee. We were not asking or suggesting an amendment that would have seen final offer selection stick around, Mr. Acting Speaker. We were offering an amendment that would have allowed a study to the final offer selection so that people would have been able to have input, and there would have been a chance for final offer selection in some form to return. I somewhat expected the Government to vote against it, but I did not expect the NDP to once again play politics with the workers of this province.

The Member for Flin Flon (Mr. Storie)—do you support it, do you support it, do you support it? I know what the Member for Flin Flon supports. He supports political manipulation in order to achieve NDP success, but I support the workers of this province. Anything I can do and the Liberal Party can do to ensure that the workers' interests are what is being looked after, the Liberal Party will do.

The NDP does not have a monopoly on the workers of this province. They often talk about themselves being the Party in waiting. The last time I looked at the vote breakdown, I understood the NDP were in third place in the city of Winnipeg. I understood it to be something like 37-35-28, but the Leader of the New Democratic Party (Mr. Doer) has come up with a solution. He is going to put the Member for St. Johns (Ms. Wasylycia-Leis) to run against me in 1994. I never take my voters for granted, but it would be a very interesting battle to say the least. The Leader has offered her to run against me. I wait to hear her if she is going to accept that offer.

To conclude, Mr. Acting Speaker, this is an issue that we should have been dealing with in a much more sincere—we should have been taking out the politics. We should not be trying to manipulate labour or the workers. I did talk to constituents of mine, union, stewardship. I believe the Liberal Party had the right position.

Had there not been so much politics on this issue, we would in fact be seeing this legislation going to a review committee and hopefully, if it was recommended, to be brought back in a fashion in which it would be more fair. In that sense, it is somewhat of a sad day that final offer selection has

not been given that extra chance to go through the committee process and here through an independent study, and then have a chance to come back to this Chamber for passage.

On that, Mr. Acting Speaker, I thank you for the remarks.

### Committee Changes

**Mr. Edward Helwer (Gimli):** Mr. Acting Speaker, I would just like to make some changes to the Law Amendments Committee.

I move, seconded by the Member for Niakwa (Mr. Reimer), that the composition of the Standing Committee on Law Amendments be amended as follows: The Member for Ste. Rose (Mr. Cummings) for the Member for Riel (Mr. Ducharme); the Member for Kirkfield Park (Mr. Stefanson) for the Member for Lakeside (Mr. Enns).

**The Acting Speaker (Mr. Laurendeau):** Agreed? Agreed.

\* \* \*

**Mr. Steve Ashton (Thompson):** Someone once said that those who do not learn from history are condemned to repeat it. I look to the Liberals, and here, a brief nine months after we last dealt with final offer selection, they are repeating history. They have not learned, Mr. Acting Speaker.

I point specifically to the Member for Inkster (Mr. Lamoureux) who kept talking about who speaks for the working people. I ask him to look around him at his caucus that was reduced in the election from 21 to seven. I ask them to look at the Member for Transcona (Mr. Reid), the Member for Radisson (Ms. Cerilli), the Member for Selkirk (Mr. Dewar), the Member for Burrows (Mr. Martindale), the Member for Wolseley (Ms. Friesen), the Member for Broadway (Mr. Santos), all New Democrats who were elected because the people in those constituencies rejected the stand of the Liberal Party when it pertains to issues affecting working people and chose the New Democratic Party. How little they have learned.

Yes, the Member for Inkster (Mr. Lamoureux) can say what he wants about his concern for the working people. He can express with those crocodile tears that the Liberals talked with in committee and have talked in this debate. They said they wanted to study final offer selection. What they did not tell you, Mr. Acting Speaker, is they wanted to kill it first. They

want to do the same thing as the Conservative Party, kill final offer selection. The only difference with the Liberals is they wanted a post-mortem afterwards; we said no, that is wrong.

If you are going to study, study it first and then give final offer selection a chance. Do not just repeal it categorically as the Liberals and Tories have done. I say that because they still have not understood the message. They were not listening in March when presenter after presenter came before that committee. Yes, people have been bold in the labour movement, but many shop floor workers who said, they urged, they begged the Liberals and the Conservatives, save final offer selection.

You know, Mr. Acting Speaker, I was never so proud of the position our Party took. For the Member for Inkster (Mr. Lamoureux), it is not a question of political games. We used every tactic in the book to delay the repeal of final offer selection for as long as possible for those same workers who came before the committee so that workers would have that as an option instead of only the strike weapon. I will say, Mr. Acting Speaker, we saved unnecessary strikes by our actions, the 12-Member caucus and the 20-Member caucus, and we are proud of that.

(Mr. Speaker in the Chair)

I want to say to you that it is with sadness that I rise today on this Bill. It is with sadness. For any Members who have not been through a strike, and I have, it is one of the most difficult experiences anyone can go through. When I was elected I was walking a picket line myself, as many people in my community have done. It has a very difficult impact on families in the communities. It really struck me last Session in committee listening to people how important it was not to forget exactly what happens. I ask those Members here, and I realize many have not been in that situation, to put themselves in the situation of the workers walking the picket line to fight for something, to fight for fair treatment and to listen to what they said in committee. They said final offer selection is not a panacea but it is an alternative.

\* (1200)

What really saddens me, Mr. Speaker, is that we had, yes, an experiment, a noble experiment, as one previous Liberal Member, the Member for Radisson, described it. In the three years it has been in place it has worked, and there will still be more time for settlements. We have a negotiated proclamation

date of March 31. There will be five months worth of contracts, 210 contracts in 1991, that will still be able to access final offer selection. Tens of thousands of working people will be able to access it.

You know the sad part is, I have yet to hear anyone, those who were opposed to final offer selection at the beginning, those who sought to repeal it, the Conservative Party and the Liberal Party, come up with a single argument that suggests that it is in some way damaging the labour relations climate. In fact, if anyone looks objectively, it is working. It is working. That is what saddens me today, and I look to the Liberals because they had a chance to break with the Tories on this issue but did not. I look at the votes that have taken place, and time and time again the Liberals and Conservatives have voted for the repeal of a Bill that is working, that is fair for the working people of this province.

I am indeed saddened, Mr. Speaker, but I want to say to Members of this Chamber on behalf of the New Democratic Party as Labour Critic, and I know our Leader will be addressing this Bill in just a moment, that there are two things that we are going to do following the end of the debate on this Bill on third reading. One is we are going to communicate to everyone in this province exactly where the Liberals and Conservatives stand on issues affecting working people and where the New Democratic Party stands.

It is clear from this vote that it is only the New Democratic Party that stands for the working people of this province, only the New Democratic Party, and we will take that message. I want to say to you that we will do one other thing as well, we will not let final offer selection die in this province with a repeal by—to use the words of a previous Member of the House—this temporary Government.

This is not the final battle in the final offer selection war or the fight of working people for fair treatment under our Labour Relations legislation, this is merely one battle. Yes, we are losing this battle, but we will win the war on fair treatment for working people, and indeed we will see more of final offer selection in the future because the New Democratic Party will not give up the fight for final offer selection.

**Mr. Gary Doer (Leader of the Opposition):** Well, Mr. Speaker, the Minister of Industry, Trade and technology—

**An Honourable Member:** Tourism.



**Mr. Doer:** Tourism—well, there is no tourism in Manitoba—put up a couple of numbers in this Chamber, and that will be the measure of this Bill because we will be reviewing the activity of labour and management relations in the 1991 year. The bottom-line numbers under the Tory corporate agenda is going to be more days lost to strike and lock out because of the confrontational approach to working people in this province, supported by their corporate buddies in the Liberal Party, Mr. Speaker. That we will see.

There will be an accountability of this activity because the Minister of Industry (Mr. Ernst) walks around this province, walks around the free world, walks around the world, flies probably around more corporately, talking about the labour and management investment in this province. Even the Minister of Finance (Mr. Manness), in his budget, had the nerve to brag about the labour-management record of this province, citing 1989 a year in which labour and management relations were stabilized by the New Democratic vision and innovation of final offer selection. The gall.

There is one party of innovation and there are two parties of the past. The party of innovation is the New Democratic Party. We know that society is changing. We know that we are going from an industrial world to a communication and service world. We know that things have to change. We are willing to experiment, not like the old Sterling Lyon Tories and the less than Sterling Lyon Liberals beside us. -(interjection)- Mr. Speaker, perhaps the Member should get out of this Chamber for a while. Maybe the Members should go out of the Chamber and talk to the Blackwood Beverages workers in Brandon. Maybe the Minister of Justice (Mr. McCrae) should spend a little time outside of the Chamber of Commerce and spend some time talking to the workers of Blackwood Beverages, which was the last group to use final offer selection. It stopped a 60-day strike. That is a very useful thing to have in our economy, to stop long and protracted strikes.

Secondly, we know from management representatives, we know from independent chairs that have dealt with conciliation, and we know from lots of other people that final offer selection does prevent strikes and walkouts. It is very, very clear, and after three years the evidence is clear, absolutely clear. You can compare Manitoba's record, with more of an industrial base, to

Saskatchewan's record, comparable population, comparable unionized work force, and you will find that Saskatchewan has tenfold the days lost to strike and lockout in 1989-1990 than Manitoba.

Mr. Speaker, this is not just a labour-management issue, although it is a fundamental principle with us that we have to innovate and try new things. It is an issue for our economy. We cannot afford lost productivity in our economy. We had 7,000 more people unemployed last month under a Tory federal recession, aided and abetted with a Tory provincial recession, and we cannot afford the ideology of the Conservative Party going into the teeth of a Tory GST recession in 1991.

We saw the agenda of the Tory Party. You know, even General Jaruzelski was thrown out in Poland with these kinds of state controls of collective bargaining. We believe in free collective bargaining, Mr. Speaker. I am absolutely surprised that the only party that loves freedom and democracy and free collective bargaining is the New Democratic Party, not the Members opposite, because I think the public of Manitoba will see this move for what it is. It is a manipulative move to manipulate the nurses for the third time.

They manipulated the nurses by not having the nurses' union on the health place advisory committee. That is strike number one with the nurses, and strike number two was rolling back their pay equity, freely negotiated. Strike two, Mr. Speaker, and strike three came today. Oh, the guidelines are three percent, oh and nurses, we are going to give you four and one-half or five. You settle for that because our guidelines are three. They will know that is the third manipulative move on behalf of the duo, the Minister of Finance (Mr. Manness), the Minister of Health (Mr. Orchard), the true Members that are setting the agenda of the Conservative Party. They finally got control and they are acting out their behaviour.

Now the Liberals told us last year that they would listen to Manitobans. Fair enough. Hundreds of Manitobans came before the committee; hundreds of Manitobans said they do not want to lose FOS. -(interjection)- Well, the Member for St. James (Mr. Edwards), maybe he should stand up and speak on the environment Bill when it is his responsibility in second reading instead of yapping from his seat right now, Mr. Speaker. He gives us this Churchillian rhetoric about fighting it on the landing strip, fighting

it on the beaches, and he is nowhere to be seen in this Chamber.

### Point of Order

**Mr. Speaker:** Order, please. The Honourable Member for St. James, on a point of order.

**Mr. Paul Edwards (St. James):** Mr. Speaker, on a point of order, I feel I must respond. I was in fact meeting with the environmentalists who were dealing with the environmental Bill at the time. Earlier on in the day I had been in a meeting—

**Mr. Speaker:** Order, please. The Honourable Member does not have a point of order. Order, please. It is a dispute over the facts.

**Mr. Doer:** Mr. Speaker, when our Environment Critic stood up on the environment Bill, the Liberal Environment Critic was nowhere to be seen. Let the record show, nowhere to be seen in the debate.

\* (1210)

**Mr. Lamoureux:** The Leader of the New Democratic Party knows well you are not supposed to be making note of a person's absence.

**Mr. Speaker:** Order, please. The Honourable Leader of the Opposition, on the same point of order.

**Mr. Doer:** On the same point of order, Mr. Speaker. I did not refer to the fact he was absent. I said that he did not put a word on the debate on the second reading, which is absolutely in order.

**Mr. Speaker:** On the point of order raised, there was no point of order.

\* \* \*

**Mr. Doer:** So the Liberals said, well, we will listen to Manitobans. We are the esoteric Liberal Party; we will listen to people at the hearings. Well, they did not listen, because group after group, women's organizations, working people, clothing workers, textile workers, steel workers from all walks of life pleaded with the Liberal Party, please do not repeal; do not join the Tories; please, stand up with us as people.

Constituents of the Member for The Maples (Mr. Cheema), clothing workers, said, please, do not pass this Bill; please, do not vote with the Tories and the Chamber of Commerce. People on minimum wage, who are afraid of losing their jobs, pleaded with these people, please, do not do it; we cannot take the kind of pressures the Party would table with

high unemployment and a recession coming in; please, listen to us.

What did they do? Did they listen? They cross-examined some of the people viciously, Mr. Speaker. I could not believe the performance of the Liberal Party. I could not believe it. Then, did they vote with us to not repeal the law? No. They said then that they had to vote with the Tories because they wanted to study final offer selection. Okay, this year, we moved the study. We recommended, we amended the propose to amend the Bill, to refer final offer selection to the Labour Management Review Committee, chaired by Wally Fox-Decent, a person who we all respect as a non-partisan. He is a labour relations expert.

We recommended that the Bill not be repealed without a review of the three years' experience. We then asked the Liberal Party to support us in our amendment. Make good your word. Last year, you would not listen to the people. This year, we asked you to make good your word about studying it. What did they do, Mr. Speaker? They voted with the Tories in the committee again last night; they voted with the Tories at the Chamber of Commerce.

Now let us look at the hypocrisy of the Liberal Party, Mr. Speaker. They want arbitration for doctors, and they do not want arbitration for nurse's aides. They want arbitration for doctors, but they do not want ability of textile workers and clothing workers to have that right. How do you defend that position? How do you have one standard of labour relations dispute mechanism for well-paid people that are well, well off, and how do you have another standard for working people on the minimum wage trying to protect their jobs? That is a Party of the elite, just like the Conservative Party. It is very clear.

Mr. Speaker, speeches are great. We can all make speeches, but there is a day of reckoning. When you stand up to be counted, that is how we will measure where the Parties stand. We know the Tories have a corporate agenda. They actually try to feign it a little bit, but we know where they are coming from. But let it be clear on the record, there is a clear choice in this vote. You vote with the working men and women of this province that want protection in a recession. You vote to keep final offer selection against the repeal of the Tories, or you vote with the Chamber of Commerce and the Conservative Party and the Conservative corporate agenda.

You cannot stand up and condemn Brian Mulroney for his corporate agenda and his Americanization of this country in the morning and vote with the Tory corporate agenda in the afternoon. It does not work that way.

So, finally, Mr. Speaker, we will watch the way they stand again, and we will watch the way the Tories stand again. This Bill is not dead; it is temporarily in a coma on March 31, because the New Democratic Party will propose this in the next provincial election. We will propose innovation. We will let the Tories and Liberals propose the past.

### Committee Change

**Mr. George Hickes (Point Douglas):** I move, seconded by the Member for Swan River (Ms. Wowchuk), that the composition of Standing Committee in Law Amendments be amended as follows: The Member for Radisson (Ms. Cerilli) for the Member for Wolseley (Ms. Friesen).

**Mr. Speaker:** Agreed? Agreed.

\* \* \*

**Mr. Edwards:** I do not intend to belabour the point which I have already made with respect to this Bill at second reading. However, I would like to add some comments in rebuttal to the comments which I have just heard.

I think it is important to note that the amendment which came forward last night from the New Democratic Party makes specific reference to the Labour Management Review Committee. That committee has served a useful purpose in the history of this province in labour relations; we all know that. As the New Democratic Party knows full well, the Labour Management Review Committee, in fact, has already reviewed final offer selection; they reviewed it prior to the New Democratic Party coming in.

The Member for Condordia, the Leader of the Opposition (Mr. Doer), knows full well one other thing. He knows that at the time the Labour Management Review Committee was hung on this issue and published two reports. They could not agree, they met for weeks, and they could not agree. Who were the labour representatives at that time on that committee? None other than Bernie Christophe and Wilf Hudson. No doubt the same people that the New Democrats want to have review this again. They know full well that by sending it back to the

LMRC they are asking for the war to continue, and that is a war that they love.

Let no one in this House misunderstand the war that has gone on and will continue between the two Parties at the extremes: the New Democrats who pay homage only to the union bosses in this province, and to the Progressive Conservatives who pay homage only to the Chamber of Commerce. That is the lesson to be learned from this, that rationality went out the window long ago between these two Parties on the area of labour relations. It has yet to return, regrettably.

The New Democratic Party talks about a Party of the elite, Mr. Speaker. That, I would say, some would call hypocrisy. I would not deign to say that in the House. Let us talk about the means test. For whom? For the poor in day care, put in place by the New Democratic Party. Let us talk about a means test that says if you make over \$36,000, you do not have to submit yourself; you get a guaranteed portion of your day care costs paid. The New Democratic Party says: No, if you are poor, you have to submit yourself to a means test for day care. That is their policy, and they say they are not the Party of the elite?

This is the same Party that stands up in this House and talks about pay equity as if it was their invention and as if they were the only ones who know anything about pay equity. People who have been here longer than I know full well who put the cap on pay equity. None other than the Member for St. Johns (Ms. Wasylycia-Leis), who was in the Cabinet at the time, put the 4 percent cap on wages, and then had the gall to stand in this House and say: Too bad the Labour Board said the hospitals do not have to pay more than 4 percent for pay equity. They put the cap on, Mr. Speaker. This is, in fact, what some would call hypocrisy, which anyone who has been in this House for any length of time knows is not the sole possession of the Opposition Party, but certainly they have the market cornered.

Anybody who sat through this particular debate, this final offer selection debate, knows that Party has no credibility on this issue. They seek to continue the war, because the war serves their class warfare purposes, the way they ran the last election, the way they run every election. It is filled with rhetoric, and it seeks to do one thing: it seeks to divide the community. They divided it in 1987 when they brought it in, and they want it to be divided now. That is the way they function, Mr. Speaker.

**Hon. Darren Praznik (Minister of Labour):** Mr. Speaker, I rise to make some final comments on this particular Bill before it is brought to this House for a final vote. I will be very brief in my comments.

I think Members on this side of the House quite enjoyed the debate that went on amongst the Opposition Parties. Members on this side, some of my colleagues, yelled that the truth hurts. Well, Mr. Speaker, I feel that often the truth does not hurt when your only objective is to win in quick politics than to have power and be on this side of the House.

Mr. Speaker, a comment was made by the Leader of the Opposition (Mr. Doer) about the need to stop long and protracted strikes, that we cannot afford lost time. This Government had a choice. We could have brought in amendments to this Bill that would have provided FOS with equal compulsion for employers to utilize the process, that they could have called and compelled the process. If the objective of the Members of the New Democratic Party is to stop long and protracted strikes, to not have strikes and time lost, then that option should have been one they would have been pursuing, but they would not. This Government would not bring it in, and we proceeded, as we have always said to the people of Manitoba, to repeal these provisions of The Labour Relations Act.

I would like to thank all of the Members of the House who participated in this debate, in committee, in this House. It was certainly a very thorough discussion of the issues and a very, I think, enjoyable one for all of us who participated, particularly in the committees. Thank you, Mr. Speaker.

\* (1220)

### Committee Change

**Mr. Speaker:** The Honourable Member for Inkster, with a committee change.

**Mr. Lamoureux:** Mr. Speaker, I move, seconded by the Member for Crescentwood (Mr. Carr), that the composition of the Standing Committee on Law Amendments be amended as follows: St. James (Mr. Edwards) for Osborne (Mr. Alcock).

**Mr. Speaker:** Agreed? Agreed.

\* \* \*

**Mr. Speaker:** On the proposed motion of the Honourable Government House Leader (Mr. Manness), seconded by the Honourable Minister of

Health (Mr. Orchard), that Bill 12, The Labour Relations Amendment Act; Loi modifiant la Loi sur les relations du travail, be now read a third time and passed. Agreed?

**Some Honourable Members:** No.

**Mr. Speaker:** No. Order, please.

All those in favour of the motion, please say aye.

**Some Honourable Members:** Aye.

**Mr. Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

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

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

**Mr. Speaker:** Call in the Members. The question is on the proposed motion of the Honourable Government House Leader (Mr. Manness), seconded by the Honourable Minister of Health (Mr. Orchard), that Bill 12, The Labour Relations Amendment Act; Loi modifiant la Loi sur les relations du travail, be now read a third time and passed.

**A Standing Vote** was taken, the result being as follows:

### YEAS

Alcock, Carr, Carstairs, Cheema, Connery, Cummings, Dacquay, Derkach, Downey, Driedger, Ducharme, Edwards, Enns, Ernst, Findlay, Gaudry, Gilleshammer, Helwer, Lamoureux, Laurendeau, Manness, McAlpine, McCrae, McIntosh, Mitchelson, Neufeld, Orchard, Penner, Praznik, Reimer, Render, Rose, Stefanson, Sveinson, Vodrey.

### NAYS

Ashton, Barrett, Cerilli, Chomiak, Dewar, Doer, Evans (Interlake), Evans (Brandon East), Friesen, Harper, Hickes, Lathlin, Maloway, Martindale, Plohman, Reid, Santos, Storie, Wasylcia-Leis, Wowchuk.

**Mr. Clerk (William Remnant):** Yeas 35, Nays 20.

**Mr. Speaker:** I declare the motion carried.

\* \* \*

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, I move, seconded by the Minister of Justice (Mr. McCrae), that when the House adjourns today, it shall stand adjourned until a time fixed by Mr. Speaker, upon the request of the Government, by leave.

**Motion agreed to.**

**Mr. Speaker:** I am advised that His Honour the Lieutenant-Governor is about to enter to grant Royal Assent. All rise.

### ROYAL ASSENT

**Acting Sergeant-at-Arms (Mr. Garry Clark):** 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 the Lieutenant-Governor in the following words:

\* (1230)

**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. Bev Boslak (Deputy Clerk):** Bill 6—The Business Practices Act; Loi sur les pratiques commerciales;

Bill 12—The Labour Relations Amendment Act; Loi modifiant la Loi sur les relations du travail;

Bill 13—The Residential Tenancies and Consequential Amendments Act; Loi sur la location à usage d'habitation et modifiant diverses dispositions législatives;

Bill 18—The Statute Law Amendment (Re-enacted Statutes) Act; Loi modifiant diverses dispositions législatives (Lois réadoptées)

Bill 20—The Statute Law Amendment (Taxation) Act, 1990; Loi de 1990 modifiant diverses dispositions législatives en matière de fiscalité;

Bill 22—The Statute Law Amendment Act, 1990-91; Loi de 1990-1991 modifiant diverses dispositions législatives;

Bill 23—The Employment Standards Amendment Act (2); Loi no 2 modifiant la Loi sur les normes d'emploi;

Bill 25—The Ombudsman Amendment Act; Loi modifiant la Loi sur l'Ombudsman.

**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 of Your Honour the acceptance of these Bills:

Bill 26—The Loan Act, 1990; Loi d'emprunt de 1990;

Bill 27—The Appropriation Act, 1990; Loi de 1990 portant affectation 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 previously agreed, this House—

### NON-POLITICAL STATEMENTS

**Mr. Reg Alcock (Osborne):** Mr. Speaker, I wonder if I might have leave to make a non-political statement.

**Mr. Speaker:** Does the Honourable Member have leave to make a non-political statement? Leave? Agreed.

**Mr. Alcock:** Mr. Speaker, in our haste to finish the business of this House, I think we neglected one thing that has been a tradition at the end of a Session, although this is not traditionally the end. That is, to thank the Table and the Pages and those who work so hard to make our work as effective as it is, such as it is at times. I know the other Members of the House would like to join us in that, just saying to the Pages, to the people who work the Table, to the Hansard staff, and to the Sergeant-at-Arms and the others in the anterooms and such who do so much to make our lives so much easier, that we wish them the very best at Christmastime and thank them very much for the work they do.

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, let me, on behalf of the Government, join in the sentiments expressed by the Member. Let me also acknowledge, of course, the tremendous effort of everybody in this House to work towards an expeditious rising. I think it is important for the people of the province, and I believe that every individual in this House saw the importance of that. I thank them on behalf of the Government, indeed, all Members of the

Government, for the way in which we worked together over the last several weeks.

**Mr. Speaker:** Does the Honourable Leader of the Opposition have leave? Leave? Agreed.

**Mr. Gary Doer (Leader of the Opposition):** I was intending on making the comments on January 21 when the Session does conclude. We do have important business before us, and we all know that. But I do want to add our wishes of all the best in the holiday season to all the staff of the Legislature; to you, Sir, Mr. Speaker; and to all Members of this Chamber, as we move into the holiday season. I also want to, on behalf of our Party, thank all the staff in this building and outside the building who facilitate our work, whether they are in legal counsel or translation or other areas that are so vital to our Assembly, and just to say that we look forward to

1991. We, too, wanted to expedite this short Session so that we could get back on a more predictable schedule for the people of Manitoba. We wish all Members well in this holiday season, and all staff working not only in the building but in the whole public service, in the total public service, on behalf of the people of Manitoba. Thank you very, very much.

#### **SPEAKER'S STATEMENT**

**Mr. Speaker:** I would like to take this opportunity in addressing, as I often refer to, the 56 sharpest minds in Manitoba, to wish each and every one of you and yours a very Merry Christmas, wishing you all the best in the coming new year, on behalf of myself, the Clerks at the Table, the Chamber staff, and Hansard. God bless you all.

# Legislative Assembly of Manitoba

Friday, December 14, 1990

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