



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

**DEBATES  
and  
PROCEEDINGS  
(HANSARD)**

39 Elizabeth II

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

**Members, Constituencies and Political Affiliation**

NAME	CONSTITUENCY	PARTY
ALCOCK, Reg	Osborne	Liberal
ASHTON, Steve	Thompson	NDP
BARRETT, Becky	Wellington	NDP
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, November 9, 1990

The House met at 10 a.m.

### PRAYERS

### ROUTINE PROCEEDINGS

#### PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

**Mr. Ben Sveinson (La Verendrye):** I beg to present the First Report on the Committee on Public Utilities and Natural Resources.

**Mr. Clerk (William Remnant):** Your Committee met on Thursday, November 2, 1989 at 10 a.m., in Room 254 of the Legislative Building, to consider the Annual Reports of the Manitoba Liquor Control Commission for the fiscal years ended March 31, 1988, and March 31, 1989. Your Committee also met on Tuesday, November 6, 1990, at 8 p.m., in Room 255 of the Legislative Building, to consider the Annual Reports of the Manitoba Liquor Control Commission for the fiscal years ended March 31, 1988, 1989 and 1990.

Mr. Emerson, President and Chief Executive Officer; Mr. Ahoff, Vice-President, Finance; Miss Hamilton, Vice-President, Licensing; Mr. Lussier, Vice-President, Purchasing; and Mr. Johnston, Director, Retail Operations, provided such information as was requested by Members of the Committee with respect to the Reports and business of the Manitoba Liquor Control Commission for the Committee meeting on Thursday, November 2, 1989.

Mr. Smith, President and Chief Executive Officer; Mr. Ahoff, Vice-President, Finance; Miss Hamilton, Vice-President, Licensing; and Mr. Johnston, Director, Retail Operations, provided such information as was requested by Members of the Committee with respect to the Reports and business of the Manitoba Liquor Control Commission for the Committee on Tuesday, November 6, 1990.

Your Committee has considered the Annual Reports for the Manitoba Liquor Control Commission for the fiscal years ended March 31, 1988, March 31, 1989, and March 31, 1990, and has adopted the same as presented.

**Mr. Sveinson:** Mr. Speaker, I moved, seconded by the Honourable Member for Seine River (Mrs. Dacquay), that the report of the committee be received.

**Motion agreed to.**

**Mr. Sveinson:** Mr. Speaker, I beg to present the Second Report of the Committee on Public Utilities and Natural Resources.

**Mr. Clerk:** Your Committee met on Tuesday, November 7, 1989, Tuesday, November 14, 1989, and on Wednesday, November 7, 1990, in Room 255 of the Legislative Building to consider the Annual Reports of Manitoba Data Services for the fiscal periods ending March 31, 1987, December 31, 1987, and December 31, 1988. At the November 6, 1990, meeting, your Committee agreed by unanimous consent to also consider the Annual Report of Manitoba Data Services for the fiscal period ending December 31, 1989.

Mr. C. J. Chalmers, President and General Manager; Mr. R. Pennycook, Chairman; Mr. J. Jones, Vice-President, Client Support Services; Mr. N. H. Shakespeare, Vice-President, Operations Support Services; and Mr. J. G. Campbell, Vice-President, Corporate Services, provided such information as was requested with respect to the Annual Reports and business of the Manitoba Data Services at the November 7, 1989, and November 14, 1989, Committee meetings.

Mr. Mike Bessey, Secretary to the Treasury Board, and Mr. Tony DeLuca, Director of Information Technology Review Office, Treasury Board provided such information as was requested with respect to the Annual Reports and business of the Manitoba Data Services at the November 7, 1990, Committee meeting.

Your Committee has considered the Annual Reports of the Manitoba Data Services for the fiscal periods ending March 31, 1987, December 31, 1987, December 31, 1988, and December 31, 1989, and has adopted the same as presented.

**Mr. Sveinson:** Mr. Speaker, I move, seconded by the Honourable Member for Seine River (Mrs.

Dacquay), that the report of the committee be received.

**Motion agreed to.**

**Mr. Sveinsson:** Mr. Speaker, I beg to present the Third Report on the Committee on Public Utilities and Natural Resources.

**Mr. Clerk:** Your Committee met on Tuesday, October 31, 1989, at 10 a.m., in Room 255 of the Legislative Building, to consider the Annual Report of the Manitoba Public Insurance Corporation. At the meeting on Tuesday, October 31, 1989, your Committee elected Mr. Pankratz as Chairman. Your Committee also met on Thursday, November 8, 1990, at 10 a.m., in Room 255 of the Legislative Building, to consider the Annual Reports of the Manitoba Public Insurance Corporation.

Mr. Harold Thompson, Chairman of the Board of Directors, Mr. J. W. Bardua, President and General Manager, and other members of the staff provided such information as was requested by Members of the Committee with respect to the Reports and business of the Manitoba Public Insurance Corporation.

Your Committee examined the Annual Report of the Manitoba Public Insurance Corporation for the fiscal year ended October 31, 1988, and adopted the same as presented.

**Mr. Sveinsson:** Mr. Speaker, I move, seconded by the Honourable Member for Seine River (Mrs. Daquay), that the report of the committee be received.

**Motion agreed to.**

### TABLING OF REPORTS

**Hon. Jack Penner (Minister of Rural Development):** Mr. Speaker, I would like to table, for your information, the Department of Rural Development Expenditures and Estimates for 1990-91.

### 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 Ethelbert School, twenty-six Grade 11 students. They are under the direction of Sandy Hafenbrak and Micheline Jean. This school is located in the constituency of the Honourable Member for Swan River (Ms. Wowchuk).

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

\* (1005)

### ORAL QUESTION PERIOD

#### Manitoba Intercultural Council Report Recommendations

**Mr. Gary Doer (Leader of the Opposition):** Last January and February this province was plagued with incidents of a racial nature that caused all Members of this Legislature to be very concerned. We suggested and the Government agreed to establish a racism committee, the Manitoba Intercultural Committee, which has now produced their report, Mr. Speaker. It has some pretty startling statements, perceptions that our schools are plagued with intolerant behaviour towards aboriginal youth and newcomers of diverse cultural backgrounds, perceptions that our curriculum in our schools lean toward a Eurocentric bias in content, a stereotypical viewpoint of people in our countries and in the western hemisphere.

My question to the Premier (Mr. Filmon) is: Given that this Government has this report, what action and strategy will his Government take to show leadership in the recommendations that have been produced to his Government dealing with racism in Manitoba and the challenges that presents for all of us in this Legislature?

**Hon. Bonnie Mitchelson (Minister of Culture, Heritage and Recreation):** I do want to indicate that we did ask the Manitoba Intercultural Council for recommendations. I received an interim report just a week ago from the Manitoba Intercultural Council on specific initiatives that should be taken.

I indicated yesterday in Question Period that in fact it was an interim report. We will be looking at it and trying to develop strategies over the next period of time. The total Manitoba Intercultural Council has not yet ratified that report. I am under the understanding, in a letter that I have received from the executive of the Manitoba Intercultural Council, that the total board of MIC will be meeting in January. At that point they will be ratifying that report as final, or looking at that report to ratify it. When that is done we will be able to give a complete report.

### Manitoba Intercultural Council Report Recommendations

**Mr. Gary Doer (Leader of the Opposition):** As the Member well knows, the report states that many of these issues and initiatives are well known to the Government, to the people of Manitoba. What we require now is not study, but action on the part of the Government to show leadership.

My question to the Premier is: The recommendation dealing with the multimedia public awareness program to combat racism and the recommendation to provide resources to coincide with the public awareness program, is that a program, given the Government has funded public awareness programs before? Is that a program that the Government will support pursuant to the recommendations?

**Hon. Gary Filmon (Premier):** Let us just ensure that the Leader of the Opposition understands that we asked for this report to be commissioned, because we believed that there was a serious problem. We believed that the way to do it was to undertake this kind of study, to quantify and put some bounds on the dimensions of the problem and identify it properly and of course, as has been said many times, identification of the problem is 50 percent of the solution. We are on the way to doing it.

The report, as the Minister has indicated, has not yet been adopted in total by the Intercultural Council. When it is it will be referred to us for consideration and, as we have done with each and every study that we have undertaken, we have been given a full and comprehensive response. We have not on an ad hoc basis picked certain things out and said, this is it, we will go and do it. We have said we have to give it the thorough response that it deserves, because it has been a year in the making. There has been a lot of study and valuable work put into it.

You do not just pick one thing ad hoc and say, do you agree or disagree? That is not the way that a good Government responds to it. It may be good fodder for Question Period and somebody trying to make a political quick trick, but it is not the way to embark upon good policy development in this province, Mr. Speaker.

\* (1010)

**Mr. Doer:** Let us not talk about quick tricks. Let us

just talk about backbone. One of the recommendations in the report states that the Government—

**An Honourable Member:** Have you got any?

**Mr. Doer:** We will find out about the Premier (Mr. Filmon) in a minute—that the Government should take the lead in dealing with racism in this province and dealing with the racial intolerances in this province.

### Acting Minister of Culture Removal and Apology Request

**Mr. Gary Doer (Leader of the Opposition):** Given the fact that the Manitoba Intercultural Committee is given power of legislation to recommend to the Government, and given the Premier in the past has said we cherish the recommendation that comes from the MIC, will the Premier now act on the letter he received two days ago and either apologize for the statements of his Minister of Energy and Mines (Mr. Neufeld) or remove him from the acting capacity? Will he act and lead rather than just taking cheap shots in the Legislature?

**Hon. Gary Filmon (Premier):** Mr. Speaker, you know this is the Member who over and over again urges people of other political Parties in other circumstances that they ought to have the courage of their convictions to speak out even when they disagree from time to time with Government and with policy and so on.

Mr. Speaker, I have said that I neither accept comments which were made by a Member of my Cabinet—I have said that we have a policy, a policy which we have had the courage to put in writing, that no previous administration did, our multicultural policy. We are, in addition to that, in the process of developing a multicultural Act which no other previous administration had the courage to do.

We are carrying out our policy as it is stated in writing, because it is the policy of the Government of Manitoba. That takes courage, unlike the cheap politics that are made from statement to statement, from day to day, by Members of his Party.

**Mr. Doer:** Well, I do not think the multicultural community, when it meets with the Government Minister today, will talk about in glowing terms the courage of the Premier. They will talk clearly about his equivocation and his moving away from a strong position, Mr. Speaker.

### Human Rights Commission Case Backlog

**Mr. Gary Doer (Leader of the Opposition):** I have a new question to the Premier. He has, in his role of Treasury Board and in his role as Premier dramatically increased the resources in the bureaucracy of the multicultural secretariat of Government. Comments have been raised in this House about the bureaucrats who have been hired in that secretariat, but he has more than doubled and close to tripled the finances in that bureaucracy, in that secretariat.

My question is: Will the Premier have enough resources in Treasury Board to implement the recommendations to have more human rights officers to deal with the backlog that presently exists dealing with cases dealing with racism in the Province of Manitoba?

**Hon. Gary Filmon (Premier):** Mr. Speaker, we have increased the resources of the multicultural secretariat, because they are doing things that were never done before for the positive benefit of the multicultural community, such as the development of a multicultural policy—first time in the history of this province; such as the development of a multicultural Act—first time in this province; such as the establishment of a multicultural outreach office—first time in the history of this province. That is why we have increased their resources to do work that the multicultural community wanted to see done. I make no apology for that.

Mr. Speaker, we will continue to evaluate any proposals that are put before us that require additional resources to do things that are important and necessary for the people of Manitoba. When I see such a proposal as the Member is talking about, I will then take it into account as part of the Treasury Board process in reviewing the Estimates of the Department of Culture, Heritage and Recreation as we would with any other proposal that comes before us.

**Mr. Doer:** Mr. Speaker, I assumed of course the Premier had read the report. I will table the copies of the executive summary for him.

### Human Rights Commission Resources

**Mr. Gary Doer (Leader of the Opposition):** My question to the Premier is: If he is able to double and

more than triple the bureaucracy within the Department of Culture, Heritage and Recreation, will he also be able to deal with the real problems on the streets and in the communities, in the schoolyards of Manitoba and in the workplaces of Manitoba by having real resources placed to where the multicultural community is recommending it? That is in the human rights areas of the Attorney General's Department, where cases are backlogged and have been backlogged for two years, as the Premier knows. Will they be able to have concurrent resources in those areas dealing with the real community racism, as recommended by the Manitoba Intercultural Council in the report?

\* (1015)

**Hon. Bonnie Mitchelson (Minister of Culture, Heritage and Recreation):** Mr. Speaker, when we get into dealing in detailed Estimates, when the Department of Culture, Heritage and Recreation comes up we will be able to address some of the concerns that the Leader of the Opposition has been talking about.

I do want to go back to when I was first appointed as Minister, when we were dealing with developing a policy for the Province of Manitoba and I met with the Manitoba Intercultural Council. One of the concerns they had at the time was that all we had within Government was a multicultural co-ordinator which was set up under the former administration. They felt we needed more of a commitment within the bureaucracy to develop overall Government strategy on dealing with the multicultural community. We addressed that issue by establishing the secretariat with something that the community wanted, and we have acted on that.

**Mr. Doer:** The Minister has a very selective memory about the position the MIC took on her unilateral removal of their funding autonomy and taking it back to the Government bureaucracy. Let us remember the resolutions have been passed by the multicultural community.

### Cultural Awareness Programs Implementation

**Mr. Gary Doer (Leader of the Opposition):** My last question is to the First Minister. There is a recommendation to have increased awareness programs in the education system for teachers, in the judiciary for judges and even in the Legislature for Members of this Legislature.

Will the Premier implement that recommendation for his Members of the Legislature so we can have true awareness—obviously for all of us—in terms of cultural awareness? Will he implement the recommendations for the teachers in our education system and the judiciary as recommended by the MIC?

**Hon. Gary Filmon (Premier):** As I indicated I do not make my responses on an ad hoc basis, based on questions put in the Legislature. When the report is considered it will be considered fully by Treasury Board, Cabinet, by the Minister responsible, and a comprehensive response will be put forth, not an ad hoc, one-by-one review of things based on questions in the Legislature, Mr. Speaker. That would be the way the NDP ran Government, that kind of ad hoc decision making. We will not do that.

### Conawapa Dam Project Hydro Spending

**Mr. James Carr (Crescentwood):** Mr. Speaker, my question is to the Minister responsible for Manitoba Hydro. Could the Minister please tell the House how much Manitoba Hydro has spent to date on the Conawapa project?

**Hon. Harold Neufeld (Minister responsible for The Manitoba Hydro Act):** Mr. Speaker, that is a number I do not have on my fingertips at this moment, but it is probably in the area of several—maybe \$100 million. I am not certain of the amount.

That is a good question for when Hydro comes before the committee of the Legislature.

**Mr. Carr:** Mr. Speaker, I have a supplementary question to the Minister responsible for Manitoba Hydro. Could the Minister tell us what Manitoba Hydro intends to spend in its own capital forecasting by March 31, 1991?

**Mr. Neufeld:** That again, Mr. Speaker, would be a good question when Manitoba Hydro appears before the legislative committee next week.

**Mr. Carr:** Mr. Speaker, I would like to table a document called Capital Expenditure Forecast Program. Manitoba Hydro intends to spend by March 31, 1991, \$132.9 million on the Conawapa project.

My question to the Minister of Hydro is: Why is Manitoba Hydro spending millions of dollars on this project before the recommendation of the Public

Utilities Board, before the recommendation of the Crown Corporations Council and before the necessary environmental reviews?

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

The Honourable First Minister (Mr. Filmon) and the Honourable Member for St. James (Mr. Edwards), if you want to carry on a private conversation you can do so outside the Chamber.

**Mr. Neufeld:** Mr. Speaker, certain preparatory work has to be done before tenders may be called. The engineering has to be done. Some groundwork has to be done so that indeed those who tender on the project have the information necessary to tender. The tender has to be prepared. There is an awful lot of work that goes into the project before - (interjection) - They apparently know the answers, Mr. Speaker, so I will sit down.

\* (1020)

### Environmental Laws Increased Fines

**Ms. Marianne Cerlill (Radlsson):** Mr. Speaker, we were made aware again this morning that the public is not being adequately protected in the area of enforcement of environmental law, especially under the area of transportation of hazardous goods.

In spite of pleading guilty to at least three charges of the mishandling of dangerous goods, Burns was only fined \$500, which amounts to a licence in effect to break the law rather than as a deterrent.

Will the Minister of Environment now get tough with enforcing environmental law and increase the fines for charges under the hazardous goods Act?

**Hon. Glen Cummings (Minister of Environment):** Mr. Speaker, the fines that were levied against this particular trucker a year ago were done as a ticket on a first offence. We now are gathering information on this latest complaint which may very well, if proper evidence is produced, lead to much stiffer repercussions in the court system.

### Reporting System

**Ms. Marianne Cerlill (Radlsson):** Mr. Speaker, my supplementary question is also for the Minister of Environment.

Considering that employers fearful of losing their jobs are the ones most likely to have information regarding environmental hazards, will the Minister

ensure that a more confidential process is available in the Department of Environment to protect workers reporting questionable practices?

**Hon. Glen Cummings (Minister of Environment):** Mr. Speaker, I am troubled by what I saw in the paper today and certainly am concerned that an employee may be exposing himself to actions which may be quite inappropriate as a result of this, but I do not know all of the details and certainly wish to assure all Members of this House and anybody in the public who is listening that, it is my undertaking that if anybody approaches my department on a confidential basis with information that it will be kept confidential. If there is any breach of that I want to know about it.

### Department of Environment Staffing

**Ms. Marianne Cerilli (Radlsson):** Mr. Speaker, my final supplementary is also for the Minister of Environment.

Will the Minister now tell us specifically his plans to increase the number of staff in the area of environment regulation, inspection and enforcement in the Department of Environment?

**Hon. Glen Cummings (Minister of Environment):** -(interjection)- Mr. Speaker, I hear derogatory comments from the Leader of the Opposition (Mr. Doer). It seems to me that there are a number of ways that the public may not be, and obviously the Members of the Opposition may not be, totally aware of the numbers of ways the Department of Environment has to enforce environmental regulations. Those go far beyond adding people to my department. We have introduced 14 new positions in Dangerous Goods, Handling and Transportation. As well as that, we have access through police. We have access through federal officials. We have access through Natural Resources offices. We have access through public health officials and through local police forces, whether they are RCMP or otherwise.

Mr. Speaker, we have an enormous number of people on the ground who have the capability of enforcing and informing regarding The Environment Act. I believe that as the public becomes better aware and better educated that they will also be a valuable resource to us in informing when there are times that there are activities going on that enforcement officers may not have been aware of.

### Agricultural Productivity Rejection of Federal Statement

**Mr. John Plohman (Dauphin):** Mr. Speaker, I have a question for the Minister of Agriculture. Pool delegates and all Manitobans were shocked yesterday to hear the comments of one Doug Hedley, the senior federal ivory tower bureaucrat on policy when he said, contrary to the facts, that Canadian farmers have become less productive than those elsewhere and are losing, consequently therefore falling behind in the world marketplace. These outrageous comments come on the heels of record low grain prices and an escalating international trade war, dried up world markets, a near record crop lying on the fields and skyrocketing fuel costs.

I ask the Minister—and yet this bureaucrat blames the farmers—will this Minister reject categorically these statements made by this apologist for the federal Conservatives and with regard to the productivity of Western Canadian farmers?

**Hon. Glen Findlay (Minister of Agriculture):** Mr. Speaker, I have spoken hundreds of times in Manitoba and have constantly reminded the producers of Manitoba that they are the most productive in the world. They produce the highest quality food. They were the most efficient in doing exactly that, and farmers know that. They worked with all the issues that he has mentioned with regard to difficulties of trying to maintain that competitive edge. I have told this Member many times that our future is on the table at GATT and that is where we have to have resolutions. There is no question that we can go to that table and claim that we are the most efficient, very competitive and that we have done a good job in all the aspects of putting food on the table for the world. Manitoba farmers, western Canadian farmers are second to none.

### Agricultural Community Cost-of-Production Formula

**Mr. John Plohman (Dauphin):** Well, it is nice to get those assurances, Mr. Speaker, but clearly the federal Government is sending out this bureaucrat to soften up Canadian farmers because they realize the GATT talks are not going to be successful and to reduce the expectations of farmers for the '90s.

I ask this Minister, as a consequence of that reality, will he begin immediately the process of



establishing a cost-of-production formula system for western Canadian grain farmers, at least those in Manitoba, so that they will be able to weather this crisis, this deepening crisis in 1990?

**Hon. Glen Findlay (Minister of Agriculture):** Mr. Speaker, the Member is well aware that over the past year, little more than a year, a task force has been placed across Canada consisting of 33 people, 19 of whom are farmers. I can assure him that the farmer members from Manitoba had been leading the charge in developing a process to protect the farmers from risk. It is called the Safety Net Program—two components GRIP and NISA—and it is moving towards completion in terms of presenting it to the Ministers. It will recognize the hurt and try to reduce the risk for the farmers year in and year out because of low production and because of international grain prices.

I will have to tell the Members, I have told all the farmers of Manitoba many times, no risk-protection mechanism we put in place in Canada can fight a grain trade war. There has to be a two-focus attempt to resolve this. One is GATT and the other is the internal risk-protection mechanism that we can put in place as Governments and producers in the country of Canada.

\* (1025)

### **Agricultural Economy All-Party Task Force**

**Mr. John Plohman (Dauphin):** Mr. Speaker, given that the safety net is coming unraveled and it is not being dealt with, and since the Minister will not deal with cost of production, I ask the Premier whether he will establish immediately an all-Party task force to deal with this deepening crisis in agriculture so that the groundwork will be laid to deal with this crisis in rural Manitoba.

**Hon. Gary Filmon (Premier):** Mr. Speaker, the Minister—(interjection)—The Member for St. Vital, Mr. Speaker, has asked a very good question.

**An Honourable Member:** St. Boniface.

**Mr. Filmon:** St. Boniface? I am sorry. Okay, I am a block and a half out, you are about—

**Mr. Speaker:** Order, please; order, please. I have recognized the Honourable First Minister to deal with the matter raised by the Honourable Member for Dauphin.

**Mr. Filmon:** I am not 300 kilometres out like you are, John.

Mr. Speaker—

### **Point of Order**

**Mr. Steve Ashton (Opposition House Leader):** Mr. Speaker, I do not believe it is in order for the Premier to be continuously taking cheap shots from his feet. Besides, he should have learned from the election that all the cheap shots he took against the Member for Dauphin only increased his majority—

**Mr. Speaker:** Order, please. The Honourable Member does not have a point of order.

**Mr. Filmon:** On the same point of order, Members opposite insist—

**Mr. Speaker:** Order, please; order, please. There was no point of order.

\* \* \*

**Mr. Filmon:** I would have thought that the Members opposite would have asked about the unemployment rate in this Question Period, Mr. Speaker. I would think that the Member for Brandon East (Mr. Leonard Evans) would like to have some fodder for tomorrow's Brandon Sun, that he might like to have a good article about unemployment—

\* (1030)

**Mr. Speaker:** Order, please; order, please. I would like to remind the Honourable First Minister that I have recognized you to deal with the matter raised by the Honourable Member for Dauphin. The Honourable Minister should deal with the matter raised and should not provoke debate.

**Mr. Filmon:** The Minister of Agriculture (Mr. Findlay) has been working with his colleagues to come up with a comprehensive safety-net proposal for more than a year. That proposal is in its final form that will be considered by all Governments across the country.

It is the most comprehensive response to the farm community that has ever been put forth by any Governments in the past. In addition to that of course he, along with the Minister of Industry and Trade (Mr. Ernst), will be going to the final GATT round talks to protect the interests of the Manitoba farmers.

We were in Geneva last month to do precisely that, to put the case forward for our farmers in

Manitoba to ensure that they do get the kind of treatment they need with respect to removal of export subsidies in the farm community.

Mr. Speaker, we are doing things that have not been done by the previous administration, because we believe that it is in the best interests of protection to the Manitoba farmer. I will continue to do everything possible within our control.

### HIV Studies Public Awareness

**Mr. Gulzar Cheema (The Maples):** Mr. Speaker, my question is for the Minister of Health. The Manitoba Health Services Commission is currently conducting two studies, one named the Manitoba Cross-Match Study; the second is The Manitoba Study. Both these studies are aiming at finding the levels of HIV infection in Manitoba.

My question is to the Minister of Health. Can the Minister of Health tell us why the public was not more widely informed about the studies? Can he tell us, has he consulted any patient advocacy groups, and why was this study hidden?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, I did not hear the entire question, but I presume the question is about Manitoba's participation in the national seroprevalence study as to the incidence of HIV infection, a blind study carried out provincially in participation with all other provincial Governments and conducted by the Cadham Lab, a study which had been initiated, discussed fully with all the major participants in the AIDS question to assure accuracy of information, utility of information, absolute protection of confidentiality, so that the nation of Canada can get on with activities, policies, planning to curtail any further spread of HIV in this nation.

### Patient Notification

**Mr. Gulzar Cheema (The Maples):** Mr. Speaker, it is interesting that the Minister has not read his own report. He has signed the report dated the 29th, 1990.

Mr. Speaker, can the Minister of Health tell us why the patients are not being informed, those patients who are participating in this study? Can he tell us why this is being done?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, with what they call a blind seroprevalence

study, no one—researcher, patient, or anyone—knows the identity of the source of the blood sample tested. That is the whole purpose of a blind seroprevalence study. It is a national initiative with the guidelines designed, as I have indicated in the answer, my first response, nationally with participation by all provinces, with participation by all professional and interest groups to assure confidentiality. No one knows whose blood sample is being tested.

It is an attempt through a blind study parameter to identify how prevalent HIV is in the general population of Canada. It is designed as a public health measure in full co-operation with all provinces and the national Government. Surely, my honourable friend would not want to have Manitoba not participate in such a study of importance of the disease AIDS.

### Patient Participation

**Mr. Gulzar Cheema (The Maples):** Mr. Speaker, the issue here is whether the patients are being notified or not. We are not dealing with the flu or one illness, we are dealing with the HIV infection, a very serious matter. We are having a study, and if you are not going to inform the patient, in the long run if they cannot benefit what is the use of this study?

Can the Minister of Health tell us if the ethics are being followed? How many Manitobans have already participated in the study? How many more will be abused without their knowledge?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, with all the respect I can muster for my honourable friend, the doctor, surely my honourable friend understands the difference between the voluntary testing program which Manitoba has offered through the Cadham Lab for approximately five or six years so that individuals who are concerned as to whether they personally carry the HIV antibody can go in for testing on a completely confidential basis in a patient-doctor relationship that they enjoy complete confidentiality within, as compared to a national blind study on seroprevalence on discarded blood samples with no identification as to source. My honourable friend does not understand the difference between those two tests. I regret that.

### Rural Economy Long-Range Strategy

**Ms. Rosann Wowchuk (Swan River):** Mr. Speaker, my question is to the Minister of Rural Development.

Throughout rural Manitoba we see communities suffering and businesses closing down in communities such as Virden, Ste. Rose and many other communities. In particular we see farm machinery dealerships closing down because of the crisis in the agricultural community.

My question to the Minister is: What is his long-range strategy to deal with the crisis in the rural community?

**Hon. Jack Penner (Minister of Rural Development):** Mr. Speaker, the Honourable Member for Swan River certainly indicates correctly that there is an economic problem in much of rural Manitoba. Many of the communities are suffering because of the downturn in the agricultural sector. Many of the machinery dealers are affected, as she says, by the downturn in prices of grains and other commodities.

We recognize that. It is our intention to encourage the production, on a secondary manner, the establishment of industry in rural Manitoba to produce goods out of the primary products that farmers are good at producing. Up to now we have adopted policies in Canada largely based on the box-it, ship-it mentality. It is our belief that we should encourage industries to establish there. We have reached an agreement with the federal Government—a \$90 million agreement—that will encourage those centres that currently are industrial centres to expand and to provide them with infrastructure capital to help them expand their industrial base and to encourage those communities that have the capacity to establish industries to develop infrastructures that would allow them to do that. I believe that we are well on our way—

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

**Ms. Wowchuk:** Mr. Speaker, unfortunately that strategy is only for southern Manitoba.

### Assistant Water Resources Manager Position Vacancy

**Ms. Rosann Wowchuk (Swan River):** This Government's whole policy of dealing with the rural

problem had a lot of emphasis on decentralization. Decentralization was supposed to revitalize the rural community.

My question to the Minister is: What has happened to the position of an assistant water resource manager scheduled for Dauphin, a position that has long been promised and much needed within the Parkland? When will this position be filled?

**Hon. Jack Penner (Minister of Rural Development):** Well, Mr. Speaker, I am surprised at the Honourable Member's question. The previous administration had many years where they could have established a decentralization program. However, they chose not to do that. They did not recognize the need in rural Manitoba.

As soon as we took office, we indicated clearly our desire to encourage and establish better communications and access to Government through our decentralization process. We are putting into rural Manitoba better than 700 positions, and hopefully that will be achieved by the end of 1992.

### Position Location

**Ms. Rosann Wowchuk (Swan River):** Mr. Speaker, my question to the Minister addressed a specific position, a position of assistant water resource manager. Why was this position changed—which was originally scheduled for Dauphin—to Roblin-Russell when the bulk of the work is in Swan River and The Pas? I feel that it is very inefficient to be moving it to Roblin? Why has it changed—

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

**Hon. Jack Penner (Minister of Rural Development):** Mr. Speaker, first of all, through the decentralization process it was determined to establish positions in areas where they were needed most.

The position that the Honourable Member questions falls within the Department of Natural Resources. I will ask the Minister of Natural Resources (Mr. Enns) to provide the Honourable Member for Swan River (Ms. Wowchuk) with that information when he has it.

\* (1040)

### **St. James-Assinibola School Division Independent Assessment**

**Mr. Dave Chomlak (Kildonan):** Mr. Speaker, my question is directed to the Minister of Education (Mr. Derkach).

Mr. Speaker, insofar as school boards are finding it increasingly difficult to meet costs due to Government underfunding; insofar as problems have arisen in at least one school division, namely St. James-Assiniboia; insofar as the same superintendent of this school division is also the individual conducting the Government inquiry into education finance, will the Minister have an independent third party assess the situation at the St. James-Assiniboia School Division and perhaps other divisions if necessary?

**Hon. Clayton Manness (Acting Minister of Education and Training):** Mr. Speaker, I would like to indicate to the House today that a third party, in the name of the Provincial Auditor, is being asked to do an audit with respect to enrollment numbers in the St. James school division.

### **Goods and Services Tax Educational Texts**

**Mr. Dave Chomlak (Kildonan):** Mr. Speaker, in addition, the Mulroney Government is charging the GST on books. What assistance will this Government offer to school divisions to protect them from the cost of the GST being passed on to the local taxpayers?

**Hon. Clayton Manness (Acting Minister of Education and Training):** Mr. Speaker, my understanding is that educational books are free from the GST. Now there is some difficulty in the demarcation. I am aware of that, but in general my understanding is that educational items within the public school system are exempt.

**Mr. Chomlak:** Mr. Speaker, I think that the costs are inequitable and they are being passed on.

My final supplementary is: With respect to the university students and the cost of the GST on their books, what assistance will this Government offer to university students whose costs may go up as much as \$100 a year as a result of the GST?

**Mr. Manness:** It is probably a better question to ask the Minister during his Estimates. He is of course in his Estimates right now.

I can indicate that the Government of course would like to see the methodology and indeed the analysis that would show whereby students are indeed paying as much as \$100 because of the application of the GST. The Government would be very interested in seeing that type of analysis.

### **Manitoba Unemployment Rate Comparison**

**Mr. Ben Sveinson (La Verendrye):** Mr. Speaker, the employment figures are usually something that is foremost on most peoples minds, for those who are unemployed and also for those trying to better themselves in their jobs.

Could the First Minister indicate to the House the most recent unemployment figure and how that figure compares to the rest of Canada?

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

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

**Hon. Gary Filmon (Premier):** Mr. Speaker, I appreciate the question from the Member for La Verendrye. The fact of the matter is that Members opposite do not want to ask questions that have to do with good news.

I have to indicate, as was projected by the Minister of Finance (Mr. Manness) in his budget, that there are some indications in this month's unemployment figures that Manitoba is outperforming the national average with respect to various elements. Mr. Speaker, the fact is that we are in a position where according to Stats Canada our unemployment level is the lowest in the country.

We would like it to be better, but we are continuing to work on that. The provisions that are in the budget will indeed work toward that.

According to Statistics Canada, our employment has increased by some 12,000 persons between October '89 and October '90. That is a 2.4 percent increase in employment in this province. Indeed our unemployment rate—

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

### **Point of Order**

**Mrs. Linda McIntosh (Assinibola):** I am having difficulty hearing the answer the First Minister is giving, and I would appreciate your calling the Members to order so that I may hear. Thank you. -(interjection)-

**Mr. Speaker:** Order, please. The Chair is also having great difficulty in hearing the response.

**Mr. Filmon:** Mr. Speaker, according to Statistics Canada the unemployment rate, on a seasonally-adjusted basis, decreased four-tenths of 1 percent to 6.6 percent—as I said, the lowest in the country.

Our labour force, on a year-to-date basis of course, has increased by 1.2 percent, which is much better than the national average—7,000 persons, and that is good news.

All of this good news is indications that we will be outperforming the national economy in times of recession. We would like it to be better. We wish that we did not have the national recession, but indeed we will work hard to continue to improve these figures.

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

### NON-POLITICAL STATEMENTS

**Hon. Gary Filmon (Premier):** I wonder if I might have an opportunity for a non-political statement.

**Mr. Speaker:** Does the Honourable First Minister have leave to make a non-political statement?

**Some Honourable Members:** Agreed.

**Mr. Filmon:** Mr. Speaker, as all Honourable Members know, Sunday is Remembrance Day, the day we set aside each year to remember, with an outpouring of affection and tribute, those who gave their lives, in the service of our country, in time of war.

We must continue to remember, Mr. Speaker, lest we forget the horrors of the two World Wars and the Korean War and the need to work for peace in the world. We remember not only to pay tribute to those who fell in battle but those who fought and survived, those who we wish to thank and salute for the sacrifices they made and for the contributions they made to the preservation of peace and democracy throughout the world.

We must take the lead from those who have survived in our remembrance as we resolve to do all in our power to keep the "flame of freedom" burning so that the war-dead shall not have died in vain.

There are two important aspects to the Remembrance Day celebrations, Mr. Speaker. The first is to remember and to honour the memory of those who fought and died in order that all of us,

sitting in this Chamber and throughout democratic countries in the world, can enjoy the benefits of the society in which we live.

Last April, I had the opportunity to be at Sai Wan Bay cemetery in Hong Kong and it was a very moving experience. As we looked out through that cemetery—it is on a hillside so you can see the entire cemetery from the entrance point—row, upon row, upon row of monuments indicating the death of Canadian soldiers in the defence of Hong Kong in December of 1941.

It was a very moving experience because we had to think about the individuals involved, most of them very, very young people, who were taken away, halfway around the Earth to defend a country that they had very little connection with, and yet they did it, lovingly, willingly, sacrificing in huge numbers their lives as they went, as it turned out, to be slaughtered in the defence of Hong Kong, a member of the Commonwealth.

It was moving both because those monuments did represent individuals, some of whom we could relate to. I know that tears came to our eyes when we found the gravestone of the brother of Janice's next door neighbours as she was growing up, and realized the significance to one individual family of that person's loss.

Many of the markers had no names on them and even that, too, has another significance, the fact that there were so many who lost their lives and, in some cases, because of the horrible deaths that they faced, they could not even be identified.

The Winnipeg Grenadiers, of course, were the major force involved in the defence of Hong Kong and they are remembered with great respect in Hong Kong today. In fact, that picture of us placing the wreath at Sai Wan Bay was on page 3 of the South China Morning Post because of the significance that they place on their relationship with Manitoba and Canada as a result of that.

So, Mr. Speaker, we should always remember because theirs was the ultimate sacrifice, and we are led in remembrance, as I said earlier, by those who fought and survived the various wars in which Canada was involved.

Finally, of course, we must use the celebration of Remembrance Day as a recommittal of our lives to ensure that we will always work for peace—peace in our country and peace throughout the world.

\* (1050)

**Mr. Gary Doer (Leader of the Opposition):** Mr. Speaker, I would like to ask the Chamber for leave to make a non-political statement.

**Mr. Speaker:** Does the Honourable Member have unanimous consent?

**Some Honourable Members:** Agreed.

**Mr. Doer:** I would like to join with the First Minister (Mr. Filmon) and Members of our caucus on Remembrance Day this weekend, in terms of remembering the ones that have given the ultimate sacrifice, their life, or their person, during many of the wars that have preceded our time in the world. I think, when we talk about Remembrance Day, it is important not only to celebrate, or remember, the general issues of war and peace, but it also conjures up ideas of a personal nature at this time. I think of my parents always listening to Vera Lynn and talking about the war on Remembrance Day; it usually was something at our home.

I also think of some of our relatives who were locked up or imprisoned and barely survived during that conflict that the First Minister mentioned, in terms of a prisoner of war during the last war for the defense of Hong Kong in that dispute.

We, on this side, and all Members of this Chamber, must remember the sacrifices that our forefathers and foremothers made in the defence of liberty and democracy, Mr. Speaker. It is a year ago now, a year ago this weekend, when the Berlin Wall came down, I believe, and many things are changing in Eastern Europe. That makes us feel somewhat safer, in terms of the peace for ourselves and for our children.

However, as we speak, we have a very serious potential conflict in the Middle East, and now we know Manitoba people are being affected by that, potentially called up, potentially going over to that troubled spot in the Middle East. I just hope that we can avoid conflict, can avoid war, and that we can avoid the carnage that comes from war and that we can work with the United Nations for a peaceful resolution of that potential conflict in the Middle East.

So we, too, join with all the veterans and the families on Remembrance Day in remembering, and we, too, remember the personal stories that are so important to all of us on this very important day and we pray for peace in our world in all spots.

**Mrs. Sharon Carstairs (Leader of the Second Opposition):** Could I have leave for a non-political statement?

**Mr. Speaker:** Does the Honourable Member have unanimous consent? Agreed.

**Mrs. Carstairs:** Mr. Speaker, we are speaking today about Remembrance Day, and I think all of us have our own family and personal remembrances. I want to focus today on not only those who lost their lives in battle, but those who lost their lives when they thought they were safe from such loss of life.

This week Hugh MacLennan died. He wrote a very significant book called "Barometer Rising." "Barometer Rising" was about the Halifax explosion in 1917 when a munitions ship collided with a tanker. Ten thousand Halifaxians were injured; 1,000 of them lost their lives. My grandfather was one of those; he was injured by a piece of the ship and because there was no medical attention he died of gangrene nine months later. He left a wife and 10 children, the eldest of which was my father. My grandmother died shortly thereafter. My father said she looked at the responsibilities of raising 10 children and had a heart attack. I do not know what was the actual cause of her death, but she left my father, as the eldest of those 10 children. At 19 that is quite a responsibility; the youngest child was six.

In World War II that young man, then six, died when HMCS Ottawa was blown up on the high seas. Those are the kinds of things I think each and every one of us can relate to on Remembrance Day, but our children and our grandchildren are not going to be able to do that in the same way because they will not have that knowledge and that information base. That is why we have watched the change and the focus of Remembrance Day often more and more on peace and how we can assure that our children and our grandchildren live in a peaceful environment, and how we can prevent not only young men and young women being killed on a battlefield, but how the civilian population can also be protected.

That is what is so terrifying to so many of us when we listen to the hyperbole around the Iraqi controversy at the present time, because we know that this war will be a war which, if it takes place, will involve great civilian loss.

I am reminded today of the poem by John McCrae, "In Flanders Fields," that we all know so well, but John McCrae wrote that when he was treating victims of poison gas in 1915. We must remember that when we watch news photos of people being dressed in protective gear because of

the type of warfare that we now may find ourselves exposed to.

I ask all Canadians, indeed all citizens of the world, to rededicate themselves on Sunday to peaceful resolution of disputes man to man, woman to woman.

### HOUSE BUSINESS

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, I rise on House business. I would like to announce that Tuesday at 10 a.m., the Standing Committee on Public Utilities and Natural Resources will sit to consider the 1988, 1989, and 1990 Annual Reports of the Manitoba Hazardous Waste Management Corporation.

I announced yesterday that also at that time the Standing Committee on Economic Development would sit to consider Moose Lake Loggers, Channel Area Loggers and Community Economic Development Fund.

I would also like to indicate that Thursday, November 15, 10 a.m. in the morning the Committee on Public Utilities and Natural Resources will sit to consider the 1989 and 1990 Annual Report of Manitoba Hydro.

That evening, November 15 at 8 p.m., the Standing Committee on Public Utilities and Natural Resources will sit to consider the 1987, 1988, 1989, and 1990 Annual Reports of the Manitoba Energy Authority.

Also Thursday evening at 8 p.m., the Standing Committee on Economic Development will sit to consider the 1988-1989 Auditor's Report - Consolidated Financial Statements of A. E. McKenzie Co. Ltd.

### ORDERS OF THE DAY

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, I propose to call second readings, Bill 6, The Business Practices Act, Bill 12, The Labour Relations Amendment Act and following that, debate on second readings on Bills 15, 16, and 17. If indeed there is some considerable time after that, I would propose at that time to call the motion to go into Interim Supply.

### Committee Changes

**Mr. George Hickes (Point Douglas):** Mr. Speaker, may I have leave to make a committee change?

I move, seconded by Burrows (Mr. Martindale), that the composition of the Standing Committee on Economic Development be amended as follows: Oscar Lathlin for Jim Maloway, Steve Ashton for Len Evans.

**Mr. Speaker:** It was moved by the Honourable Member for Point Douglas (Mr. Hickes), and seconded by the Honourable Member for Flin Flon (Mr. Storie). Agreed.

\* (1100)

**Mr. Edward Helwer (Gimli):** I move, seconded by the Member for Niakwa (Mr. Reimer), that the composition of the Standing Committee on Economic Development for Tuesday, November 13, be amended as follows: Downey for Enns, Dacquay for McAlpine and Helwer for Ernst.

I move, seconded by the Member for Niakwa, that the composition of the Standing Committee on Public Utilities and Natural Resources for Tuesday, November 13, be amended as follows: Vodrey for Render, and Orchard for Neufeld.

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

### SECOND READINGS

#### BILL 6—THE BUSINESS PRACTICES ACT

**Hon. Edward Connery (Minister of Co-operative, Consumer and Corporate Affairs):** I move, seconded by the Minister of Labour (Mr. Praznik), that Bill 6, The Business Practices Act; Loi sur les pratiques commerciales, be now read a second time and referred to a committee of this House.

**Motion presented.**

**Mr. Connery:** Mr. Speaker, I am pleased to read for second reading Bill 6, The Business Practices Act. Legislation, like wine, improves with age, and I am happy to say that this Bill is no exception. Over the past summer the department has continued to consult with business and consumer organizations, and we have worked hard to find a good balance between the concerns of business and the needs of consumers. While last year's Bill was good, we believe this Bill is even better.

Mr. Speaker, let me just tell the Members of the efforts that have been put into this Bill by a large number of people. We had representation on a committee, meeting all of them at the same time. We had members of both the Manitoba and Winnipeg Chamber of Commerce. We had the Canadian

Federation of Independent Business. We had the Better Business Bureau. We had the Retail Merchants Association. We had the Consumers' Association and the Manitoba Seniors' Association. This is the first time that legislation has ever been developed with all people that are involved having some input to develop the legislation.

The previous Government, who operated for seven and a half years in this province, never ever consulted with the consumers; especially the seniors were not even known to that group of people. I can say with all honesty and satisfaction that every group interested in this has had input into the Bill and finds it an acceptable Bill.

Mr. Speaker, The Business Practices Act will provide better protection for both the victims of unfair practices and for the substantial majority of Manitoba business people who conduct their business in a reputable way. We have all heard the saying, one bad apple can spoil the barrel. Well, business practices legislation is designed to specifically deal with the unscrupulous sellers or bad apples.

In short, Mr. Speaker, its main purposes are to identify deceptive practices used by some businesses in the promotion and sale of consumer goods and services; provide means of preventing deceptive or abusive practices from occurring; remedy consumer losses resulting from these practices; and protect legitimate businesses from competitors who use deceptive or abusive practices to compete unfairly.

The need to protect businesses and consumers from unfair business practices is not a recent development. Previous administrations have considered the legislation.

Mr. Speaker, let me say that this Bill initially got its start somewhere around 1975. By the time the previous administration came into Government around 1981, this Bill was in a position to be seriously considered to protect the consumers of Manitoba. I think there are six or seven other provinces that already have had legislation in place. Now, when they are in Opposition, the New Democratic Party likes to say that they are concerned about the consumers of Manitoba. Yet, what did they do when they were in power? Absolutely nothing. They tinkered with a few little pieces of amendments to legislation, such as the

Trade Practices Act, which was done strictly in a political motivation way.

Mr. Speaker, let me tell you what other pieces of consumer legislation we have introduced in the two and a half years that we have been in power: amendments to The Consumer Protection Act; a very major improvement to that protection Act for door-to-door selling—one of the big ones, of course, in that Act was increasing the number of waiting days from four to seven—amendments to The Insurance Act, major amendments to The Securities Act, amendments to the real estate Act, a prearranged funeral securities Act to protect people's money.

The Government has brought in both compensation plans for property, casualty and life insurance companies. We also signed, by the Honourable Minister of Justice, the Member for Brandon West (Mr. McCrae), The Information Sharing Agreement for Financial Institutions. That was signed on behalf of Manitoba by the Minister of Justice so that we could share information to ensure that consumers would be protected by knowing what was happening in other provinces.

Mr. Speaker, I think this speaks volumes of the concern that this Government has for the consumers of Manitoba, unlike the previous NDP Government who spoke lots but had little action, for whatever reason, I do not know, but would do nothing on behalf of the consumers of Manitoba.

As we enter the marketplace, Mr. Speaker, of the 1990s, the need for such an Act is clearly greater than ever before. As the number and complexity of consumers' goods and services continue to multiply rapidly, consumers have to rely more heavily upon the representations made by business. At the same time, a growing number of vulnerable consumers, such as seniors and new Canadians, suffer losses through various marketplace abuses.

Mr. Speaker, once again we have, on a voluntary program, people that go out to consumers to explain legislation and to explain their rights in the marketplace. For the first time, I am pleased to say that our department is now focusing on new Canadians who do not know the legislation and maybe do not speak the language as well.

What we are encouraging is people from cultural groups to get an understanding of the legislation and then go to their communities, to their various cultural groups, to explain the Canadian legislation, the



Manitoba legislation, to them so that they will be protected in the marketplace, to understand what rights they have, and what questions to ask to ensure that they are treated fairly.

This is the first time that this has ever been done for those new Canadians. It could have been done a long time ago, but was never initiated by the Party who pretends—and I emphasize the word “pretends”—to be supportive of consumers and supposedly the average Manitoban.

Mr. Speaker, we cannot continue to ignore the increasing undeniable presence of a criminal element in the marketplace. I must say the comment of the Member for Kildonan (Mr. Chomiak), the Critic for Workers Compensation, and his critique of the Bill in itself is criminal.

Perhaps the best way to illustrate the need is to give you a few examples of the types of activities that are taking place. We have all seen the headlines: “Con man tightens screws on seniors”; “Swindlers strip elderly woman of savings”; “Door-to-door sales scam nets \$70,000.00.”

The previous Government chose to ignore these concerns and did nothing until they came into Opposition, and all of a sudden became environmentally—or consumer conscious. Well, Mr. Speaker, I made the mistake of “environmentally conscious.” I can say the same thing there. They have always been great talkers but very poor at acting. It has taken the Conservative Government to put some of these things in and to put the teeth in place. -(interjection)-

Yes, and the Member for Lac du Bonnet (Mr. Praznik) says, great actors. Pretenders, actors—they put on a good face and a good sham, but really took no action to protect the consumers.

\* (1110)

Mr. Speaker, allow me to relate two stories to you, and maybe you have heard them. In a rural Manitoba town, an elderly gentleman who lived alone could not say no to fast talking, high-pressure salesmen. These salesmen persuaded the senior to buy vinyl siding, not just for the exterior of the house, but also for the interior of his house. Altogether, he paid out \$16,550 for improvements to a 500 square foot home.

In another case, an elderly woman was systematically victimized by door-to-door home improvement salesmen until her bank account of \$70,000 was exhausted. These are the sorts of

things the previous NDP Government was prepared to allow to happen, and I say, shame. In seven months, this woman signed 24 different contracts with six different door-to-door firms, paying out a total of almost \$71,000 for improvements that should have cost about \$15,000.00.

Mr. Speaker, these cases are clearly unacceptable, but in order to drive my point home, allow me to provide you with another blatant home improvement scam. A senior was approached by two home renovators. The renovators asked if they could check the siding on her home. After looking the house over, they informed her that they suspected moisture problems in the attic. Once in the attic, they wet the insulation and presented it to the homeowner. They told her that if it were not removed and the rafters re-enforced, the ceiling would collapse. Consequently, the woman signed two contracts for a total of \$6,500.00. A suspicious neighbour contacted the Consumers Bureau. The bureau inspected the home and established the repairs were not needed and that the work done by the renovators should have only cost \$600.00.

Mr. Speaker, that is what the previous Government was prepared to allow to happen to consumers because of their inactivity. They knew the Bill was there. They knew the need for the Bill. They talked a lot and did absolutely nothing, allowing people to rip off those who are not maybe as able to look after themselves.

Mr. Speaker, staff of the Consumers Bureau have been placed in situations never experienced before, ranging from total disregard for licensing and non-compliance, to threats on their physical safety. Recently, two unscrupulous direct sellers were sentenced to prison terms for fraud. One, a two-and-a-half-year sentence; the other got three years for fraud and also for threatening physical harm to a Consumers Bureau officer.

Mr. Speaker, the examples I have just given all pertain to the home improvement industry. However, problems resulting from the unfair business practices occur within the automobile industry, dress shops, appliance repair, home alarm systems, health clubs, travel firms and, in short, with practically all types of business selling to consumers.

Mr. Speaker, the existing law is inadequate for effectively and efficiently dealing with unfair business practices. There are several agencies that

become involved in attempting to prevent and correct problems that result from deceptive information and abuse activity. These agencies work closely together and co-operatively. They include Communications Branch of Co-operatives, Consumer and Corporate Affairs, the Consumers' Association of Canada and the Consumers Bureau and the police, Consumer and Corporate Affairs of Canada, the courts, the Better Business Bureau. However, each of these agencies is limited in its ability to prevent and correct problems.

With the Communications Branch and the CAC, several efforts are made to prevent problems. For example, information on how to avoid deceptive information and abusive activities is provided to consumers, and a consumer education course is being developed for use in high schools. This is another first, that we are bringing in a pilot run to educate students right from the beginning. We are working to educate seniors and the average citizen, but we are also wanting to move at the school level so that students learn right from the beginning not to be taken.

However, there are technical limitations to the effectiveness of consumer education and information in preventing problems. For example, some consumers are not reached by advertisements. Consumers' information may not be retained for long. Consumer education and information does not prevent incorrect and deceptive information or attempts at abusive activity. Apart from licensing requirements regarding sellers, Manitoba's main consumer legislation, The Consumer Protection Act, lacks the effective means for dealing with deceptive and abusive practices. With most problems involving unfair acts, the Consumers Bureau is limited to resolving these problems through mediation. If mediation fails, the consumer's only recourse is to go to court.

Mr. Speaker, while The Consumer Protection Act came in at the beginning of the Schreyer years, the Act was written by Duff Roblin's Government prior to the Schreyer Government coming into place. So that Act was written by the Conservative Government, and fortunately Mr. Schreyer had the sensitivity and the wisdom to put that Act into legislation.

Here is an example, Mr. Speaker. We believe a particular car dealer used to scan the want ad section of the newspapers, looking for consumers

who were selling their cars. The dealer would phone the consumer and say that he sold used cars and that he would like to sell the consumer's car. The consumers were told that the dealer had a showroom and would even place ads promoting the sale of their car. When consumers brought their cars to the dealer, a selling price was established.

Consumers were assured that they would receive the agreed amount, that a dealer's fee would be added to the asking price of the car. Car owners, many of whom had a limited ability to understand the English language, were asked to sign a contract, but the dealer did not give them a copy of it.

The car owners later discovered that the written contract stipulated that there was a \$90 a month charge for leaving the car on the dealer's lot, plus a one time \$50 document fee. The consumer could only get his car back by paying the dealer's fees stated in the contract. The consumers complained to the Consumers Bureau that the dealer made no effort to sell the car or advertise the availability of the car.

Mr. Speaker, this is a good example of a deceptive act. The consumer is led to believe that there will be no cost to pay to have the car sold, but later discovers that the dealer failed to disclose the documentation fee as well as the storage fee. These are two important considerations the consumer would have taken into account before signing the agreement. This example also illustrates abusive activity in that the dealer appears to be taking advantage of a consumer having a limited ability to understand the English language.

While the Members over opposite talk about the multicultural aspect of this province and the needs of people who are not able to take care of themselves, they did absolutely nothing to protect new Canadians and those who had not yet mastered the English language to the extent that swifities could take advantage of them.-(interjection)- The Member for Thompson (Mr. Ashton) chirps from a back seat, but he was a Member of that Government that could have introduced legislation and did absolutely nothing, yet talks about the caring of their NDP Government. Their lack of doing anything speaks volumes for the concerns that the NDP have for the consumers in a real way. They are considered chattel, chattel in the sense that they are votes, and as long as they get the votes, that is sufficient for the NDP. Well, I can

tell you, it is not sufficient for the Conservative Party of this Government.

Mediation attempts by the bureau failed because the dealer denied having implied that there should be no cost for selling the car. -(interjection)- The Member for Thompson (Mr Ashton) keeps chirping. I guess I would be embarrassed if I were he, having sat in an NDP Government that did nothing for the consumers and are very embarrassed over what we as a Government are doing in the sincere protection of consumers, not talking about it, but acting.

The Consumer Protection -(interjection)- The Member for Thomipson says the Bill was gutted. Mr. Speaker, I will get to that point where we will talk about the article put in the paper by the Member for Elmwood (Mr. Maloway). We will talk about that. He obviously has not read the Bill -(interjection)- Elmwood, yes. I said Elmwood. Listen. The Member has not read the legislation and does not understand it, but we will get to that.

\* (1120)

The Consumer Protection Act is limited in its measures for correcting problems caused by unfair practices. The Act provides no means of enabling the bureau to stop unfair practices, such as misleading advertising before they have resulted in consumers incurring losses and before they have a negative impact on honest competitors.

Although The Consumer Protection Act has certain licensing requirements that can be quite broad, depending on the extent of the need to regulate the activity of individual sellers, they are nonetheless limited to the following ways: They apply to direct sellers only and, therefore, do not apply to the vast majority of consumer transactions in Manitoba. They do not provide a broad range of remedies as would The Business Practices Act. For example, they do not enable the bureau to seek a court order to freeze a problem company's assets to avoid consumer losses that exceed the bond posted by the seller, nor to obtain a court order injunction to stop the unfair activities of a direct seller. Although the Bureau can attempt to solve a particular complaint, it has no authority to stop the business from continuing to afflict other consumers with the same unfair business practice.

Mr. Speaker, there are four other agencies that become involved in attempting to deal with problems resulting from unfair business practices: the police, the Consumers and Corporate Affairs of

Canada, the courts, and the Better Business Bureau. However, as I have mentioned earlier, they are also limited in their ability to protect and correct problems. Mr. Speaker, the police will investigate and lay charges regarding activities that constitute fraud; however, the RCMP and the City of Winnipeg indicate that there are limitations to the effectiveness of this means of dealing with deceptive and abusive practices.

For example, fraud under the Criminal Code refers to a relatively narrow range of activities. In addition, it is necessary to prove intent on the part of a person, as opposed to the business itself, in order to convict a business of fraud. Thus, if intent cannot be established, a business may not be held responsible for deceptive activity, even if that activity resulted in losses for many consumers. Furthermore, on a conviction of fraud, there is no assurance that the consumer will receive redress for losses suffered. Consumer and Corporate Affairs Canada will prosecute businesses for deceptive activities under the competition Act, particularly if such activities are having a major impact on the competitiveness of the market, especially if the business is operating nationally.

While the competitions Act does help to deter incorrect and misleading information, Consumer and Corporate Affairs Canada indicates that there are limitations. For example, the Act applies to very specific activities and does not, for example, apply to abuse of vulnerable consumers. In addition, the focus of the legislation is to stop major threats to the competitiveness of markets as opposed to correcting losses between individual consumers and businesses.

The Small Claims Court and other courts provide a means through which consumers can seek to recover losses resulting from deceptive and unconscionable activities, however, there are several widely recognized limitations to the Small Claims Court and court system in general. For example, despite relative informality, many consumers are intimidated by the Small Claims Court and even more so the higher courts. When one party appears with legal counsel at the Small Claims Court, he/she gains an advantage over the other party if that party appears on his/her own.

The party losing the case in Small Claims Court will often appeal the decision in the hope that the cost of obtaining a lawyer and the formality of the higher courts will cause the other party to abandon

the case. The cost of taking an action to a higher court frequently exceeds the amount of loss involved, especially if the case is complicated. Consumers who win cases at the Small Claims Court may still not recover their losses due to the business having no assets, the difficulty of garnishing income and taking other enforcement measures, and/or the business having fled the province. As well, the Small Claims Court is unable to stop a business from continuing to engage in a deceptive or abusive activity.

Mr. Speaker, can you tell me how much time I have left? -(interjection)- I appreciate the—

**Mr. Speaker:** Eighteen minutes.

**Mr. Connery:** How much?

**Mr. Speaker:** The Honourable Minister has approximately 18 minutes.

**Mr. Connery:** Eighteen minutes? Thank you.

The Leader of the Opposition, the Member for Concordia (Mr. Doer) applauds the speech, and rightly he should, because I think the Bill is a very long-awaited Bill and one long overdue. I appreciate the NDP Leader's support in this Bill.

Mr. Speaker, the Better Business Bureau will advise consumers on whether or not individual businesses have satisfactorily dealt with any prior complaints, and will also attempt to resolve consumer complaints through conciliation and arbitration. Members of the BBB are precommitted to addressing consumer complaints, and if they do not, they prejudice their membership status.

However, if a particular business is engaging in a deceptive or abusive activity, and if that business is not a member or does not value its membership, the BBB is unable to recover any associated consumer losses or stop the business from continuing with the activity. The BBB, though, records the businesses as being unsatisfactory and would provide that information to any inquiring consumers.

Mr. Speaker, the vast majority of businesses operate honestly and do not create problems. However, there are some that engage in deceptive and abusive activities. These few businesses cause four main types of problems. One, they cause a misallocation of resources in the marketplace by causing consumers to purchase goods and services they would not purchase if they had correct information. Two, they cause losses for individual consumers. Three, they cause their competitors to

lose business. Four, they create a negative competitive environment in that honest businesses come under pressure to engage in similar activities in order to stay in business.

These problems are occurring, Mr. Speaker, partly because of the limited ability of consumer education and information to prevent problems, partly because many activities fall outside of the Criminal Code and Competition Act and partly because existing remedies such as mediation and the courts are ineffective or too costly and intimidating for many consumers to use. If the marketplace is to work more effectively, changes in the law are needed.

In attempting to improve business and consumer protection regarding unfair practices there are two legislative options available to Government. One is to develop separate licensing and registration legislation for each industry or type of business capable of unfair practices. This would virtually mean licensing all businesses. The Act is to develop an omnibus type of Act that focuses specifically on unfair practices regardless of the type of business.

Clearly, the relative simplicity and efficiency of the second approach is preferable by both business and Government. It will avoid the paper burden and other problems that would be associated with the licensing and registration of each and every business. In taking the omnibus type of approach, The Business Practices Act would contain several provisions aimed specifically at unfair practices. Some of these provisions are as follows: the Act would apply to most goods and services used by consumers -(interjection)-

I see the Member from Thompson (Ashton) is still chirping away, having a good time. -(interjection)- He would like the speech tabled, Mr. Speaker, but I am not sure that he would take the time to read it, and secondly I do not know if he would have the capabilities of understanding it.

It would enable preventative action to be taken to stop an unfair activity before it results in a consumer incurring losses. It provides for several powers to both prevent and correct situations involving unfair activities including, cease and desist orders, orders to freeze assets, authority to negotiate on assurance of voluntary compliance, authority to undertake civil actions on behalf of vulnerable consumers when such consumers are not in a position to protect their own interests. It would

provide consumers with a specific cause of civil action where losses have been incurred as a result of a deceptive or abusive practice. Finally, where prosecution becomes necessary, the Act provides for substantial fines and imprisonment commensurate with the severity of some marketplace abuses that are occurring.

Of course, Mr. Speaker, all decisions and actions by the Director of Business Practices will carry full rights of appeal to the courts. An investigation would not be undertaken unless the director believes, on reasonable and probable grounds, that a contravention of The Business Practices Act existed.

Also, when undertaking an investigation, any request by the director for a business to provide information would have to be accompanied by reasonable explanation. The confidential nature of the information provided would be respected.

Although the Act provides strong measures to deal with the more severe unfair activities, it must be recognized that the vast majority of Manitoba businesses are fair and are scrupulous.

\* (1130)

It should also be noted that the Bureau has had great success in mediating satisfactory resolution to many consumer problems and mediation will continue to be the most frequently used tool.

However, where the situation warrants, as in examples given earlier, Manitobans must have the means to take swift and effective action to stop marketplace abuses. Manitobans must have a way to remedy consumer losses and to protect businesses from unfair competition.

Mr. Speaker, part of the Department of Consumer and Corporate Affairs' mission is to foster an efficient marketplace. In many ways, The Business Practices Act exemplifies the pursuit of this mission. It seeks to identify activities that are unacceptable and it enables them to be stopped before they harm businesses or consumers.

At the same time, it will help remedy consumer losses caused by these activities. Consumers will be able to more frequently rely on representations being made by businesses, have unfair activity stopped before the consumer losses occur and have more effective means of obtaining redress where losses are indeed occurred.

Businesses are expected to benefit by: a.) having

a clear indication of what constitutes an unfair activity; b.) incurring fewer losses as a result of unfair activities by competitors; and c.) having better reputations, especially in those industries where unfair activities have occurred.

However, business practices law will not present magic solutions to all the problems which can arise in this province's marketplace. It is in fact another means that the Consumers Bureau can utilize in its attack on unfair practices like those I have described today.

While the Act is expected to greatly improve the bureau's ability to deal with unfair practices, it will not, as would not any legislation, end all unfair activities, nor will it end the need for consumers to shop cautiously, take their own court action, or convince the courts that a particular activity is unfair.

In summation, Mr. Speaker, business practices legislation is both a preventative and corrective approach directed at specific unfair or abusive practices of individual sellers. Most businesses in Manitoba will not be adversely affected. Only businesses that are not operating fairly and who are creating serious marketplace problems for consumers and honest operating competitors need fear the legislation.

As I have clearly illustrated, existing legislative and common law remedies are inadequate for dealing with those problems, stronger, more effective remedies are called for. The Business Practices Act attempts to provide these remedies, not by creating a licensing nightmare, but rather applying strong medicine to bad problems, regardless of the type of business creating those problems. This Act will attempt to deal with those problems by identifying and acting upon unfair practices before they cause harm, by giving consumers clearer means of obtaining redress, by providing broader powers to stop unfair activities and to act on behalf of vulnerable consumers who are unable to protect their own interests, and by enabling the courts to impose hefty fines and prison terms where warranted by the severity of the action.

Mr. Speaker, this legislation will directly benefit individual consumers and businesses. They will make the marketplace work better. Business practices legislation offers innovative solutions and new remedies to some old problems. Existing legislation is limited and does not provide the

comprehensive consumer protection that we would like, or Manitobans deserve.

Mr. Speaker, I read the paper this morning and I was reading an article put in by the NDP Critic, the Member for Elmwood (Mr. Maloway). He says, consumer protection Bill gutted, NDP says. He talks about the unconscionable Acts and the word "unconscionable" being removed from the legislation. If the critic, the Member for Elmwood, the representative of the New Democratic Party, would read Section 3 of the legislation—I will see, Mr. Speaker, if I have a copy of that legislation with me. It looks like I do not have it with me. Maybe I will be able to find one before I finish.

Section 3 of the legislation clearly is now much broader than the previous definition of unconscionable acts. So where the Member says that it is being gutted, he talks about several areas where the provisions have been eliminated.

If the Member knew, the Bill has been changed and rewritten and Section 3 of the Bill, if anything, gives a broader power to the Consumers Bureau, to the director to ensure that those do not take place.

Mr. Speaker, I thank the Member for Lac du Bonnet (Mr. Praznik) for getting a copy of the Bill for me. Section 3 says, "Taking advantage" and this is where we encompass all of the unconscionable acts. "It is an unfair business practice for a supplier to take advantage of a consumer if the supplier knows or can reasonably be expected to know that the consumer is not in a position to protect the consumer's own business interests."

Mr. Speaker, that is pretty broad and all encompassing. There are not many things of an illegal nature that are not covered under Section 3. We have been very careful that we do not leave loopholes in the legislation.

All we do under Section 3 is that we have to prove that someone has been taken advantage of. The legislation covers it very clearly. Unfortunately I will not be able to get a response, but I would ask the Member at some point in time, the Member for Elmwood (Mr. Maloway), to tell me what the difference between unconscionable and taken advantage of really is. I do not think the Member really understands it. I do not think he cares. He got a headline and that was the intent of the Member for Elmwood.

I can tell you, Mr. Speaker, if he was making a consumer transaction, the first person to be charged

under this legislation would be the Member for Elmwood for putting in an article of this—this is guttersnipe, guttersnipe stuff that he really just does not understand. He does not care. He just wants to get a headline, and I think that is really unfortunate that we have Members of this Legislature that would act in this case.

He says, obviously they have done a job on it in the backrooms—a job on it in the backrooms.

### Point of Order

**Ms. Becky Barrett (Wellington):** Mr. Speaker, on a point of order.

**Mr. Speaker:** The Honourable Member for Wellington, on a point of order.

**Ms. Barrett:** I believe that the Honourable Member for Portage (Mr. Connery) was impugning motive, on behalf of the Honourable Member for Elmwood (Mr. Maloway), in saying that he only put the item in the newspaper, which he has no control over in the first place, because he wanted a headline.

I would ask that the Honourable Member for Portage withdraw the comment.

**Mr. Speaker:** The Honourable Acting Government House Leader, on the same point of order.

**Hon. Glen Cummings (Acting Government House Leader):** Mr. Speaker, the Member was referencing the information that was put in the paper and not implying any more than the fact that this information may not have been totally reflecting what was going on at the time.

**Mr. Speaker:** The Honourable Member did not have a point of order.

\* \* \*

**Mr. Connery:** It is interesting, Mr. Speaker, after any time the Member asks a question, or something comes up, he quickly goes trolling out amongst the news media but that is, I guess, irrelevant.

He does go looking for news articles, Mr. Speaker, and he is very good at catching headlines, the Member is very good. He says—and I want to really emphasize very clearly, when I talk about the despicable comments made by the Member for Elmwood (Mr. Maloway)—obviously they have done a job on it in the back rooms.

Is the Member for Elmwood saying that the Consumers' Association and the Manitoba Society

of Seniors is in a back room developing bad legislation? Is that what the Member for Elmwood is—

**Mr. Speaker:** Order, please. The Honourable Member for Wellington.

**Ms. Barrett:** Excuse me, Mr. Speaker, but I did not hear. Again, on the point of order, I did not hear the Member for Portage addressing the point of order as he—

**Mr. Speaker:** Order, please. He was not addressing. He was not. I had said there was not a point of order. The Honourable Member was back on his second reading.

**Mr. Connery:** The Member for Wellington (Ms. Barrett) should know, when she rises on a point of order and there is no point of order, that is the end of it. I can appreciate the sensitivities of the Member for—

**Mr. Speaker:** Order, please. I would ask the Honourable Minister to keep his remarks relevant to the Bill before the House, Bill 6.

**Mr. Connery:** Mr. Speaker, I can appreciate your comments, but I also understand the sensitivities of the Members opposite.

Mr. Speaker, we have indicated, at the beginning of my address, the amount of legislation that our Government has brought into effect since we have taken power. I have also made reference to the almost nil amount of legislation that was introduced by the former NDP Government.

Mr. Speaker, I recommend this Bill, Bill 6, The Business Practices Act, to the Honourable Members of the Legislature. I look forward to hearing their comments, both the comments of the NDP Critic and the Critic for the Liberal Party, the Member for St. Boniface (Mr. Gaudry).

I think, Mr. Speaker, this is a Bill that is long, long overdue. It has been discussed thoroughly by all sectors of our society to give it a balance of fairness to both the consumers and the business community. I recommend this Bill highly to the Legislature.

\* (1140)

**Mr. George Hickes (Point Douglas):** I move, seconded by the Member for Broadway (Mr. Santos), that the debate be adjourned.

**Motion agreed to.**

## BILL 12—THE LABOUR RELATIONS AMENDMENT ACT

**Hon. Darren Praznik (Minister of Labour):** Mr. Speaker, I move, seconded by the Honourable Minister of Environment (Mr. Cummings), that Bill 12, The Labour Relations Amendment Act; Loi modifiant la Loi sur les relations du travail, be now read a second time and be referred to a committee of this House.

**Motion presented.**

**Mr. Praznik:** Mr. Speaker, I rise today with my voice quickly fading due to a cold that I am suffering from. I hope that Honourable Members will bear with me as I make my remarks on this very important amendment to The Labour Relations Act.

Mr. Speaker, with the introduction of this amendment, our Government proceeds to repeal what we have always considered to be an unnecessary and one-sided legislative intrusion into the collective bargaining process. It has been and remains our opinion that final offer selection undermines free collective bargaining.

On this simple but fundamental principle, our Government has based its continuous opposition to this provision. On this principle, we once again take action to restore the balance which is so essential to the maintenance of a strong and healthy labour relations climate which ultimately leads to more jobs for the people of our province.

Mr. Speaker, I would remind all Members of this House that this particular issue is one that has been thoroughly debated by this Chamber on a number of occasions. It is an issue which has had extensive public hearings during the course of the last Legislature. It is an issue which was included in the package of policies which Members opposite in the New Democratic Party took to the people during the recent general election. The repeal of final offer selection was part of the package which this Party took to the electors of the people of Manitoba in the recent general election. One has to fully recognize that the people of Manitoba in that election have given us a mandate. I recognize very fully, particularly Members of the New Democratic Party, that opposing the repeal of final offer selection was an issue included in their package of policies, and I do not expect them to support this amendment because that would be, needless to say, a betrayal of the people who elected them on September 11.

Conversely, I think they have to respect that repeal was part of our package of issues that we took to the people, Mr. Speaker, and to not come forward with this amendment would equally be a betrayal of the electors who sent us to the Chamber.

As to the Liberal Party, I look forward to hearing their position on this particular amendment.

Mr. Speaker, the fundamental strength of the collective bargaining process is an agreement which incorporates the different positions of labour and management while allowing for a win-win solution which both sides can accept and live with.

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

The inherent principles of final offer selection is that it creates a winner and a loser. It is an all-or-nothing, imposed settlement, and it is an unnecessary legislative intrusion into the collective bargaining process. When the Bill was initially debated at committee in 1987, various presenters said—and I would like to quote them, Madam Deputy Speaker, without putting a name, at this time, to the quotes.

One presenter said: It is the worst form of arbitration. It encourages gamesmanship with the parties placing more emphasis on reading the arbitrator's mind than resolving the issues.

Another presenter said: patronizing, gratuitous and contemptuous of precollective bargaining.

A further presenter added: Final offer selection sets up situations where there is one big winner and one big loser.

Another presenter: It removes the balance which is required to exist between the parties in order that a resolution palatable to both sides may result.

Madam Deputy Speaker, I take this opportunity to remind Members of these comments and would draw all Members' attention to the fact that two of these comments were made by representatives of major employer associations, while two were made by representatives of major unions. I challenge Members to distinguish between them, fully confident that they could not. This is a key reason for our Government's consistent opposition to the introduction of this one-sided, unbalanced mechanism into our industrial relations legislative scheme.

Mature and seasoned representatives on both sides of the table have expressed serious concerns

that final offer selection disturbs the balance which is so essential to a healthy collective bargaining environment. We must ask ourselves, Madam Deputy Speaker, are the benefits of this method of dispute settlement so miraculous, so wonderful that it is worth compromising a basic and fundamental principle of collective bargaining? Members on this side of the House answer clearly, no, it is not. Let me point out to all Members that there has been a tradition in this province which respects and supports free collective bargaining, a tradition on both sides of this House.

Let me remind you of these words, the words of a very prominent Manitoban, and I quote: It is our conviction that the parties themselves should have as much freedom of action as possible to develop their own collective bargaining and dispute-settlement procedures. We believe that this approach will produce more acceptable results than would rigid legislative procedures that would inhibit the parties from exercising their own ingenuity in finding, developing and refining ways of resolving the difficulties—end of quote.

Madam Deputy Speaker, these remarks were made by the Honourable Edward Schreyer in an address to the Manitoba Federation of Labour in October 1972.

Again, Madam Deputy Speaker, I quote another Manitoban well-versed in employee-employer relationships, and I quote: I recognize our present system of collective bargaining has many imperfections, yet I still maintain that free collective bargaining is one of the best means available for negotiating contracts that are equitable and generally acceptable to the parties directly affected by the outcome of collective bargaining.

Laws can affect the nature and direction of collective bargaining, but they should not interfere with the process unless it is absolutely necessary and there are exceptional circumstances.

Madam Deputy Speaker, those remarks are taken from an address prepared from the Honourable Ken MacMaster and given to a meeting of the Mechanical Contractors Association in April of 1979. I would suggest that reasonable Members on both sides of the House could endorse these remarks made by Honourable Members of both the Conservative and New Democratic Parties. The reason that we can endorse these comments is that they are based on a sound understanding of the



importance of the collective bargaining process and the atmosphere and framework necessary for reasonable agreements to be made and to flourish.

Let there be no misunderstanding, Madam Deputy Speaker, Members of the Government are not at all opposed to final offer selection as a method of dispute resolution. We are completely opposed to the legislation of this mechanism, its compulsory nature and the inherent unfairness in that it can only be approved as a method by employees. This opportunity is not afforded to employers.

\* (1150)

Now, Madam Deputy Speaker, members of the Manitoba public who have attended to the debates surrounding this Bill may ask, why does this Government simply not move to amend this section, making the process fair to everyone, by giving the employers exactly the same rights as employees? After all, one of the reasons for supporting final offer selection made by Members of the New Democratic Party is that it reduces the opportunity to strike, prevents strikes. So the argument goes, why should it not then be available to both sides equally, employers and employees?

Well, Madam Deputy Speaker, I will allow the words of a member of the Manitoba Federation of Labour, Mr. Peter Kennedy, to answer that excellent question, and I would quote Mr. Kennedy: The most obvious danger in final offer selection legislation is that it can easily be altered to make strike action illegal. A Government hostile to labour, not necessarily Tory—in the words of Mr. Kennedy—could remove the workers' veto giving management equal right to demand final offer selection. A company which could not afford a strike could invoke final offer selection and get the plant running. This potential outcome makes the proposed legislation the most insidious and dangerous piece of anti-union legislation in decades—end of quote.

Madam Deputy Speaker, these are not the words of a Conservative Member; they are the words of a member of the Manitoba Federation of Labour. I would like to take this opportunity to put to rest the notion that Members on this side of the House do not take into consideration the concerns and desires of working Manitobans, or the concerns of their representatives. This is simply not true, and it is certainly not the message we have received in the recent election.

I do not rise today to introduce an amendment which would give the same right to employers that the fos amendment gave to employees, thus fulfilling some of the worst fears of representatives of labour unions in the province that a hard-won right, the right to strike, would be thoroughly undermined, if not destroyed.

I rise to speak today to our position on this issue which is based on sound and consistent principles, principles which my Party and our Government will continue to maintain, that at the heart of the free collective bargaining system is the free collective agreement, and that the parties themselves must retain the responsibility for reaching and maintaining agreements. While Governments must occasionally take action to protect and preserve public safety, and there may be exceptional circumstances where intervention is warranted, these circumstances must be exceptional.

Madam Deputy Speaker, is it really worth compromising such fundamental principles for the sake of making compulsory a dispute resolution mechanism which the parties can voluntarily agree to, should they so wish. There are contracts in Manitoba which incorporate final offer selection provisions. If the parties wish to take this approach, they are at perfect liberty to do so.

In fact, Madam Deputy Speaker, prior to the introduction of this amendment to The Labour Relations Act, there has been very little use of final offer selection as a tool for dispute resolution. I would suggest that this is because, left to their own preference, the parties to collective agreements are not particularly enthusiastic about it. If they were, they would use it.

Now, Madam Deputy Speaker, just before I turn to the specifics of final offer selection, let me turn again to our history to illustrate why we must exercise great caution in how we develop our labour legislation. The issue of third-party intervention into our collective process must be approached very carefully. Such initiatives must be balanced, considerate and fair. They should not serve narrow or specific interests, whether those are the narrow interests of specific union leaders, specific business leaders, or political leaders. Out of respect for my colleagues opposite and members of unions, which have supported final offer selection, I have reviewed the comments and thoughts of many of those, and I certainly do respect—

Let me share with Honourable Members the remarks of the Honourable A. Russ Paulley, former leader of the Manitoba New Democratic Party and Minister of Labour in an address to CUPE, Manitoba division, in September 1976. I quote Mr. Paulley: Our present labour relations Act is very largely founded on the principle that the parties themselves, by their own efforts, actions, and sense of responsibility should resolve their differences themselves. Perhaps some of you in the union movement disagree. I sympathize with a union which finds it lacks the strength to compel an employer to agree to its preferred terms of settlement, but there are great dangers in expecting legislation and Governments to deliver the goods. For one thing, Governments change; for another, the kind of legislation having any real effect would substitute state controls for free collective bargaining, lead to the abolition or reduction of important freedoms in our society and introduce a regimented system of wages, prices, profits and investment decisions. Finally—and I continue to quote—it would detract from the strength of the labour movement, the last thing I imagine the labour movement would want—end of quote.

Madam Deputy Speaker, working people in Manitoba have confidence in this Government to lead them through and out of some very difficult times. This is the message which they have recently delivered to all Members of this House. Our Government recognizes that we have great and grave challenges to face, and that we will need the co-operation of all Manitobans to build our economy, develop our resources, attract investment and provide the jobs which our citizens want and need.

This Government encourages and challenges employees and employers to focus with us on the task ahead to achieve these goals which are crucial to all our collective well-being.

As Minister of Labour, it is my challenge to ensure that the legitimate and important concerns of labour are heard. I intend to do this sincerely and to the best of my ability, respecting that there may, from time to time, be differences of opinion which must be addressed and resolved.

I do not believe, Madam Deputy Speaker, that compulsory, one-sided final offer selection, as a method for resolving disputes, is in the best interest of the collective bargaining process and ultimately the people of our province.

Let us look, Madam Deputy Speaker, at what that process requires, then let us look at the effect of one-sided final offer selection. I again would like to add that I do respect that Members opposite have arguments and analysis which they wish to reinforce as their reasons for having introduced and passed the original amendment to The Labour Relations Act. It is not my intention to minutely detail all the old arguments which have been heard. In fact, I am sure that we can all agree that this issue has had an extremely full discussion and debate. Again, it is our duty as responsible Members to place on the public record the reasons for our positions. That is the essence of the parliamentary process, but we should not forget—and I would again remind this House that this matter has been debated and aired in a much larger forum, the forum of public opinion.

Madam Deputy Speaker, I will now turn my assessment of the practical need for final offer selection, bearing in mind the very grave concerns of representatives of both labour and management regarding the erosion of fundamental principles. Why does Manitoba need final offer selection? Do we have a level of work stoppage activity which requires attention? Have we been encountering serious difficulties in our labour relations environment with regard to dispute resolution? Has legislating final offer selection brought some profound and significant change to the labour relations climate in our province? The answer to these questions is no.

It is the nature of the collective process that there will be from time to time disagreements. This is normal. This is healthy, but what is the major problem that required such drastic action that it was necessary to impose this particular form of one-sided dispute resolution through legislation? One argument which is continuously offered as a reason for final offer selection is the need to reduce the number of work stoppages in our province.

Firstly, Madam Deputy Speaker, Manitoba has consistently had a very low number of work stoppages compared to the rest of Canada. In the 10-year period from 1980 to 1989, Manitoba was in the top three jurisdictions with the lowest number of person days lost to strike per 1,000 workers in seven out of those 10 years. Let us be realistic, even those years when work stoppage activity is higher, it is usually indicative of what is happening in the rest of the country. Work stoppages are usually at their lowest levels during periods of economic slowdown

and at their highest following these periods. This was exactly the case following the recession in the early 1980s, for example.

Madam Deputy Speaker, the relatively small number of work stoppages occurring in Manitoba each year makes it difficult to determine by comparison the positive effects of one-sided final offer selection. The point is that we do not have a significant problem with excessive strikes, so why do we need one-sided final offer selection? Why would we disturb the essential balance of labour relations for such minimal reasons?

\* (1200)

Madam Deputy Speaker, a comparison of work stoppage activity before and after the introduction of final offer selection on January 1, 1988, does not show any startling change in work stoppage activity. There were 11 work stoppages in 1988 and seven in 1989. Is this pattern so very remarkable? Statistically, is it even relevant? I would suggest no, it is not. This is very similar to the eight work stoppages in 1983 and 1984 and the 10 work stoppages recorded in 1982 and 1987. If the number of work stoppages has not changed in any significant way with final offer selection, what did we then need it for?

The one disturbing impact of final offer selection was recorded in 1988 when an examination of the 11 work stoppages in that year showed that six involved applications for final offer selection during the 60- to 70-day window. The average duration of these six work stoppages was 81.2 days. This is significantly higher than the 10-year average of 36.5 days. It would appear by legislating one-sided final offer selection, the effect was to prolong the average duration of work stoppages in 1988.

Now the Opposition must say that this is not such a significant impact. Madam Deputy Speaker, the effect was to more than double the duration of strikes, compared to the average, in the six applications where FOS was involved. From the date of introduction of final offer selection to October 4, 1990, there have been 97 applications. Of these applications, only seven decisions have been filed by a selector, with four decisions for the union proposal and three for the employer proposal. Six decisions are pending. There have been six dismissals. In 74 cases, parties have reached agreement prior to the appointment of the selector or prior to a decision, or they may have withdrawn.

In three cases, parties are awaiting the result of a vote. In one case, a selector is being appointed. There are no applications pending.

Madam Deputy Speaker, Members opposite have cited the fact that 75 percent to 80 percent of applications are settled voluntarily or withdrawn by the parties as proof that final offer selection is working, but what do these voluntary settlements or withdrawals really mean?

Manitoba normally has 400 to 500 collective agreements expiring every year. The vast majority of these contracts are settled by the parties themselves without resorting to strike or lockout. If the parties require assistance in settling, our department, through the Conciliation and mediation Branch, provides such service, excellent service, if I may say so, and also entirely at the request of the parties themselves.

Use of the conciliation service is entirely voluntary. These same services, Madam Deputy Speaker, are made available to parties who have applied for FOS. What is happening with voluntarily settled agreements is what happens in any case in normal collective bargaining. The two parties sit down and negotiate, with the assistance of our conciliation staff, and they reach mutually acceptable agreements on terms and conditions of employment.

This is our normal procedure. It is not final offer selection, I would suggest, which is producing the percentage of settlements. It is the normal collective process working, as it does best, with the parties themselves reaching mutually acceptable and livable agreements that certainly represent compromise and certainly represent a win-win result, not a legislated win-lose result.

When the parties want the assistance of a conciliator, they get it. We will not be successful in every single instance because we live in the real world, but we do have an excellent and enviable record.

When I assess Manitoba's low record of work stoppages over the years, Madam Deputy Speaker, I have difficulty in believing that all the applications made for final offer selection would have resulted in a strike or lockout without the benefit of this particular mechanism, especially since most of the applications for legislated FOS are made in the first window of 30-60 days, prior to the expiry of a collective agreement.

When you look at the applications made, many times the application is made even before the parties have exchanged initial bargaining positions, or before the point is reached when parties are concerned that negotiations may break down.

There is really little evidence to suggest that final offer selection adds anything positive to our existing collective bargaining framework. There is some evidence that it may have a negative effect on prolonging strikes and most importantly there are very evident concerns that it undermines the basic principles of collective bargaining, of free collective bargaining.

One need look no further than the 1968 Woods Report to Parliament in Canadian labour relations to find compelling arguments which support the necessity of respecting the fundamentals of the collective bargaining process, and I would like to quote that report, Madam Deputy Speaker: In a system of free collective bargaining, employees must be free to organize into unions, have a right to require the employer to face them at the bargaining table through their union representatives and, in the event of failure to agree over the terms and conditions of employment, have the right to refuse to work without permanently quitting their employment.

Dean Woods also noted, Madam Deputy Speaker, and I quote: The object of negotiation is agreement. An agreement is essentially an act of volition, or at least a self-determined choice of the lesser of two evils. Compulsory arbitration may serve as a crutch for weak leadership in either union or management. Where a union leader can force a dispute to arbitration, he can avoid some of the compromises within a union that invariably go into a settlement.

I continue to quote: Instead of making the hard decisions about wage claims, as against fringe benefits, across the board absolute is against percentage increases. He can take the internal conflicts to the arbitrator as demands and let him make the unpopular decisions. Once a leader of any kind finds an easy way out of some of his dilemmas, he is likely to behave in the same manner in other areas. In the long run, the effect would be to undermine the leadership in question and the collective process itself—end of quote.

Madam Deputy Speaker, let me suggest that we should be taking all reasonable steps to encourage

bargaining, negotiation and, of course, agreement. We should not be making it easy to resort to imposed settlements to satisfy the narrow interests of either union or management representatives.

Madam Deputy Speaker, while I respect the right of the Opposition Members to put on the record their reasons for supporting final offer selection, I confess I am somewhat surprised and saddened at the fervour with which they have embraced the practice which so clearly represents a threat to the collective bargaining process.

When the original amendment to The Labour Relations Act was made, Madam Deputy Speaker, a number of highly respected union leaders expressed their opposition and their concerns. At subsequent hearings, the Bill having become law, an action being taken to repeal, these same people were silent. They remained silent, I believe, as a gesture of solidarity with the official Manitoba Federation of Labour position.

I respect that silence, but would also respectfully suggest the position may not have changed significantly. There may be one or two union representatives or unions who have altered their views, but we need only look at the usage record, i.e., those applying for final offer selection to determine who principally want it and supports this procedure. I would suggest all new Members of the House have a look at that record.

Madam Deputy Speaker, I know very well that Members opposite are fully aware of the legal and jurisdictional boundaries which have circumscribed labour legislation and the evolution of the right of workers to engage in free collective bargaining. There is a long history of development in our province and our country of labour legislation. All of that tremendous sacrifice is being made to ensure that we had a true and free collective bargaining process.

Madam Deputy Speaker, in reviewing labour legislation and the history of these arguments, I have purposefully avoided criticizing specific Manitoba experiences with FOS. After all, while we may disagree with the principles underpinning this measure and are very concerned with its one-sided and compulsory nature, it has been the law.

Madam Deputy Speaker, the parties who have used it have done so lawfully and appropriately, but let us take this issue outside of the boundaries of

our province and examine an Ontario case from 1977.

Madam Deputy Speaker, in the Haldimand Board of Education case, arbitrator Kenneth Swan made the following observations regarding final offer selection, and I quote: "The consequences of a total loss for one side on a series of matters going to the heart of the collective bargaining relationship are too serious to be easily ignored in favour of the questionable process influence of selection on matters which are difficult to resolve by compromise."

The problems in the Haldimand case indicate what can happen with FOS. Thirty issues were unsettled and left to the selector for a decision. Professor Swan commented: "The items in dispute clearly included a number of matters on which negotiation and compromise were possible, such as the salary grid, a cost of living allowance, fringe benefits and allowances.

"They also included, virtually in the entire grievance and arbitration procedure, some proposals for co-administration of certain aspects of employment and a number of important structural matters. Because of the importance of the economic patterns in a selection like the present, it is only to be expected that they will weigh heavily in the balance when a selector is trying to select a more reasonable package.

"The structural issues are not likely to outweigh the economic issues, and as a consequence, they are likely to be decided along with the economic issues. As a result," and I continue to quote, "the issues on which the parties are least likely to compromise are those which are likely to be overborne by the economic questions. They are also the issues which will be the most likely to sour the relationship of the parties in the future."

\* (1210)

As I said, Madam Deputy Speaker, I did not wish to directly criticize the specific settlements reached in the cases settled in Manitoba recently. They are recent settlements, and it is not my role or my intention to take issue with any of the parties who have made use of this measure.

Madam Deputy Speaker, I do wish to illustrate with this practical observation some of the very serious problems this measure can create. Doubtless, we will hear from Members opposite their reasons for continuing to support final offer

selection. I respect the right to do this and I fully expect that their position will once again be placed in the record, but I do wish to remind Members opposite that this matter has had a very full and open debate.

During the recent election campaign, the First Minister was asked specifically if he would make any specific changes to Manitoba labour laws or to The Civil Service Act. In response the Premier repeated the position our Government has consistently maintained, and I quote: We are committed to repealing final offer selection. We believe this mechanism is inappropriate and can undermine the collective bargaining process. Any further significant changes to Manitoba labour laws or The Civil Service Act would only be taken after consultation with the public, business and labour. We believe that Manitoba labour laws and The Civil Service Act should reflect the legitimate needs of the public at large, as well as the views of management and employees. We will continue to strive for balanced legislation that reflects current realities. This was our Party's position, and this is the Government's position. On this issue the public has spoken and now we move to implement that will.

(Mr. Speaker in the Chair)

Before I close my remarks, there is one more area I intend to speak to and that is this Government's commitment and this Party's commitment to working people and working families. Mr. Speaker, in reviewing comments that have been made in the past by Members across the way, one would get the impression that Conservative Members have no concern or care for working families. The fact of the matter is, over the long history of the Conservative Party in Manitoba, that has not been the case. One can go back to the Conservative administration at the turn of the century, when in 1908, the Conservative Government of the day passed legislation which brought into existence Manitoba's first Workman's Compensation Act.

Under the Government of Duff Roblin from 1958 to 1967, Duff Roblin introduced social allowance programs, making available allowance for widows and dependent children, orphans requiring foster care, disabled persons with or without families, and provided for the aged and the infirm. A policy to pay living allowances to unemployed people taking training was also instituted during that time. Duff Roblin reduced the personal income tax charged by 16 percent, providing a substantial measure of tax

relief to Manitoba working families. He introduced The Manitoba Medical Services Insurance Act, the foundation of medicare in this province. These are only a few examples.

Under the Weir Government of '68 to '69, the following measures were taken: exempted the following items from The Retail Sales Act: food and lodgings, childrens' clothing and footwear, prescription drugs, dentures, hearing aids, eye glasses, and these continue to this day.

On the advice of the Woods Committee, the Nelson River Project Committee was appointed, which spurred negotiations leading to a master agreement on terms and conditions of employment, as well as a resolution mechanism to deal with disputes. This process holds to this day. Introduced vacation with pay provisions and extended overtime provisions throughout the province.

Mr. Speaker, under the Conservative Government of 1977 to '81, Attorney General Gerry Mercier introduced family law provisions to insure the principle of equal sharing between marriage partners was clearly maintained and protected in legislation. He initiated programs for noon and after school care for children. Day care facilities were expanded. A child related income support system was introduced, as well as a shelter allowance for family renters which benefitted low income families with children.

Mr. Speaker, under this administration, the Filmon administration, we can be proud that a Progressive Conservative administration continues to support and strengthen the position of working people and working families. To date we have reduced personal income tax by 2 percent, saving Manitobans and their families \$33 million annually. We have increased the Manitoba tax reduction from \$50 to \$250 for dependent children resulting in tax savings of \$28 million for Manitoba families. We have increased flexibilities for families and single parents on social assistance by removing the requirement that single parents be separated for more than 90 days before qualifying for provincial social assistance.

We have increased funding for child care by over 45 percent. We have licensed 1,100 and funded 765 new child care spaces in this province. We introduced a flexible subsidy program and removed the 25 percent ceiling on those spaces. We

encouraged the start-up of workplace child care programs by providing start-up grants.

In the area of family law, Mr. Speaker, we have taken action to ensure family members are treated fairly after the death of a family member. We have strengthened family maintenance and property laws, expanded the family court division, amended The Pension Benefits Act to provide flexibility while ensuring women are treated fairly.

I could go on, Mr. Speaker, but I am aware that time is limited. In giving this short overview of aspects of our historical and current record, I wish to state, for the record of this House, that Progressive Conservative Governments have clearly heard and effectively supported the concerns of working families in this province.

I want to make it quite clear that we have no difficulty in respecting the right of Members opposite to differ with us on the need for final offer selection. However, I will not accept nonsensical extrapolation that because the Government is taking action to repeal this obtrusive section of our Labour Relations Act that this means that we do not protect the interest of Manitoba workers. In fact, Mr. Speaker, it is quite the opposite.

I have put our Government's position on this matter clearly on the record. Respecting the different opinions of Members opposite, I have nevertheless set out our clear, reasonable, and consistent arguments for moving to repeal final offer selection. I would expect Members opposite will put on the records of this House their arguments for keeping it, and I certainly respect that.

At the same time, I would remind them that this issue has had a very thorough airing both in this Chamber, during the election, and during the election campaign. The issue has been settled in a court far larger and far greater than this Chamber. It has been settled amongst the electors of the Province of Manitoba.

Thank you very much, Mr. Speaker, for the opportunity to speak to this amendment.

**Mr. George Hickes (Point Douglas):** I move, seconded by the Member for Flin Flon (Mr. Storie), that the debate be adjourned.

**Motion agreed to.**

**Hon. James Downey (Deputy Government House Leader):** Mr. Speaker, I would request that you call Bills 15, 16 and 17 in that order, please.

### Committee Changes

**Mr. Kevin Lamoureux (Inkster):** I move, seconded by the Member for The Maples (Mr. Cheema), that the composition of the Standing Committee on Public Utilities and Natural Resources be amended as follows: St. James (Edwards) for Osborne (Alcock), St. Boniface (Gaudry) for Crescentwood (Carr).

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

**Mr. Hickes:** I would like to have leave to make committee changes that I made earlier. I made an error this morning. I do apologize for that. Under Economic Development, Oscar Lathlin's name will stand on the committee, one change is Steve Ashton for Jerry Storie—moved by Point Douglas (Hickes), seconded by Burrows (Martindale), that the composition of the Standing Committee on Public Utilities and Natural Resources be amended as follows: Marianne Cerilli for Len Evans, Gary Doer for Jim Maloway.

**Mr. Speaker:** I thank the Honourable Member for the clarification. Agreed? Agreed.

**Hon. Glen Cummings (Acting Government House Leader):** Mr. Speaker, I would like to draw to your attention, in announcing the committee on Public Utilities and Natural Resources, that it will be the '88-89 Annual Reports of the Hazardous Waste Corp. and not the 1990.

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

### DEBATE ON SECOND READINGS

#### BILL 15—THE RE-ENACTED STATUTES OF MANITOBA (PRIVATE ACTS) ACT, 1990

**Mr. Speaker:** On the proposed motion of the Honourable Minister of Justice (Mr. McCrae), Bill 15, The Re-enacted Statutes of Manitoba (Private Acts) Act, 1990; Loi de 1990 sur la réadoption de lois du Manitoba (lois d'intérêt privé), standing in the name

of the Honourable Member for Flin Flon (Mr. Storie). Stand? Is there leave that this matter remain standing? Leave. Agreed.

\* (1220)

#### BILL 16—THE RE-ENACTED STATUTES OF MANITOBA (PUBLIC GENERAL ACTS) ACT, 1990

**Mr. Speaker:** On the proposed motion of the Honourable Minister of Justice (Mr. McCrae), Bill 16, The Re-enacted Statutes of Manitoba (Public General Acts) Act, 1990; Loi de 1990 sur la réadoption de lois du Manitoba (Lois générales d'intérêt public), standing in the name of the Honourable Member for Point Douglas (Mr. Hickes). Stand? Is there leave that this matter remain standing? Leave. Agreed.

#### BILL 17—THE PRIVATE ACTS REPEAL ACT

**Mr. Speaker:** On the proposed motion of the Honourable Minister of Justice (Mr. McCrae), Bill 17, The Private Acts Repeal Act; Loi sur l'abrogation de lois d'intérêt privé, standing in the name of the Honourable Member for Point Douglas (Mr. Hickes). Stand?

Is there leave that this matter remain standing? Leave. Agreed.

**Hon. James Downey (Deputy Government House Leader):** Mr. Speaker, in view of the fact that we are going to be recognizing the Remembrance Day weekend and most Members, I am sure, will be returning to their constituencies, to do so I would ask that you call it 12:30 and adjourn the House.

**Mr. Speaker:** Is it the will of the House to call it 12:30?

The hour being 12:30, this House is now adjourned and stands adjourned until 1:30 p.m. Tuesday.

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