



Fourth Session - Thirty-Sixth Legislature

of the

**Legislative Assembly of Manitoba**

**DEBATES  
and  
PROCEEDINGS**

**Official Report  
(Hansard)**

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Sixth Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
ASHTON, Steve	Thompson	N.D.P.
BARRETT, Becky	Wellington	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave	Kildonan	N.D.P.
CUMMINGS, Glen, Hon.	Ste. Rose	P.C.
DACQUAY, Louise, Hon.	Seine River	P.C.
DERKACH, Leonard, Hon.	Roblin-Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary	Concordia	N.D.P.
DOWNEY, James, Hon.	Arthur-Virden	P.C.
DRIEDGER, Albert	Steinbach	P.C.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry, Hon.	Lakeside	P.C.
EVANS, Clif	Interlake	N.D.P.
EVANS, Leonard S.	Brandon East	N.D.P.
FAURSCHEU, David	Portage la Prairie	P.C.
FILMON, Gary, Hon.	Tuxedo	P.C.
FINDLAY, Glen, Hon.	Springfield	P.C.
FRIESEN, Jean	Wolseley	N.D.P.
GAUDRY, Neil	St. Boniface	Lib.
GILLESHAMMER, Harold, Hon.	Minnedosa	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
KOWALSKI, Gary	The Maples	Lib.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
MACKINTOSH, Gord	St. Johns	N.D.P.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McALPINE, Gerry	Sturgeon Creek	P.C.
McCRAE, James, Hon.	Brandon West	P.C.
McGIFFORD, Diane	Osborne	N.D.P.
McINTOSH, Linda, Hon.	Assiniboia	P.C.
MIHYCHUK, MaryAnn	St. James	N.D.P.
MITCHELSON, Bonnie, Hon.	River East	P.C.
NEWMAN, David, Hon.	Riel	P.C.
PENNER, Jack	Emerson	P.C.
PITURA, Frank, Hon.	Morris	P.C.
PRAZNIK, Darren, Hon.	Lac du Bonnet	P.C.
RADCLIFFE, Mike, Hon.	River Heights	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack, Hon.	Niakwa	P.C.
RENDER, Shirley	St. Vital	P.C.
ROBINSON, Eric	Rupertsland	N.D.P.
ROCAN, Denis	Gladstone	P.C.
SALE, Tim	Crescentwood	N.D.P.
SANTOS, Conrad	Broadway	N.D.P.
STEFANSON, Eric, Hon.	Kirkfield Park	P.C.
STRUTHERS, Stan	Dauphin	N.D.P.
SVEINSON, Ben	La Verendrye	P.C.
TOEWS, Vic, Hon.	Rossmere	P.C.
TWEED, Mervin	Turtle Mountain	P.C.
VODREY, Rosemary, Hon.	Fort Garry	P.C.
WOWCHUK, Rosann	Swan River	N.D.P.

## LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, June 29, 1998

**The House met at 1:30 p.m.****PRAYERS****ROUTINE PROCEEDINGS****House Business****Hon. James McCrae (Government House Leader):**

If I may, Madam Speaker, as a matter perhaps of House business, I am seeking leave of the House to let the House know of my intention after Routine Proceedings to introduce a motion amending last week's resolution with respect to the commission of inquiry into alleged Elections Act infractions.

**Madam Speaker:** Leave?**Some Honourable Members:** Leave.**Madam Speaker:** Leave has been granted.

**Mr. Gary Doer (Leader of the Opposition):** Perhaps, Madam Speaker, the government House leader—I am not sure whether he has apprised us of the specific amendments he is going to make.

**An Honourable Member:** There is a note on your desk.

**Mr. Doer:** Okay.**Madam Speaker:** Leave has been granted.

**An Honourable Member:** There is no leave granted at this time, Madam Speaker.

**Madam Speaker:** Leave has been denied.**PRESENTING PETITIONS****Community VLT Plebiscites**

**Mr. Doug Martindale (Burrows):** Madam Speaker, I beg to present the petition of K. Richards, J. Rybak, J. Sohor and others, praying that the Legislative Assembly

of Manitoba urge the Premier (Mr. Filmon) to consider permitting communities to hold plebiscites on VLTs, reducing gambling advertising and increasing funding for treatment of problem gamblers.

**READING AND RECEIVING PETITIONS****Community VLT Plebiscites**

**Madam Speaker:** I have reviewed the petition of the honourable member for Burrows (Mr. Martindale). It complies with the rules and practices of the House. Is it the will of the House to have the petition read?

**An Honourable Member:** Dispense.**Madam Speaker:** Dispense.

*THAT in 10 years the current government has increased gambling revenues from \$55 million to more than \$220 million annually; and*

*THAT the introduction and the proliferation of video lottery terminals in virtually every licensed premises across the province has resulted in Manitoba having nearly 5,000 VLTs, the most per capita in the country; and*

*THAT gambling is now the Manitoba government's third largest revenue source behind only income tax and sales tax; and*

*THAT the provincial government doubled lottery advertising in 1996; and*

*THAT the Manitoba government has become more dependent upon gambling revenues than any other province; and*

*THAT the number of the tragedies involving people who have lost their savings homes and in some cases their lives following gambling addiction continues to grow; and*

*THAT the provincial government spends less than 1 percent of its VLT profits on gambling treatment programs; and*

*THAT the Manitoba Lottery Policy Review Working Group, amongst many others have requested that communities be allowed to hold plebiscites on banning VLTs as is allowed in Alberta and Saskatchewan.*

*WHEREFORE YOUR PETITIONERS HUMBLY PRAY THAT the Legislative Assembly of Manitoba urge the Premier (Mr. Filmon) to consider permitting communities to hold plebiscites on VLTs; reducing gambling advertising and increasing funding for treatment of problem gamblers.*

### **Mining Reserve Fund**

**Madam Speaker:** I have reviewed the petition of the honourable member for Flin Flon (Mr. Jennissen). It complies with the rules and practices of the House. Is it the will of the House to have the petition read?

**An Honourable Member:** Dispense.

**Madam Speaker:** Dispense.

*WHEREAS mining is an annual billion-dollar industry in Manitoba concentrated almost entirely in northern Manitoba; and*

*WHEREAS the Manitoba mining industry directly employs more than 4,300 people pumping more than \$240 million in wages alone into the provincial economy; and*

*WHEREAS part of the mining taxes on operating mines goes into the Mining Reserve Fund; and*

*WHEREAS the Mining Reserve Fund was set up for the welfare and employment of persons residing in a mining community which may be adversely affected by the total or partial suspension, or the closing down, of mining operations attributable to the depletion of ore deposits; and*

*WHEREAS the Mining Reserve Fund had more than \$15 million on account as of April 1998, despite withdrawals by the provincial government of more than \$6 million which was put into general revenue; and*

*WHEREAS many mining communities having contributed millions of dollars to the provincial*

*economy for many years are now nearing the end of their known ore resources and as such this fund is extremely important to the future of these communities in northern Manitoba; and*

*WHEREAS in order for a new banking service to establish a branch at Lynn Lake it has been suggested that they would need a minimum of \$12 million on account.*

*WHEREFORE YOUR PETITIONERS HUMBLY PRAY that the Legislative Assembly of Manitoba may be pleased to request the Minister of Energy and Mines to consider transferring the account of the Mining Reserve Fund to a banking service in Lynn Lake should such a facility meet provincial standards.*

### **PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES**

#### **Standing Committee on Law Amendments Eighth Report**

**Mr. Jack Penner (Chairperson of the Standing Committee on Law Amendments):** Madam Speaker, I would like to present the Eighth Report of the Committee on Law Amendments.

**Mr. Clerk (William Remnant):** Your Standing Committee on Law Amendments presents the following as its—

**An Honourable Member:** Dispense.

**Madam Speaker:** Dispense.

*Your committee met on Thursday, June 25, 1998, at 4 p.m. in Room 255 of the Legislative Building to consider bills referred.*

*Your committee has considered:*

*Bill 46—The Correctional Services Act; Loi sur les services correctionnels*

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

**MOTION:**

*THAT the definition "offender" in subsection 1(1) be amended by adding the following after clause (c):*

*and includes an individual who has not been convicted of an offence but who is subject to the terms of a court order which requires the individual to report to or be in communication with a correctional officer;*

**MOTION:**

*THAT section 43 be struck out and the following substituted:*

**Search**

**43(1)** *A search of an individual, place or property within a custodial facility, or of an offender under supervision of a correctional officer outside a custodial facility, may be conducted in accordance with the regulations or as otherwise permitted or required by law.*

**Seizure**

**43(2)** *A property or substance may be seized and dealt with or disposed of in accordance with the regulations*

*(a) where possession of the property or substance by the person in whose possession it was found or in the circumstances in which it was found is prohibited by the regulations or by the rules established under section 25;*

*(b) where there are reasonable grounds to believe that the property or substance may, or may be used to, adversely affect the health or safety of a person or the security or maintenance of order within a custodial facility;*

*(c) where it may be evidence of or relating to a disciplinary or criminal offence; or*

*(d) in any other prescribed circumstances;*

*or as otherwise permitted or required by law.*

**Regulations respecting search or seizure**

**43(3)** *A regulation respecting searches or seizures under this section may be made to apply to all custodial*

*facilities or to specified custodial facilities or specified areas within custodial facilities.*

**MOTION:**

*THAT subsection 59(1) be amended*

*(a) by striking out clause (w) and substituting the following:*

*(w) respecting searches under subsection 43(1);*

*(b) in clause (x), by striking out "prohibited property or substances found within custodial facilities" and substituting "property or substances for the purpose of subsection 43(2)".*

**Mr. Penner:** Madam Speaker, I move, seconded by the honourable member for St. Norbert (Mr. Laurendeau), that the report of the committee be now received.

**Motion agreed to.**

**Committee of Supply**

**Mr. Marcel Laurendeau (Chairperson):** Madam Speaker, the Committee of Supply has considered the motion regarding concurrence, directs me to report progress and asks leave to sit again.

I move, seconded by the honourable member for Emerson (Mr. Penner), that the report of the committee be received.

**Motion agreed to.**

\* (1335)

**TABLING OF REPORTS**

**Hon. James Downey (Minister of Industry, Trade and Tourism):** Madam Speaker, I am pleased to table the Annual Report for 1997-98 for the Manitoba Horse Racing Commission.

**Hon. Vic Toews (Minister of Justice and Attorney General):** Madam Speaker, I am tabling the Report

and Recommendations of the Judicial Compensation Committee.

**Madam Speaker:** As required under Section 38 of the Indemnities Allowance and Retirement Benefits Regulation, I am pleased to table the members' annual reports for the fiscal year ended March 31, 1998.

### ORAL QUESTION PERIOD

#### Premier's Investigation 1995 Election

**Mr. Gary Doer (Leader of the Opposition):** Madam Speaker, it has been reported over the weekend that more than advice was given to Native Voice candidate Darryl Sutherland. In fact, Kris Barrett, son of Cubby Barrett, both of whom are known Tory supporters, ordered 1,000 buttons from Maple Leaf Rubber Stamp.

I would like to ask the Premier: did he investigate this issue of being actively involved in the campaign as part of his investigation, and did he investigate this matter with either Mr. Sokolyk or his Deputy Premier (Mr. Downey), who was the co-chair of their campaign committee and a member of the PC Manitoba club?

**Hon. Gary Filmon (Premier):** Madam Speaker, obviously I would have had no knowledge of rubber stamps being ordered, so I could not have made that investigation.

**Mr. Doer:** Madam Speaker, the Premier stated on June 24 in this Chamber: I spoke to the people in our party who are responsible for campaign organization. They had absolutely no knowledge of this alleged affair.

I would like to ask the Premier: did he talk to Mr. Sokolyk about this so-called campaign organization, and was he misleading the House or was Mr. Sokolyk misleading him?

**Mr. Filmon:** Madam Speaker, I was not misleading the House. Obviously, the members opposite have been calling for a complete and independent inquiry, and by virtue of the note that I have sent to the member opposite, I have indicated to him that we are prepared, whenever members opposite give us leave to do so, to amend the resolution which was introduced last

Thursday to appoint former Chief Justice Alfred Monnin of the Court of Appeal as the commissioner of inquiry to get to the bottom of all these allegations.

I think that it does not benefit anybody other than perhaps New Democrats to make a political football of this, Madam Speaker. We want to get to the bottom of this. We have the means of an inquiry being set up that will get to the bottom of it. I would suggest to the member opposite, if he has any allegations to make, that he ought to make them to the Honourable Alfred Monnin and to get on with the matter of trying to investigate this as thoroughly as possible.

**Mr. Doer:** Madam Speaker, the Premier never answered the question. Of course, we must remind him that a week ago he said there was nothing to the allegations. Then he said two days later it was going to be referred back to Elections Manitoba, and then on Thursday he said we had to be satisfied with returning to the Chief Electoral Officer. We attempted to influence the government all Thursday night. The Premier has changed his position four or five times in the Chamber on the process to deal with this. What worries me is the Premier may be changing his word in this Legislature, which is subject to Question Period, I might add, in which we will continue to raise questions.

Madam Speaker, the Premier never answered the question of whether he spoke to his chief political staff, Mr. Sokolyk, about the issue of campaign resources for the Native Voice candidate in the Interlake riding. I would like to ask the Premier: as part of his investigation, did he discuss this issue with Mr. Cubby Barrett, a member of the PC Manitoba Fund and a colleague of the Deputy Premier, as a member of the PC Manitoba Fund?

\* (1340)

**Mr. Filmon:** As I indicated, Madam Speaker, subsequent to my making certain inquiries, very, very shortly after that, probably within hours, it was not only reported publicly but various different interviews took place that indicated that the Chief Electoral Officer had control of the investigation, so I did not proceed to go through and talk to all 23,000 members of our party in the province. I put my faith and trust in the process that all of us support under The Elections Act and The

Elections Finances Act and the investigations of the Chief Electoral Officer, which is the appropriate way that it should be done.

So, Madam Speaker, I say to the member opposite, if he really wants to get to the bottom of this, what he ought to do is have his party deal with the resolution that is before us and get on with the appointment of retired Chief Justice Alfred Monnin so that all of us can be assured that we are going to have all of the facts and all of the relevant information on this matter.

**Mr. Doer:** Madam Speaker, the Premier in this Legislature, in Hansard, stated: I spoke to the people in our party who were responsible for campaign organization.

I ask again: did he or did he not speak to Mr. Sokolyk, the principal secretary of the Premier, the campaign organizer, one of the fundraisers of the Tory party? Did he or did he not speak to him about this matter?

**Mr. Filmon:** Madam Speaker, I will say unequivocally that I spoke to Mr. Sokolyk about this issue. The fact of the matter is, though, that members opposite want to twist this and say did you ask him this, did you ask him that, was he here, was he there—all those things. That is the kind of thing that ought to be investigated thoroughly and completely by retired Chief Justice Alfred Monnin, and that is the process that we are prepared to put in place. I would urge members opposite to get on with it.

**Mr. Doer:** Madam Speaker, when the Premier discussed this matter with his principal secretary, was he assured by his principal secretary that they were only giving, quote, advice to the Native Voice candidates? Was the Premier alerted to the fact that this was way beyond advice? The member for the Interlake (Mr. C. Evans) is correct. He was running against two Tory campaigns in the riding. Was he told or informed that in fact they were ordering specific resources for the Native Voice candidate right out of the PC headquarters in the Interlake?

**Mr. Filmon:** Madam Speaker, those are all things that should appropriately be looked at by the Chief Justice, and we will trust his investigation and conclusions.

**Mr. Doer:** I trust the Premier now is going to expand the scope of the—I am pleased to see he is making changes every day. I would hope now, Madam Speaker, that the Premier will expand the scope of the investigation to look at the ethical action in the Premier's Office and to look at the morality of what has happened. So, if he is truly courageous today, he will agree to expand the scope to go beyond just the narrow scope that was given to the former commission on Thursday last?

I would like to ask the same question to the Premier. Given the fact that he said he investigated this matter with his—and I want to get the quote right—people who are responsible for fundraising and campaign organization, did he discuss this matter, investigate this matter with the Deputy Premier (Mr. Downey) who is a member of the PC Manitoba Fund and also the co-chair of the election campaign for the Conservative Party?

**Mr. Filmon:** Madam Speaker, this is precisely the kind of questioning that should be asked by the inquiry. That is precisely the kind of—the innuendo, all the innuendo, all the allegations, all the things—[interjection]

**Madam Speaker:** Order, please.

**Mr. Filmon:** I cannot respond when I am being shouted down by the member for Kildonan (Mr. Chomiak).

\* (1345)

**Mr. Doer:** Madam Speaker, I asked the question: did you or did you not discuss this matter as part of your investigation with the co-chair of your election planning committee and a member of the PC Manitoba Fund, one Mr. Downey?

I would like to ask another question: did you discuss this matter pursuant to your commitment in Hansard that you would discuss this issue with your campaign organization? Did you discuss this with Val Hueging?

**Mr. Filmon:** Madam Speaker, I think all of these things are appropriate matters that should be investigated by the inquiry.

**Mr. Doer:** Again the Premier is stonewalling. If he wants to expand the scope of this investigation to include the morality and lack of ethics in the Premier's Office, we would welcome that kind of change.

Madam Speaker, a further question. You did not answer whether you discussed this as part of your investigation with your Deputy Premier (Mr. Downey). You did not confirm or deny that you had not discussed it with Val Hueging. I would like to ask the Premier the same question. As part of your investigation, a person well known to the Premier, a person who has contact with the Premier, Mr. Cubby Barrett, a member of the PC Manitoba Fund—did he investigate Mr. Cubby Barrett when he made the statement that they had, quote, absolutely no knowledge of this affair?

**Mr. Filmon:** Madam Speaker, the only stonewalling that is taking place right now is that by the New Democrats who refuse to permit the appointment of a commission of inquiry with former Chief Justice Alfred Monnin in charge. As long as they want to do that, that is fine, but we now know what their interests are in this, and they are not in getting at the truth. They are only their own political interests.

#### Commission of Inquiry Scope

**Mr. Gary Doer (Leader of the Opposition):** I think we are getting somewhere. The Premier has said he is interested in getting to the truth. The public is interested in getting at the truth. Will the Premier expand the scope of this investigation to include the decisions made by him, his senior staff, his campaign staff? Will it include the ethics of what happened in the Interlake, Swan River and Dauphin? Will it include the allegations of the biggest political immorality that ever happened in a recent political election in Canada? Will he expand the scope and get to the truth?

**Hon. Gary Filmon (Premier):** Madam Speaker, there is no limitation to what former Chief Justice Alfred Monnin can do. In fact, if he needs any alterations with respect to time, with respect to anything, he will get them. I made that commitment last Thursday, and I repeat that commitment now.

#### Commission of Inquiry Public Process

**Ms. Jean Friesen (Wolseley):** My questions are for the Premier. Over the weekend, Madam Speaker, most members of this Legislature heard public discussion about Tory alleged activities in the 1995 election. Some of them were reflected in the press in comments such as, and I quote: if the allegations are true, then it is a political scandal of significant proportions; the Premier should recognize that these are serious issues of ethics and morality; and assertions that this has undermined public confidence in the democratic process in the province.

I want to ask the Premier to do the right thing, to ensure as he can that the inquiry is a public inquiry, and that a written record of testimony is kept and made public.

**Hon. Gary Filmon (Premier):** Madam Speaker, the member opposite makes my point. We have to ascertain if the allegations are true. That is why we have a commission of inquiry with someone, I believe, of the highest respect and integrity, former Chief Justice of the Court of Appeal of this province. The members opposite made comparisons to when Wilson Parasiuk was being investigated, and they appointed the predecessor to Mr. Monnin, Mr. Freedman.

I have absolute and complete faith and trust in Mr. Monnin to get to the bottom of this.

**Ms. Friesen:** Will the Premier make the commitment today then that the inquiry will be made in public, that testimony will be kept in written record and will be made available to the public so the public may judge? Those are the clear principles on which we found our legal system.

**Mr. Filmon:** Madam Speaker, Mr. Monnin, as retired Chief Judge of the Court of Appeal of the province of Manitoba, knows and understands the principles of our legal system I think slightly better than the member for Wolseley. So I would not presume to tell him how to do his job. He will be required to make his findings public so that all of the information that he gathers and all of the conclusions and recommendations that he makes will be made to the public.



\* (1350)

**Ms. Friesen:** I want to ask the Premier how the public interest of Manitoba is served by having an inquiry in which we will never know, we may never know, who has testified and what their testimony was. We may never be able to draw our own conclusions. How is the public interest of Manitoba served in that case? He has the power to do it. Why will he not make that commitment?

**Mr. Filmon:** Madam Speaker, you know, it is one thing for members opposite to have said last week that they do not trust the Chief Electoral Officer. It is yet another thing for them to say that they do not trust or have confidence in the integrity of—

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

**Madam Speaker:** Order, please.

**Mr. Filmon:** It is another thing for the member for Wolseley to be challenging the integrity and the ability of Mr. Justice Monnin.

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

**Madam Speaker:** Order, please.

#### Point of Order

**Ms. Friesen:** Madam Speaker, I think you know and I think the rest of the House knows that I challenge the Premier's integrity in not calling a public inquiry. I never indicated any question about Judge Monnin or any other judge in this province. The issue is: why would the Premier not call a public inquiry with public evidence and a written record?

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

\* \* \*

**Mr. Filmon:** Madam Speaker, we do not wish to compromise Mr. Monnin's independence in any way. He will have the decisions to make. He will be required, however, to make all of his findings public so

that the public will know the results of his investigation.

Madam Speaker, the member opposite knows that her colleague for Crescentwood argued that some people should not be interviewed because they were afraid of their circumstances. He was not willing to give us names of people. He said people feared being investigated and being publicly identified. They cannot have it both ways.

#### Commission of Inquiry Public Process

**Mr. Steve Ashton (Thompson):** Over the past week we have seen a rather remarkable spectacle in this House, given the fact that we are clearly faced with one of the largest political scandals involving election fraud in recent history in this country. The first step of the Premier was to say it was not new. Then he attacked the people who were making the statements public about the involvement of very senior Tory officials. He then went back to the CEO. Today he is appointing a judge.

I would just like to ask the Premier: why does he not go the final step and give Judge Monnin what he needs to be able to do the job, the scope to do the job and the ability directed out clearly in the motion to have public hearings to make sure that we restore our confidence in the electoral process in this province?

\* (1355)

**Hon. Gary Filmon (Premier):** Madam Speaker, that is precisely what we have done. We have given Judge Monnin the capability to do what he needs to get the job done, and if in any way he feels constrained, he has the ability to ask for more resources, for more time, for whatever he needs to get the job done. We are quite prepared to give it to him because we want to get to the bottom of this.

#### Premier's Investigation 1995 Election

**Madam Speaker:** The honourable member for Thompson, with a supplementary question.

**Mr. Steve Ashton (Thompson):** Madam Speaker, if the Premier expects anyone to believe that this Premier, who a week ago was completely stonewalling, wants to get to the bottom of this, will he at least go one step further than he did earlier today when he confirmed, after one week of questioning, that he did speak to Taras Sokolyk? Will he now indicate who else he spoke to and not start by stonewalling the inquiry even before it is started by refusing to answer questions about Val Hueging, Cubby Barrett and others today in Question Period? Why will he not indicate whom he spoke to?

**Hon. Gary Filmon (Premier):** Madam Speaker, I can assure the member for Thompson that every single member in our party, that every single member of our government will co-operate absolutely, completely with the inquiry, with Judge Monnin. This is the only way to get at it. So the only people who are stonewalling right now are the members opposite who refuse to deal with the resolution, who refuse to give the—

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

**Madam Speaker:** Order, please.

**Mr. Filmon:** —who refuse to approve the inquiry so that it can get on with the job.

**Madam Speaker:** The honourable member for Thompson, with a supplementary.

#### **Commission of Inquiry Scope**

**Mr. Steve Ashton (Thompson):** My final supplementary: will the Premier recognize that one of the major concerns we have about this inquiry is the scope, and particularly, will he ensure that such questions as to whether Cubby Barrett, who was integral and part of this vote fraud scheme—will he ensure that the question of whether he also received a liquor licence in Cross Lake in June of the same year, when the previous owner had been denied that on three separate occasions—will he ensure that this inquiry has the ability to look at whether indeed there was any kickback to Mr. Cubby Barrett because of his involvement in this vote fraud scheme?

**Hon. Gary Filmon (Premier):** Madam Speaker, under The Evidence Act, the inquiry has a wide, wide mandate in which it can operate. Anything and everything that might have relevance to the allegations that are being made can and, I am sure, will be investigated.

#### **Chief Electoral Officer LAMC Meeting Attendance**

**Mr. Kevin Lamoureux (Inkster):** Madam Speaker, I am personally absolutely disgusted. I feel very shameful to be inside this Chamber with what I have seen happen, and I think this goes to both sides. We have undercut the independence of Elections Manitoba. Now, if we have a complaint with respect to an election, are we expected to go to the government of the day in order to call for an appeal? This government has done a disservice to the independence of Elections Manitoba.

My question to the government is: will it have the guts to call for an LAMC meeting, to call for a Privileges and Elections—and the Elections Manitoba office should come before it. Either this government supports Elections Manitoba or it dismisses the Chief Electoral Officer. You cannot have it both ways.

**Hon. Gary Filmon (Premier):** Madam Speaker, I have a great deal of sympathy for the motivation behind the member's outburst. Last week both he and I said on numerous occasions in this House that we had complete confidence in the office of the Chief Electoral Officer and that he was the appropriate body, given his responsibility for The Elections Act and The Elections Finances Act, to carry out this inquiry. But, as a servant of the Legislature, the Chief Electoral Officer places great importance on enjoying the confidence of all members of this House. Unfortunately, given the public criticisms and comments that were made on the record, the Chief Electoral Officer contacted the Clerk of the Executive Council on Friday to indicate that he did not feel that he enjoyed the confidence of all members of this House. Therefore he asked not to be burdened with that responsibility as the commissioner of inquiry.

\* (1400)

So, Madam Speaker, I think we are fortunate to have Mr. Justice Monnin agree to do this. I believe the former Chief Justice of the Court of Appeal is indeed somebody who will carry this out absolutely thoroughly, absolutely completely and with all integrity and independence that this inquiry requires.

**Mr. Lamoureux:** Madam Speaker, I want to make it very clear. It was the Chief Electoral Officer then, from what I understand, given the Premier's response—I ask the Premier. It is because of the Chief Electoral Officer's request to be withdrawn out of the process that in fact that has occurred. It is not because the government of the day has decided to undercut Elections Manitoba and the independence of that office.

**Mr. Filmon:** Yes, Madam Speaker, the Chief Electoral Officer has asked the government to withdraw his name from appointment as the commissioner.

**Mr. Lamoureux:** Madam Speaker, given that, I would ask that the urgency of dealing with the independence of the Elections Manitoba office, which Manitobans for years have trusted their confidence in, in terms of providing a democratic process for all Manitobans, will the Premier acknowledge that in fact there is a need for an LAMC or a Privileges and Elections committee to sit down with that particular office to restore all-party confidence in that office? If that cannot be done, it is time the CEO leave.

**Mr. Filmon:** Madam Speaker, the law guarantees his independence. I would fear that, by having him come at the request or demand or invitation of the House, we would be treading on that independence. So I have to say, with all due respect to the motivation and the sincerity of the member opposite, that I do not agree with his urging.

### Commission of Inquiry Scope

**Mr. Tim Sale (Crescentwood):** Madam Speaker, I am sure that the First Minister has received the same kind of advice that we have from legal authorities, that the scope of this inquiry is very specifically limited by the wording of the motion which he has put before the House. The limiting of the scope to The Elections Act and The Elections Finances Act does not provide for

other illegalities that may have occurred, for example, potentially under the Criminal Code, or in regard to the questions of ethics or morality.

Will the First Minister, in addition to appointing former Chief Justice Monnin to head the inquiry, amend this motion so that the scope is broad and expressly includes issues beyond The Elections Finances Act and The Elections Act?

**Hon. Gary Filmon (Premier):** In fact, Madam Speaker, we have received just the opposite advice, that in fact the Order-in-Council, which would be passed to make the appointment, says specifically under No. 2 recommendation that nothing set out above shall be taken in any way as limiting the right of the commissioner to petition the Lieutenant Governor in Council to expand the terms of reference to cover any matter that the commissioner may deem necessary as a result of information coming to the commissioner's attention during the course of the inquiry.

I have said here and will repeat publicly anywhere that we would not deny any request to expand the inquiry in accordance with the commissioner's wishes.

**Mr. Sale:** Will the First Minister not recognize that the motion that he has put before the House limits the inquiry specifically to The Elections Act and The Elections Finances Act and to actions occurring during the period prior to and during the 1995 election, not after it? There are many things alleged to have occurred that occurred after and were not specifically related to The Elections Finances Act. Will he not recognize he has limited his—

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

**Mr. Filmon:** Section 83(1)(d) of The Manitoba Evidence Act, which the member opposite quoted from last week in urging us to make this appointment, says: "the election of a member to the Legislative Assembly or any alleged attempt to corrupt a candidate at any such election, or a member of the Legislative Assembly after his election, or the payment or contribution for campaign or other political purposes, or for the purpose of obtaining legislation or obtaining influence and support for franchises, charters, or any rights or

privileges, from the Legislature or the Government of Manitoba by any person.”

I mean, that covers everything that has been said by the member opposite, by the member for Thompson (Mr. Ashton), by all the various different allegations. It seems to me that the commissioner has indeed all the scope that he requires.

### Commission of Inquiry Premier's Office

**Mr. Gord Mackintosh (St. Johns):** To the Premier, Madam Speaker. I am sure the Premier understands that both he, as Premier, and his office are under a cloud as well in this whole matter, and indeed the Premier's Office is the highest office in the province. It is under a cloud because the chief of staff for the Premier is impugned, and he is the Premier's adviser, we understand, on tactics, and, second, that the Premier did an investigation allegedly into these matters.

Will the Premier not admit that it is important to the public of Manitoba that his office also be subject to the commission of inquiry, that it is important for people to know what the Premier knew, what he did not know, what he asked and what he did not ask of others?

**Hon. Gary Filmon (Premier):** Madam Speaker, I am committed to co-operate in any way with the commissioner of inquiry, and I will make myself available to answer any and all questions regarding any and all allegations, insinuations, innuendo or whatever is brought forward with respect to this matter.

### Commission of Inquiry Scope

**Mr. Gord Mackintosh (St. Johns):** Does the Premier not understand then that the resolution currently before the House restricts the investigation by the commissioner into matters that occurred during and prior to the election, not following the election and particularly not including matters of any alleged cover-up or lack of questioning since even as late as this week or last week? This is too strict.

**Hon. Gary Filmon (Premier):** Madam Speaker, if it is relevant, I have absolutely no doubt it will be

canvassed because I know that the commissioner, retired Chief Judge Alfred Monnin, would not want to have members opposite making continuous allegations about either (a) his competence, (b) his scope or (c) his independence. He will not want those loose ends to be left at all, and so the members opposite can feel very, very confident in his commitment to get to the truth of the matter.

**Mr. Mackintosh:** Will the Premier not understand and admit that the former Chief Judge's mandate and scope of review is determined by this Legislature, not by he himself? It is determined not by an Order-in-Council but by a resolution that is currently before the House, a resolution, Madam Speaker, that is too restrictive.

\* (1410)

**Mr. Filmon:** Madam Speaker, far be it from me to try and explain to a former Deputy Clerk of this House and a lawyer that what we are doing is not passing the scope in this House. We are making the commitment, as the act requires, to the appointment of the commission. The appointment of the commission, its terms of reference and its scope are contained within the Order-in-Council.

I repeat: that Order-in-Council says under (2)—and that is in accordance with Section 83(2) of The Evidence Act—that nothing set out above shall be taken in any way as limiting the right of the commissioner to petition the Lieutenant Governor in Council to expand the terms of reference to cover any matter that the commissioner may deem necessary as a result of information coming to the commissioner's attention during the course of the inquiry.

As I have indicated to the member for Wolseley (Ms. Friesen), if any request comes, it will be granted. [interjection]

**Madam Speaker:** Order, please.

**Mr. Filmon:** Because we cannot anticipate everything. [interjection] We cannot anticipate—

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

**Madam Speaker:** Order, please.

### Commission of Inquiry Public Process

**Mr. Stan Struthers (Dauphin):** Madam Speaker, Manitobans take great pride in their right to exercise their votes. However, actions taken by this government during the 1995 general election effectively disenfranchised many of my constituents.

I want to ask the Premier if he does not think he owes it to my constituents to publicly investigate this whole election-rigging scandal.

**Hon. Gary Filmon (Premier):** Madam Speaker, I am reminded a little bit of trying to respond to Rumpelstiltskin who has just slept through the entire Question Period today.

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

**Madam Speaker:** Order, please.

**Mr. Filmon:** I apologize. I correct the record. I meant Rip Van Winkle, not Rumpelstiltskin.

Madam Speaker, this is the purpose of the inquiry. This is why former Chief Justice Alfred Monnin is empowered to be able to make all those investigations, so that any concerns that the member opposite or his constituents have will be addressed by the inquiry.

### Commission of Inquiry Scope

**Mr. Dave Chomiak (Kildonan):** Madam Speaker, is it any surprise that the public is somewhat skeptical about the Premier's pronouncements today, when every single issue that we had to get out of this government, we had to drag out of them kicking and screaming, and it took an entire week of questioning, newspaper investigations, TV and radio investigations to get the Premier to come this far.

My question to the Premier today then is: is the Premier today guaranteeing—because it still takes O/C power to expand the scope of the investigation—in saying that there is no request he will deny from the Chief Judge? If that is the case, why not put that in the order that he is bringing before this House this afternoon?

**Hon. Gary Filmon (Premier):** Madam Speaker, I have already made that commitment three times during Question Period. I will repeat it. Yes. We will not deny him any request in accordance with the statement that says: nothing set out above shall be taken in any way as limiting the right of the commissioner to petition the Lieutenant Governor in Council to expand the terms of reference to cover any matter—any matter—that the commissioner may deem necessary as a result of information coming to the commissioner's attention during the course of the inquiry, which flows, I might say, from Section 83(2) of The Evidence Act which says: "The Lieutenant Governor in Council may revoke, modify or enlarge the scope of any commission."

**Madam Speaker:** Order, please. Time for Oral Questions has expired.

### MEMBERS' STATEMENTS

#### NHL Hockey Draft

**Mr. Gerry McAlpine (Sturgeon Creek):** This weekend I had the opportunity to see Manitoba's youth take a giant step closer toward their dreams. I attended the 1998-99 NHL hockey draft in Buffalo where five Manitobans were drafted to teams in the National Hockey League.

Madam Speaker, all members in the House today should be proud of the five young men from across Manitoba that worked hard and were all drafted in the top four rounds. These young men include Chris Neilsen of Woodlands who was drafted by the New York Islanders, Jomar Cruz of The Pas drafted by the Washington Capitals, Jamie Hodson of Lenore drafted by the Toronto Maple Leafs, David Cameron of Winnipeg drafted by the Pittsburgh Penguins, and Brent Hobday of Dugald drafted by the Detroit Red Wings.

I would like to take this opportunity to thank the parents and the families of these hockey players. Most hockey parents have attended many games and practices, even as early as five and six o'clock in the morning, as well as expending considerable amounts of their savings to get these young men to where they are today.

I would also like to thank the hockey coaches who have supported these young hockey players to pursue their dreams and work harder than they ever thought they could. Today we see that their work is paying off as they become the property of teams across the National Hockey League. I am very proud of these young athletes and I wish them great success as they move closer to playing their first games as members of their respective NHL teams. Thank you, Madam Speaker.

\* (1420)

### Chief Electoral Officer

**Mr. Tim Sale (Crescentwood):** Madam Speaker, over the past week we have witnessed the spectacle of the First Minister (Mr. Filmon) first denying there was a problem, then acknowledging that there might be a problem, that Elections Manitoba might want to look into it, then finally, on Thursday, recognizing that indeed there was a problem and appointing a commission, taking the unfortunate step of putting Mr. Balasko in the position of holding that office. I want to be very clear that we hold Mr. Balasko and his office in the highest regard, that we believe that the government opposite—

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

**Madam Speaker:** Order, please. I would remind all honourable members that this is Members' Statements and the honourable member for Crescentwood was interrupted partially through his comments.

The honourable member for Crescentwood, to complete his member's statement.

**Mr. Sale:** As I was saying, Mr. Balasko was put in an impossible position by this government, and the Chief Electoral Officer has—

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

**Madam Speaker:** Order, please.

**Mr. Sale:** He has acted with great wisdom, as befits his office, by recognizing that it was necessary for him to not be put in the position the government wished to

put him in. I want to reaffirm the faith of our party in his independence and in his wisdom as Chief Electoral Officer of this province. It is a sad comment on the state of democracy that this Premier has had to back down and reverse his field something like six times in the past five sitting days.

We are glad that Chief Justice Monnin is going to be appointed. That was what we called for. We are pleased with that. We will support this inquiry, and we commend the Chief Electoral Officer for his courageous stand, Madam Speaker.

### Hire-a-Student Week

**Mr. Edward Helwer (Gimli):** Today is the kickoff to Hire-a-Student Week in Manitoba, which allows all of us in this House to recognize the importance of summer employment for our future leaders and entrepreneurs. Our government believes it is important to have in place an economic environment that encourages job creation and benefits young people. In partnership with businesses, schools, communities and other levels of government, we are fulfilling our commitment to help young Manitobans find summer jobs. Highlighting the fact that Manitoba's youth employment rate is one of the lowest in the country is that there has not been a shortage of work for university students who began the job search much earlier this month.

Today, on the Legislative grounds, a job-a-thon is being held to help high school students who are now ready to begin looking for work. Besides the job-a-thon, the 34 government-funded Manitoba Youth Job Centres and the 13 student human resource centres across the province are working closely with local communities to help job seekers throughout the province and throughout the summer.

Honourable members would agree that a summer job goes beyond the opportunity for a young person to earn some extra cash. Summer employment gives students an opportunity to build skills that they need to compete in the global marketplace. As well, by hiring a young person, an employer gets a hardworking, enthusiastic employee. So I encourage all honourable members to join me this afternoon in recognizing Hire-a-Student Week from June 29 to July 3. Thank you, Madam Speaker.

### Immigration Agreements

**Mr. Peter Dyck (Pembina):** Our government recognizes the need that exists for a steady flow of skilled immigrants. We know that Manitoba's booming economy has resulted in labour shortages in some business sectors. We also know the importance of our province having a direct say in the recruitment of new Canadians. It is therefore most encouraging that our government, in partnership with the federal government, has entered into two agreements that will result in increased immigration responsibilities flowing to Manitoba.

The first agreement will see the federal government transfer \$7 million over two years to Manitoba for settlement services such as language training and job counselling for new immigrants. The second agreement will allow Manitoba to designate up to 200 immigrants annually over the next four years that it wants to bring into the province for economic reasons or to assist reuniting families. We were one of the first provincial governments to use the special provincial designation in 1995 to have some 200 garment workers immigrate to Manitoba to address the labour needs of that industry.

Today's agreements are about strengthening the role of Manitoba, in terms of immigration, because Manitoba and not Ottawa knows the labour requirements of our growing industries. We are committed to working in partnership with immigrant groups, industry and the federal government to continue building the province that is the best place to live, to work, to invest and to raise a family. Thank you, Madam Speaker.

### 1995 Election

**Mr. Stan Struthers (Dauphin):** I rise on a member's statement to put some words on the record on behalf of constituents in my riding who in 1995 were presented with some bogus choices when it came to casting their ballots. I use the word "bogus" because of the allegations that have been put forth over the past little while having to do with the aboriginal voice candidate who was run in Dauphin.

Many of my constituents were disenfranchised by the moves made allegedly by people in the Progressive

Conservative Party as far up as the Premier's Office itself. Now, Madam Speaker, I believe that this government right now today owes it to my constituents, whom they effectively disenfranchised in 1995, whom they denied the basic right of being a Canadian, a basic right of being a member of a democratic society, that is to vote—I believe that this government owes my constituents, No. 1, an apology but also to conduct this inquiry in the fullest, most public way that they can, not just that the recommendations and conclusions be made public but that the testimony itself of the people who are subpoenaed before this inquiry should be made public as well.

Madam Speaker, all Manitobans want to know these answers. I also indicate that this Premier owes it to my constituents, whom he disenfranchised three years ago, to broaden the scope of this inquiry to include the unethical conduct and the cover-up activities and the benefits received by agents of the Progressive Conservative Party just over three years ago.

So I urge the Premier to come out of hiding and make this public inquiry public. Thank you.

### ORDERS OF THE DAY

#### DEBATE ON GOVERNMENT MOTIONS

**Hon. James McCrae (Government House Leader):** Madam Speaker, would you please call the government motion noted at the top of page 4 of today's Order Paper, on the proposed motion of the Attorney General (Mr. Toews), standing in the name of the honourable member for Thompson (Mr. Ashton).

**Madam Speaker:** On the proposed motion of the honourable Minister of Justice (Mr. Toews), standing in the name of the honourable member for Thompson (Mr. Ashton). Is there leave to permit the motion to remain standing? [agreed]

\* (1430)

**Mr. McCrae:** Madam Speaker, at the opening of today's sitting, I was seeking the leave of this House to let honourable members know of my intention at this stage now of the proceedings of the House to introduce a motion amending last week's resolution with respect

to the commission of inquiry into alleged Elections Act infractions.

Madam Speaker, the government had approached the Chief Electoral Officer and he had agreed to undertake the commission to investigate the alleged infractions under The Elections Act and The Elections Finances Act. As a servant of this Legislature, the Chief Electoral Officer places great importance on enjoying the confidence of all members of this House, and I believe this goes to the points being raised today by the honourable member for Inkster (Mr. Lamoureux). Unfortunately, given the public comments and the criticisms that are now on the record, the Chief Electoral Officer has indicated to the government that in his view he does not enjoy the support and endorsement of all members of this Legislature to carry out this inquiry. Accordingly, the Chief Electoral Officer has asked that the government withdraw his name from nomination.

Madam Speaker, it is unfortunate that the Chief Electoral Officer and the office of Elections Manitoba have not been able to continue to enjoy the full confidence of all the members of this Legislature. I would like to stress the importance of clearing the air and getting facts on the record to remove suspicion and innuendo. The government has approached another individual to serve as the commissioner, and as we already know, the Honourable Alfred Monnin, former Chief Justice of the Manitoba Court of Appeal, has agreed to undertake this commission.

Now, there has been discussion during Question Period today about the role and function the Honourable Alfred Monnin will carry out. I am a former Attorney General, and I was privileged to be Attorney General during the latter part of this honourable jurist's career. Mr. Justice Monnin has a long and distinguished record as a lawyer and as a justice in Manitoba courts. He has also served on the electoral Boundaries Review Commission and played an instrumental role in the establishment of the new Franco-Manitoban school division. Mr. Justice Monnin's record is exemplary. We have every confidence that he will carry out this commission with honesty and integrity and will provide a thorough and complete report on his findings.

Madam Speaker, I move, seconded by the honourable Minister of Family Services (Mrs. Mitchelson),

THAT the motion be amended

(a) by striking out "the Chief Electoral Officer" and substituting "The Honourable Alfred M. Monnin";

(b) by striking out "as set out in the attached proposed Order in Council"; and

(c) by adding the following:

AND THAT the attached proposed Order in Council be amended before it is signed by the Lieutenant Governor in Council to reflect the appointment of The Honourable Alfred M. Monnin as Commissioner.

Thank you, Madam Speaker.

**Motion presented.**

**Madam Speaker:** I have been advised that the amendment is, indeed, in order.

**Mr. Gary Kowalski (The Maples):** I would just like to put a few words about this amendment. When my colleague for Inkster asked his questions, some members from one side of the House laughed at the suggestion that the returning officer be brought before a committee of this Chamber. I think that the process has gone astray.

Regardless of the exact words that were used, there is a perception in the public that the independence of the returning officer has been questioned, that the competency of the returning officer in doing that investigation has been questioned. It exists out there, and we are the employers of the chief returning officers, this Chamber. As employers, to be fair to that person, we should give him the opportunity to come forward and answer those, not in some—whether it is a public, a judicial inquiry—as employers we have a responsibility as good managers that right now that same returning officer is drawing up boundaries.

Now, those boundaries, if you have doubts about the independence of the returning officer, could those boundaries then be viewed as being politically



motivated? You know, maybe Point Douglas as a riding would be eliminated, because there is a perception out there that the returning officer's independence and competency has been questioned.

So to bring him before LAMC—and I know we cannot order him, but we have had the Ombudsman before LAMC. We have had the returning officer when we wanted to hear about a status report about the boundaries. We have not ruined his independence about information about computerization. We have had a number of officers. They come all the time before LAMC and, yes, it has to be by agreement of all parties. If we cannot have that, then the government has a responsibility, in my view, to call a Privileges and Elections Committee to have Rick Balasko clear any doubts, any doubts whatsoever about his competency and independence.

You know, in the halls, I have heard from all members on all sides of the House that this Mr. Balasko, how competent he is, how he worked under the previous returning officer and what a good man he is. Myself, I was not here when he was interviewed and hired. My dealings with him have been very brief, and I have never had any problems, but there is that perception. For that reason, regardless of what is happening about the investigation, regardless of whether it is Judge Monnin, retired Judge Monnin, or anyone else, we still have this problem that this spectre has been raised.

We still need the chief returning officer of Manitoba to have his opportunity to say: I did a good investigation. I am independent. If you have any doubts, you ask me here and now, not by some other outside party.

That is shirking our responsibility as employers and as managers of this employee, so I do not think that the question by my colleague from Inkster is laughable. I think it was a sincere question. It was a good idea, and it still stands to be a good idea.

Even on how this amendment came about, I am hearing two different versions. I am hearing from one side of the House that it was because of legal opinion that he could not do the inquiry. He could not

reinvestigate an investigation he had already done. He could not hear matters that he had already dealt with, and it was for that reason—but then I am hearing from the government's side it was because he felt he did not have the confidence of all members of this Chamber.

\* (1440)

I am getting second-hand information. [interjection] Well, the member says it is his own words. I never heard them. I am getting them second hand. That is why I would like the returning officer of Manitoba to come before a committee of this Chamber, whatever committee, so that I could ask those questions, so my constituents could feel that I have confidence in the chief returning officer so they could have confidence in the chief returning officer of Manitoba. That issue has to be dealt with regardless of whether Judge Monnin or Rick Balasko hears this matter.

If that had been done first, as we suggested earlier last week, then maybe Rick Balasko would have felt confident to deal with this matter in an open and public hearing. Possibly it is because of the legal opinion. I do not know what his motivation is, because I have not spoken to him. I feel he should have that opportunity.

**Mr. Dave Chomiak (Kildonan):** Madam Speaker, I welcome the opportunity in speaking to this motion in dealing in the first part of my comments with respect to the issue of the Chief Electoral Officer. Madam Speaker, members on this side of the House do not question the validity or the integrity of the members who have made the point they have made, but I think we disagree with the methodology that has been chosen by those members.

First off, from our perspective, we are not questioning the confidence—our viewpoint of the independence of the Chief Electoral Officer. We believe that the Chief Electoral Officer enjoys at this point our confidence. That is not the issue.

What is the issue? What is at issue is the government's error in the first place when they found themselves in the middle of a political quagmire in the mid-part of last week in trying to dump off onto the

Chief Electoral Officer a solution to solve their problem. Now, the government should have thought clearly several issues. First off, there were legal difficulties with providing the Chief Electoral Officer with the ability—in fact, we do not even know if he had the legal authority to, in fact, reinvestigate, so the government should have thought that through in the first place. In fact, the government made two errors. First they said the Chief Electoral Officer will engage in an inquiry.

We reviewed the act, and we doubted seriously whether, in fact, they had the legal authority to do that. I believe the government received legal opinion after they made the political decision that it is going to go to the Chief Electoral Officer. They received legal opinion that said you cannot do that. Subsequently, in order to deal with the political issue, they then said: we are now going to expand it to a commission of inquiry to satisfy the opposition, but we are going to use the same person.

We stood up and said the problem with using the Chief Electoral Officer is the Chief Electoral Officer was involved in the original investigation. How can you use the same individual, whether the individual was credible or not, to reinvestigate the same situation? That is unprecedented in a legal inquiry. We do not send back to the same court a decision that was made by the court. We go to an appeal court or we go to another court. So the government put the Chief Electoral Officer in an untenable position. Later on, as we moved along, as the government saw there were more political troubles involved, now the government presents us with an option of going to retired Chief Justice Monnin in order to conduct an investigation.

Madam Speaker, let me draw a parallel in this situation to another inquiry that is ongoing in Manitoba at this point. I direct the member for The Maples (Mr. Kowalski) to perhaps recognize the similar situation. During the crisis that occurred at Children's Hospital with the baby deaths, the Chief Medical Examiner of the province examined and did autopsies on some of the babies but at that time did not raise any red flags with respect to what happened with those baby deaths. Subsequently, because of information that came out, there is an inquiry that is now being conducted by a judge. At the inquiry, the Chief Medical Examiner of

the province has been called to testify before the judge about his methodology and his approach to dealing with the baby deaths. That is as it should be.

At the time, we never said we do not have confidence in the Chief Medical Examiner. We did not say: fire the Chief Medical Examiner. We did not say: call him before a legislative committee. What we said was: call the Chief Medical Examiner before the inquest, review the Chief Medical Examiner's methodologies, and determine whether there are deficiencies in the office and whether the Chief Medical Examiner conducted the operations properly, whether he had enough staff, et cetera, because, precisely parallel to this situation, the Chief Medical Examiner had reviewed all 10 baby deaths and no red flags had gone up.

Now we have a situation where the Chief Electoral Officer of the province has reviewed irregularities that occurred in the 1995 election. You know, Madam Speaker, to take my parallel even more, it would have been similar to the government saying: gee, the Chief Medical Examiner should have done all of the reviews of the baby deaths and should have conducted the inquiry. We would have been against that. In fact, we were against that, because part of the examination has to be of the way the Chief Medical Examiner's office dealt with the baby deaths, whether it was right or wrong. We are all human. Mistakes may have been made. Mistakes may have not been made.

In this situation we are dealing with a similar fact situation. The Chief Electoral Officer examined the situation and assured all parties, in the small "p" sense, all individuals involved, that nothing was wrong. New evidence has come to light. Rather than having an independent investigation, the government hung on tooth and nail all last week and has sort of made announcements today of something they should have made last Tuesday or last Wednesday, and that is, at least move it towards a more independent individual, because we are going to have to examine the methodology chosen by the Chief Electoral Officer in reviewing the case in the first instance.

Now, there are amendments before the Chamber that deal with part of the methodology, and that has been dealt with in this Chamber, but part of the process has

to be what went wrong in the initial examination or what went right. This will afford us with an opportunity to examine the role and functioning of the chief electoral office.

So, Madam Speaker, certainly to me and I believe to members on this side of the House, it is eminently logical that an independent party ought to examine this situation. I fault the government, and I said it last week. The government put the Chief Electoral Officer in an untenable position, politically and otherwise, by forcing on the Chief Electoral Officer a reinvestigation of something that he had done before and then asking the Chief Electoral Officer to assume powers and duties that were beyond his scope.

If the Chief Electoral Officer said to the government and the Premier, I am withdrawing my name because I do not think I have the capabilities nor do I think I should conduct this investigation, then the Chief Electoral Officer made the right decision, but the decision should not have had to have been made by the Chief Electoral Officer. The decision ought to have been made by the Premier (Mr. Filmon) in Order-in-Council through Section 83(2) of The Evidence Act, and the government should have made a proper choice in the first instance and not subject the chief electoral office to the possibility of being tainted politically because that is precisely what happened as a result of the government putting the Chief Electoral Officer in an untenable position.

Now, I do not know, Madam Speaker, what happens when the chief electoral office gets an Order-in-Council from the government that says you have to do this. Perhaps the Chief Electoral Officer in the first instance should have refused. Perhaps he should have. I am not questioning his competence at this—I am not questioning confidence in the office of the Chief Electoral Officer. He should not have been put in that position, and perhaps in the first instance he should have said no rather than wait and have all of this controversy potentially taint the office of the Chief Electoral Officer. So there are problems. If, in fact, the Chief Electoral Officer returned to the government and said I do not believe that I should and could, I think that was the right decision. I think that was the right decision. [interjection]

\* (1450)

The member for Emerson, for Pembina, the member says that we questioned his authority, his ability. I defy him to point out when we said we questioned his ability. But let me put this on the record then. Does the chief electoral office have the expertise to conduct an inquiry of this size and of this scope? I would suggest, and I will put it on the record, I do not believe so. We believe that only a judge or someone with sophisticated legal training is capable of conducting an inquiry of this kind. The chief electoral office is not set up for this kind of a role under The Evidence Act. That is clear, and you on that side of the House put him in an untenable position to get yourselves out of a political mess, and that is where the mistake was made and that is what is going to hang over your heads, and that is what was wrong. You ought not to have put him in a political position of that nature and that kind, and that was where the mistake was made. [interjection]

The member says we pushed him in too far. Madam Speaker, let me retrace some of the history of this issue. One week ago today the Premier (Mr. Filmon) stood up and said there was nothing to these allegations; in fact, the Premier had conducted an investigation and there was nothing to these allegations. The next day the Premier asked the chief electoral office to re-examine the issue. The next day the Premier stood up and said we are setting up a commission of inquiry. Today the Premier stood up and said now we are having an independent judge set up the commission of inquiry.

Madam Speaker, how does that sit with the comments of the member for Emerson (Mr. Penner) who suggests somehow that we set this thing up? It just does not square. This has been a difficult week for the government, and this has been a difficult week for the province of Manitoba, but in the end democracy can and will prevail in the province of Manitoba. In the end, I suggest, truth will come out, and the government will be judged on the basis of the truth that comes out.

To suggest otherwise would be to suggest that Mr. Sutherland is not telling the truth, that Mr. Cubby Barrett is not telling the truth on certain issues, that the member for Interlake (Mr. C. Evans), who swore an affidavit, is not telling the truth, that the member for Crescentwood (Mr. Sale) is not telling the truth, and I

think that stretches credibility pretty far. The only reason that we are here today and the only reason we are debating this issue is that the government has found itself in a terrible political position. The first strategy was to try to stonewall and sit it out; the next strategy was to attack the credibility of all of the witnesses; the next strategy was to try to move it along inappropriately to the chief electoral office. Now, the latest strategy and the latest tactic is to move it on to a judge for review and investigation.

Our problem, Madam Speaker, and it continues, and it was a question that we raised with the Premier (Mr. Filmon) today, is the scope of the investigation. Now, it was very interesting in the last reply before the end of Question Period, the Premier indicated on the record that they would give whatever powers and whatever extent they wanted for the investigation to the Chief Justice. My question to the Premier, my subsequent question would have been, then why is that not established in the Order-in-Council, given that breadth within the Order-in-Council and the ability not to have to return back to the Premier to ask the Premier's permission to get something he says they are going to do regardless?

Then if that is the case and given the stretched credibility of the Premier's statements all week, please, I do not think it is stretching one's imagination for us to be somewhat suspicious of statements of the Premier that have changed remarkably, remarkably, dramatically, since last Monday, and, in fact, indicate to the Premier put within the terms of reference the broad scope of the investigation that you say you are going to guarantee is going to be allowed if the justice comes back to you, but the justice must come back to you, unfortunately, to get an Order-in-Council which you say you are going to guarantee.

Then we say why do you not broaden the scope of the inquiry without the need for the Chief Justice to come back to the Premier for an Order-in-Council if, in fact, your words are true and you are going to guarantee it anyway, but at least broaden the terms of reference for the inquiry, because this is not nitpicking. Remember the history of this issue. We have gone from Monday of last week when the Premier was denying any problem, any irregularity, till today when the Premier is saying, we want to get to the bottom of it. The

government has taken a 360-degree turn on this, Madam Speaker.

If that is the case, then why not simply go the extra mile and make it plain and stop all of this second-guessing? Because the biggest mistake made by the government was to not move the issue along in the first instance. The biggest mistake by the government—I know members opposite recognized it—was to allow it to build and build and build to the point where now the government is forced to do many of the things that we had asked them to do but a week ago, but which they actually denied. So this amendment and this entire process is something that must be dealt with broadly with the expanded scope.

Members opposite ask why a public inquiry. You know there is an interesting argument that is made by the Premier, and it is not a very strong argument. One of the arguments made by the Premier against the public inquiry is witness protection. We acknowledge that; we raised it. Now, surely, one would consider that we should go the opposite way as it is in court. The issues are all public. If the judge views it in the best interest of personal safety, et cetera, the judge can rule as they do on a daily basis that the information not be made public, rather than going the other way saying nothing is public and we will leave it till the report. Think about that, Madam Speaker.

Think about the illogic of the Premier's argument when he stands up and says, well, there is a witness worried about their personal safety. If that was the law or that was the prevailing thesis or theory in the judicial system, that would set back our legal system 400 years. There is a presumption that everything is public. There is a presumption that it is public, and it is the exception that it is held in camera. You are saying it is in camera exclusively.

So the argument of the Premier is totally illogical and borders on, well, I dare say, it borders on very thin ice, as have been most of the arguments that have been put forward, most of the contradictory arguments that have come forward in this Chamber all last week. So from there to here, from last Monday to this Monday, I dare say the issue has moved dramatically. I welcome the fact that we have a forum, at least at this point, of a public inquiry, not a public inquiry, a forum of a

judicial inquiry, something we called for as early as last Monday. All it took was five Question Periods, numerous headlines in the papers, numerous TV coverages and numerous radio.

Madam Speaker, you could have saved yourselves a lot of political damage and a lot of political problems by simply ceding to the obvious in the first place. You know, it goes farther than just the Conservative Party. You have tarnished the reputation of Manitoba in this country by virtue of hanging on and obfuscating and stalling as long as you did last week. I talked to someone from Toronto yesterday on the phone. You know what? The only thing they could remember or could mention from Manitoba was the scandal, the Conservative government scandal. That is all that they knew about happenings in Manitoba. Why was that? If you had moved to a judicial inquiry in the first instance, we could have been spared the spectacle of a government being forced to backtrack day after day after day.

\* (1500)

**An Honourable Member:** You do not even believe that, do you?

**Mr. Chomiak:** Of course, I do. For the member for Rossmere (Mr. Toews) who should have recognized in the first instance that the right thing to do last Monday would have been to call a judicial public inquiry, you would have saved your party, you would have saved your government, you would have saved the reputation of the province a lot more than what you have done in this process, now that you have been dragged kicking and screaming into an inquiry and even to that extent that you are not making this matter public.

Madam Speaker, at least from my limited experience, these are the most corrupt allegations probably since the corruption that occurred and since charges were laid against members of Sir Rodmond Roblin's government at the beginning of the century. Now there may have been other scandals, but these are the most corrupt that I have been familiar with since Sir Rodmond Roblin's government that fell as a result of those charges, where criminal charges were laid. These are very disconcerting, and the allegations are very, very severe and quite serious beyond anything that I could even think

the government or the Conservative Party was capable of.

But the evidence is very compelling. Let me go through some of the evidence, Madam Speaker. A candidate says that the Premier's assistant and a key Conservative member, a fundraiser for the Conservative Party, put money forward and paid for his campaign. It goes further than that. That candidate, who was on social assistance, was able to donate money to another two candidates who also ran for that particular party.

We have a former Tory candidate confirming that, in fact, the Premier's assistant said at a meeting, job well done, job well done when the funding was talked about. We have the Deputy Premier sitting on the PC Party fundraising committee with the same Cubby Barrett who is alleged to have provided the money, and who said publicly that he did provide money to the candidate who ran for the Native Voice party. We have that same Cubby Barrett who coincidentally obtained a liquor licence that had been refused three times shortly following the election. We have that same Cubby Barrett's son being seen putting up election signs for both the Conservative Party and the Native Voice party. We have that same Cubby Barrett's son—[interjection]

The members laugh, Madam Speaker, but I think that some of this ought to be taken quite seriously by members. This is disgusting, and I am not even dealing with the ethics or the morals of it. We have a former Tory candidate saying that he was present at a meeting. We have two MLAs who were present at a meeting where Allan Aitken stated that, in fact, Taras Sokolyk was present at a meeting and said: job well done. Now the same Allan Aitken, who could not be found for several months, appeared Monday or Tuesday night to say not only did he not say that, which he should have been instructed to say, I presume, but said he was not at any meeting. He was not even at a meeting with these people. Well, that will come out in the evidence, whether or not one Allan Aitken said what he had said but, in fact, was even in attendance at a meeting that three other people are prepared to testify that he was at. Does that stretch credibility? [interjection]

The member for Arthur-Virden (Mr. Downey) says let us get at it. We have been trying to do that for a whole week and the government stalled, stonewalled

and stalled and sat on the information for an entire week before they finally had the courage, before they finally, to use the terms of the former Premier, screwed up the courage to call a form of a judicial inquiry. It took a whole week of questioning in this House and headline articles. The members opposite know that is why we are having a form of a judicial inquiry at this point.

We find out on the weekend that one Cubby Barrett's son happened to fund the badges for a candidate for Native Voice. Perhaps, as members opposite say, he is an advocate of democracy and that is why he did it. That is why he spent upwards of \$1,000 of his own money to pay for badges for a candidate who says that he was paid for those, but we will leave that aside. Perhaps that is a coincidence that it happened to be Cubby Barrett's son who happened to sit on the same committee as the Deputy Premier (Mr. Downey), who happened to be present at a meeting, who happened to be the one who is alleged to have given the money, who happens to be the subject of a meeting where Taras Sokolyk said job well done. Perhaps that is all coincidence. But perhaps not.

But, finally, we are at a point, we are moving towards, after a week of stonewalling, we are going to have a form of a judicial inquiry, and we are hoping— [interjection] Is that not what we are debating right now? Oh, and I like the argument by members opposite. They say pass it right now. You said the same thing last week when you wanted the Chief Electoral Officer to have an inquiry. Then you said the same thing last Thursday when you wanted to have a limited inquiry with the Chief Electoral Officer, and now you are saying pass this sight unseen. You want to get this out of your bailiwick so badly and you want to stop the headlines so badly that you are willing to move it. I appreciate that. I understand that you want to bury the political scandal. I understand you want to go on.

I recognize that, but had we acquiesced to your stonewalling last week, we would have been doing the people of Manitoba a disservice. If we had sat down and listened to what the Premier (Mr. Filmon) said last Monday, there would have been no inquiry, there would have been no evidence. The Premier said nothing was wrong. The Premier said: I conducted my investigation and I was assured by party officials that

there was nothing wrong. We would have sat down and listened to the words of the Premier and said nothing was wrong.

Yes, this will be interesting. The members opposite stretch credibility even further by dealing with the five-months argument, saying, oh, members on this side of the House sat on the information for five months. We were aware, and we knew that the government had done something wrong. We have known for a long time that the government had done something wrong, and we knew since 1995 the government had done something wrong, but what we needed were witnesses to come forward who had the courage and, Madam Speaker, I admire the courage of those witnesses who came forward, Mr. Sutherland, Mr. Aitken, your former candidate, who had the courage to come forward and state the truth, or state their facts so that it could be reviewed.

I said many times to the Premier (Mr. Filmon) during the course of the week that the best defence is a good offence, and it is pretty obvious from the feeble attempts of members opposite to refute our claims that that is precisely the course of action that they are following. How did they accomplish this? They attacked the credibility of Mr. Sutherland. They attacked the credibility of their own candidate, Mr. Aitken. They attacked the credibility of everyone who has testified. They attacked the credibility of both MLAs who wished to testify and who said they wanted the opportunity to testify, and that is effective on the political front, but I do not think it is being bought by the general public. That is why today we are sitting and debating a form of a judicial inquiry that we are going to be—that hopefully will be undertaken as soon as possible to try to clear the air in this province.

\* (1510)

This is not fun. This is distasteful. This is disgusting. I would much rather deal with the government's failings in a whole series of other areas than have to deal with their failings on this front. Perhaps the commission will report that there was nothing done wrong. Perhaps the commission will come back with a favourable report for the government, but they ought to be afforded that opportunity. I am thankful that we stuck to our guns. I am thankful that Mr. Sutherland

came forward and thankful that Mr. Aitken came forward. I am thankful that Cubby Barrett spoke to the public and spoke to the media and said, yes, he did forward money. I am thankful that the evidence about the payment by Cubby Barrett's son came forward. I am thankful that the public has some idea of what goes on. I am thankful this information is out, and I am hopeful that there will be a public commission so the public will have an opportunity to look at all of this information and make their own judgments and make their own decisions. Is that not what the government wants?

If the government is so confident of its position, then why not make it public? Why not allow the evidence and let the public refute it? Let the public make up their own minds. [interjection] The members say it will be. This does not read in the Premier's own comments today which said that the results will be public but that the commission itself will not be public.

**An Honourable Member:** How do you know?

**Mr. Chomiak:** How do we know? Well, we need assurances. We need it in writing, because everything the government has said in the last week has proved to be wrong. Pardon me, I do not believe the comments of the Attorney General from his seat, when every single issue that came out last week the government had to back track on and the government had to change its mind on. Do you possibly believe that we could possibly believe your comments when we want it in writing because every single comment has been so unsupported and not followed up on.

We want it in the terms of reference, and we want it obvious. We want it written down. It has been written down in the past, and I dealt with the former Minister of Justice on the inquest with respect to the baby inquiry, and we had disagreements. We still wanted that to be a public inquiry. Still the inquest is going on. But we had broad, broad, broad terms of reference and there was no suggestion, as there is today, that the hearings would not be in public. I remind you again, a whole judicial system exists on a presumption that information is public and it is an exception when it is in camera. But you are doing the exact opposite.

I do not think we would be doing the public any service if we back down from our claims and our demands now for a public inquiry, because I believe we did the public a service in moving the government from there is nothing wrong and no investigation Monday, to Tuesday's limited inquiry, to Wednesday's inquiry with the Chief Electoral Officer, to today's movement towards a judicial inquiry. We still owe it to the public. We owe it to the people involved. We owe it to all Manitobans, not just to clear, if names have to be cleared, if reputations have to be cleared, or if justice has to be brought to those who have contravened not only laws, but regulations, but we owe it to all those people to hold a public hearing, to have it in public, allow Manitobans to make their own decisions, allow Manitobans to make their own judgments about this matter, and to make it a public process, not to hold it behind closed doors.

This is an issue that affects every single Manitoban because every single Manitoban has the right to vote. Every single Manitoban was affected by what happened or what did not happen in 1995. We owe it to all of them to have a public inquiry and to hold it as open and nonpartisan and as independent and as arm's length as possible.

Madam Speaker, members opposite question our motives and ask why we demand this be in writing. From what happened last Monday to what happened today is like night and day. How often do I have to repeat that? On Monday, the Premier (Mr. Filmon) said there is nothing to it; on Tuesday, there was a limited inquiry; on Wednesday, there was an inquiry by the Chief Electoral Officer; today, now, it is a judicial inquiry. We have moved it along. I am not saying it is entirely us. I am not trying to take credit. What I am trying to say is: do you blame us for not trusting the government? Surely, if you look at the controversy, if you look at the contradictions in statements, in fact, it is incumbent upon us to question the government on this, and, in fact, to hold them accountable, to make certain that every "t" is crossed and every "i" is dotted.

Madam Speaker, having said those comments, I want to reiterate this is not a question of confidence in the office of the Chief Electoral Officer. It is the government who put the Chief Electoral Officer in an untenable position. It was the government's fault for

trying to move a decision that they should have made in the first place to go to a judge, the Chief Electoral Officer. You made the mistake. You put the Chief Electoral Officer in a difficult position.

### Point of Order

**Mr. McCrae:** On a point of order, Madam Speaker, I did not rise earlier because I thought maybe honourable members opposite would correct themselves and I would not have to say anything, but throughout the day today honourable members opposite have been breaking the rule about the use of the second-person pronoun "you." It has been happening all day, and the failure to address their comments through the Chair is again creeping into the practices of honourable members opposite.

Now, Madam Speaker, these things rarely, but sometimes also happen on my side of the House, so I do not make this comment to say that this is only the members of the opposition that do this. However, it certainly has been the case today, and I wonder if you would not mind calling honourable members to order on that point.

**Mr. Chomiak:** On the same point of order, Madam Speaker, I think the government House leader is correct. I will in the future reference all references to you to your government, which I think would be appropriate, or the government or votre gouvernement or whatever.

**Madam Speaker:** Order, please. The honourable government House leader (Mr. McCrae) indeed did have a point of order, and I thank the honourable member for Kildonan (Mr. Chomiak) for acknowledging it and indicating that he will comply with the rules of the House.

\* \* \*

**Mr. Chomiak:** I am just going to wrap up, Madam Speaker, by again stressing the fact that the government is the one who put the Chief Electoral Officer into an untenable position and made it most difficult. The evolution of this issue was one of the most extraordinary I have seen in my years in this Chamber,

moving from "there is nothing wrong" to "now we are going to have a form of judicial inquiry."

All we ask is you keep listening to the public, that you keep listening to what we have to state and that you have a proper process put in place, so that we can get to the bottom of these issues for the benefit of all Manitobans. Thank you.

**Hon. Vic Toews (Minister of Justice and Attorney General):** I, too, would like to put some comments on the record in respect of this particular issue. I have listened with some interest to the comments from the members on the other side, and I want to ensure that the message coming from this House is that we are not prejudging any issues here. I know that the members opposite sometimes refer to their remarks as allegations. On other dates they refer to them as evidence. They seem to believe that the matter is a fait accompli, that they have the truth, that they know the truth, and that they are the only ones who are so blessed with the truth.

Madam Speaker, I think that the direction, first of all set out by the motion and now the amendment to the motion, is, in fact, the appropriate way to proceed.

When one looks at the office of the Chief Electoral Officer, clearly that would have been the most appropriate manner in which to deal with an allegation of this type. There was a particular concern with the powers of the Chief Electoral Officer, and the resolution and the proposed Order-in-Council, in fact, would address that.

\* (1520)

The Chief Electoral Officer would have been empowered with the powers of a commissioner under Section 83(1) of The Evidence Act, which gives a commissioner the power to examine the election of a member to the Legislative Assembly or any alleged attempt to corrupt a candidate at any such election or a member of the Legislative Assembly after his election or the payment or contribution for campaign or other political purposes or for the purposes of obtaining legislation or obtaining influence or support for franchises, charters, or any other rights or privileges from the Legislature or the government of Manitoba by



any other person. The commissioner certainly has the broad powers to look at those situations.

We have heard the First Minister (Mr. Filmon) say in this Chamber over and over again that if it is an issue of the scope of the inquiry, such scope can be expanded as the commissioner requests. That has been put in writing. Indeed, the oral statements of the Premier have been taken down by Hansard. They are here for everyone to see that, in fact, the Premier and this government, in fact, would not deny the commissioner an increase in the scope of his inquiry if that is so requested.

So that was the state of affairs last week with the proposed appointment of the Chief Electoral Officer. The Chief Electoral Officer not only had the powers that are granted under The Evidence Act, which deals with the ability to summon witnesses and to require witnesses to give evidence under oath either orally or in writing. I think that is very, very important to point out.

The matter stated here is that it should have these powers. We believe that these powers should be there, and those powers are there. So, unfortunately, after the comments made by members of the opposition in respect of the Chief Electoral Officer, it was clear certainly to me and members on this side of the House that the Chief Electoral Officer did not have the support of members of the opposition.

I think that is regrettable because this is the individual who, in fact, had the expertise, the ability and, I think, the very direct knowledge of how the elections system works here in Manitoba. I think that expertise would have been very, very helpful in terms of ensuring that all matters relevant to this commission are brought forward. But the Chief Electoral Officer, having heard the comments made by members opposite, did not want to compromise his office in any respect, and I think that we respect his desire not to bring his office into any controversy. It is unfortunate, as I have indicated earlier, given his expertise and given his independence.

So, Madam Speaker, the motion then goes to remove the name of the Chief Electoral Officer and substitute another very highly qualified candidate. Now the members opposite say: now we are having a judicial

inquiry. Well, they are again being very fast and loose with their words. This is not a judicial inquiry. It is a commission that has been brought forward as it has been done in many other cases; this is not a judicial inquiry. The powers are under The Evidence Act, and I reference again the powers of the commissioner. But the members are again very loose with their words. They suggest that now they have a judicial inquiry. Well, this is, to a great extent, a bit of mischief. They know that very recently the Chief Justice of Canada has communicated to all first ministers, all attorneys general, and indeed the public is aware, that the Chief Justice of Canada would prefer that judges not be appointed to these types of commissions of inquiries.

The members know that. So we, in respect of the Chief Justice's position, in respect of federal judges where he has clearly made those comments—and it was for two reasons the Chief Justice made those comments. Firstly, it was his position that it may well cause undue resource pressures on the court, and secondly, it may compromise the independence of the judiciary.

I think we have seen certain situations very recently where, in fact, judges have become drawn into the political fray because of their appointment to a particular commission. I am referring to the inquiry into the examination of the blood supply. In my opinion, certainly the Chief Justice of Canada's comments, I think, can be directly attributable to his concern that judges not be politically compromised by serving on boards of inquiry or commissions. I think that is a very good direction by the Chief Justice in order to maintain the independence of the executive and the independence of the judiciary and keep those two functions separate and apart.

Fortunately, we have available to us the expertise of a retired judge who certainly, if this Order-in-Council then is passed, will, in fact, have the independence that is provided under The Evidence Act and the broad powers that are given to a commissioner under The Evidence Act. This former judge also has the expertise of being able to not only administer an inquiry in a judicious fashion but also has the expertise of having dealt with former commissions of inquiry. I understand that he and his recommendations were instrumental in the creation of the Francophone school board and

school division. So here is a person who has not only judicial expertise but, in fact, has the power and the abilities to conduct an inquiry based on The Evidence Act and also on his prior experience.

Mr. Justice Monnin has a long and distinguished career as a lawyer and a Justice in the Manitoba courts. He was first a Queen's Bench Judge and then was appointed to the Manitoba Court of Appeal where he eventually served as the Chief Justice of the Court of Appeal. I would also indicate that he does have expertise in respect of elections, having served on the Electoral Boundaries Review Commission. His record is exemplary, and I know that we on the government side have every confidence that he will carry out his commission in a thorough and complete way.

Now, Madam Speaker, there were certain concerns raised by members opposite that the scope of the inquiry is not broad enough. I take dispute with that. I think that one, in reading The Evidence Act, certainly can see the broad manner in which that act empowers these commissioners, once appointed, but it is not only that.

\* (1530)

As the First Minister (Mr. Filmon) has indicated on the record on at least three occasions, if the Chief Justice requires an expansion of his powers, that request will not be rejected by the government here. I think that it is very, very important to remember that we cannot anticipate every aspect that his inquiry may take him and so—

**An Honourable Member:** Make it broader.

**Mr. Toews:** The member opposite says make it broader. The fact is, as I have indicated, the inquiry is as broad as it needs to be and if he, the commissioner, after listening to the evidence and looking at various aspects of this evidence, determines that a broader scope is required, that can be done. But the member simply suggests that we broaden it so that we can encourage a fishing trip. Now, I do not think that the commissioner wants a fishing trip, nor does this government want a fishing trip. I think what the government wants—and I hope members opposite do, as

well—is that the commissioner deal with the issues relevant to the allegations that were brought forward.

You know, it is an interesting situation that we have. We have members opposite standing up every day. They do not put their allegations in writing. They simply stand up every other day and make a new allegation. They talk about principles of justice or—well, as I remember the practice of law, there are initiating documents. It can be an information, it can be an indictment, it can be a statement of claim, but the actual allegations are put out in public to specifically say what the allegations are.

Now, the members opposite, they do not do that. They simply stand up and one day they say they rely on the expertise of a particular individual; the next day they dispute that individual. One day they say a witness is not trustworthy. The next day they say that he is, and I have heard them say this about a particular individual, and I do not need to repeat that. But, in going through Hansard, Madam Speaker, you will see how they have criticized a person who brought allegations forward and then they have indicated that this individual should be one who we should look at the allegations made. So not only do they change allegations from day to day, not only do they disparage witnesses who have not had yet an opportunity to speak in front of the commissioner, but they refuse to indicate what, in fact, their allegations are. Indeed, they just stand up and make another allegation and another allegation. Sometimes they called it evidence, and I heard the member for Kildonan (Mr. Chomiak) today calling certain allegations evidence.

Now, I did not think that the member for Kildonan had any evidence to provide to the commissioner, but perhaps if he does have evidence to provide to the commissioner, should he not be providing it to the commissioner rather than making the allegations in this House and passing them off as the truth, when, in fact, he is giving this evidence secondhand? But that is the way they operate, so they say let us have a broad scope of inquiry.

Well, Madam Speaker, the scope of the inquiry is broad, and if there are allegations that need to be addressed which, for one reason or another, go beyond the scope, the commissioner can make that deter-

mination, based on what? Not flimsy allegations that have no probative value, but, in fact, on the basis of evidence that he, in fact, has uncovered.

You know, even an information or an indictment is based on reason to believe that somebody has reasonable and probable grounds to believe, and that then is taken under oath before a Justice who then swears that information, or the informant or the complainant swears that information. In this case, we do not even have that. So they are saying, let us just have a fishing trip, is what members of the opposition are saying. Let us just snoop anybody that we can possibly think of.

Well, Madam Speaker, certain allegations have been made. This inquiry responds to those allegations. It grants the powers. It grants the powers to a person who has judicial experience, who has legal experience, who has experience in respect of commissions and boards of inquiries. Certainly, this is an individual who would be able to determine whether or not the scope should be broadened, because what members are, in fact, doing is making politically motivated charges, and on that basis, then, asking the commissioner to investigate it.

Madam Speaker, I would suggest that the better process is to look at the core of the allegations, ensure that the scope addresses those, which they do, and proceed on the commission on that basis. Then, if the commissioner has any concerns about the scope of that inquiry, there can be an expansion.

Now, members opposite say that, well, they have to come back to the government. Well, they have to come back to the government in any event. What we are doing here today is not determining the scope of this commission. This is done by Lieutenant Governor in Council. There is a specific provision that requires notice to be given under The Evidence Act, but it does not determine the scope of the inquiry. This simply puts the notice to the House, because all it says is that "nor shall a commission issue during a session of the Legislature without its assent."

So the question before the House is simply should there be a commission or should there not be a commission? The government is saying that there should be a commission and that we believe the

appropriate commissioner should not be a judge. It should not be a judicial inquiry, and members opposite know why it should not be a judicial inquiry. There have been enough public statements by the Chief Justice of Canada as to why it should not be a judicial inquiry. Yet they state, now the government has said there is going to be a judicial inquiry. Well, there is going to be a retired judge who has judicial experience, who has legal experience, and who has inquisitorial experience. So I think that is the appropriate manner in which to proceed.

Now, then the members say, well, we need to address the process. We need to address how the commissioner does his job. Now, these are the same people who want an independent judicial inquiry. They do not want an independent judicial inquiry. They want to tell the commissioner exactly what he should and should not do and how he should do it. Well, that is not appropriate for this House. Once we invest that commissioner with these powers, to suggest how he carries out those powers is improper. We invest the commissioner with the powers. How the commissioner decides to carry out those powers is set out in the act. Again, members opposite want to ignore the act. They want to restrict. They want to direct. They want to ensure that the commissioner does not have the free and full independence that he requires.

When one looks at Section 88 of The Evidence Act, and this is what members opposite want to restrict, what it says: "The commissioners have the power of summoning any witnesses before them by a subpoena or summons under the hand of any of them, and of requiring those witnesses to give evidence on oath or affirmation, and either orally or in writing, and to produce such documents and things as the commissioners deem requisite to the full investigation of the matter into which they are appointed to inquire."

\* (1540)

So, Madam Speaker, the commissioner, once the Lieutenant Governor in Council signs that Order-in-Council, not only is the scope of the inquiry broad enough to address his concerns, if there are any additional concerns that arise on the basis of evidence, not on the basis of frivolous allegations that change from day to day, but on the basis of evidence taken

under oath, if there are additional powers required or scope required, this government has undertaken that we will enlarge that scope and those powers. That is the way it should be.

They say, well, they have to come back to the Lieutenant Governor in Council. Well, yes, that is the way the act says. The act requires it.

There is another process that I might point out under The Department of Justice Act. I believe that the Aboriginal Justice Inquiry may have been proceeded with under The Department of Justice Act. I could be mistaken under that process, but, as I recall, the process, and I do not have the act here before me, that report is provided to the Minister of Justice, and the Minister of Justice can consult with the people doing the commission on an ongoing basis. Clearly that is not the appropriate forum, I would think. Yet that was the process, as I understand it, that the New Democratic Party adopted when they did the AJI. They wanted to ensure that the Minister of Justice could consult with the commissioners on an ongoing basis. That is what they did.

**An Honourable Member:** Did they consult?

**Mr. Toews:** Well, the member asks did they consult? We will never know, and that is why I say that that is not an appropriate procedure. Well, the fact is that under The Evidence Act, there is no such requirement for the commissioner to consult with the Attorney General or the Minister of Justice. So what we have here is—[interjection] Well, the member for Wolseley (Ms. Friesen) says where is the AJI report. She says is it holding up her door. Well, if she does not have a copy, I would be more than happy to get her a copy so she could read it. [interjection] Well, if the member for Wolseley wants it to open up her door, I will buy her a doorstep instead, because I think that is a very despicable thing to do with that report, in any event.

So the appropriate process is under The Evidence Act. The Evidence Act guarantees the independence, it grants the powers, and it ensures that the process is an appropriate process.

Now, I have indicated already, Madam Speaker, if the commissioner requires additional powers, they have

to come to the Lieutenant Governor to obtain those powers. That is the way the act is written. That is the way the Legislature passed it. It did not say come back to the House. It made very specific directions that it comes to the Lieutenant Governor in Council.

I think we have made our position very, very clear in that respect as to what our response would be to the commissioner if that eventuality arose, but the process then is that the commissioner will investigate the allegations and then, in fact, determine on the basis of evidence, not the daily kind of innuendo that is being raised here. Let him do it on evidence because I know the members opposite do not care about the reputations of the various people out there. They have no interest in those reputations, but if there is going to be a process, let us make sure it is fair, let us make sure it gets to the bottom of the matter, and let us ensure that the process is also fair and open to the people outside of this House so that they have the ability to be protected.

Now, Madam Speaker, this, in fact, is a—[interjection] You know, the member for Concordia (Mr. Doer) says it is a ranting speech. Well, if he wants to go through Hansard and see if I have been rambling or not, that is quite another issue, but I believe I have 40 minutes to speak. So I think that the issue that needs to be addressed has been addressed publicly here in respect to both the appropriateness of this appointment—regrettably it was done after the members of the opposition, I think, very, very unfairly tarnished the reputation of the Chief Electoral Officer.

We still have the full confidence in the Chief Electoral Officer, but with due respect to the Chief Electoral Officer, this process in terms of a retired judge conducting the inquiry was seen to be the most appropriate one, failing the members opposite's refusal to acknowledge why, in fact, the Chief Electoral Officer would have been the more appropriate person.

Having said that, we look at the qualifications of the former Chief Justice. He has the judicial background. He has the legal background. He has the appropriate scope, and he has the powers. I believe, Madam Speaker, then that he will, in fact, do the job that needs to be done in this particular situation. Again, members opposite would have us speculate as to what may

happen or could happen. I do not think it is our role here to speculate what may happen or what could happen, but, in the eventuality that changes are required, The Evidence Act in that respect is very, very clear.

I think with those few words then, I want to close by saying that I support the amendment to the motion, and I look forward to the comments of other members in the House.

**Mr. Gary Doer (Leader of the Opposition):** Obviously the Chair has shown a fair degree of latitude with the statements made by the Minister of Justice (Mr. Toews). I will have to respond to a few points, but I want to be specific to the matter before the House first, and that is the amendment to the resolution that was put forward by the government last Thursday, the amendment before the Chamber that the Chief Electoral Officer be substituted with a new individual, the honourable Alfred M. Moynin, as commissioner.

We would concur with that amendment. It did not require leave before Question Period. I have to say I resent getting a tattered piece of paper on my desk asking for leave when it is not required. I think those kinds of elementary Grade 1 games are unnecessary in something of this importance. I agreed to give leave last Thursday when the government wanted to waive the notice period for a resolution to be put before the Chamber, and that was the proper decision, because it would have required the 48-hour notice and leave was therefore necessary. But to ask for leave to move an amendment when the amendment can only properly be moved dealing with the resolution I thought was a bit juvenile and very unfortunate when dealing with something of this importance.

We support the amendment. It is what we had suggested last Monday. To listen to the Minister of Justice (Mr. Toews) now lecturing us on the powers of commissioner and lecturing us on the ability to give testimony under oath and the abilities to have the power under subpoena, I mean, where was he last Monday? What kind of Minister of Justice do we have who sat there along with his Premier (Mr. Filmon) stonewalling for two days and three days before the commission of inquiry was announced last Thursday.

\* (1550)

On Monday, the government said it is not necessary. On Tuesday, they said it was not necessary. On Wednesday, they came forward and said they asked Elections Manitoba to reopen the matter. On Thursday, they then appointed a commission of inquiry to reopen this inquiry but appointed the head of Elections Manitoba to do so.

*Mr. Ben Sveinson, Acting Speaker, in the Chair*

I think the Chief Electoral Officer has done the right thing, made the right decision to ask not to be invited by this Legislature or requested by this Legislature to have a second investigation with the greater powers of a commission of inquiry under The Evidence Act. I think that it is fundamental in our justice system that once you have completed an investigation and adjudicated the results of that investigation and have concluded that there is nothing to the substance of the allegations that you are no longer able to hear evidence from some of the same people you were responsible for hearing before in a second investigation, because, in essence, you are not only investigating the substance of the new allegations, but you are also investigating your own investigation.

That does not mean to say that the chief electoral office and the Chief Electoral Officer are unworthy of the support of this Legislature. They have a lot of other responsibilities to perform on behalf of this Legislature, and I think it is important for us. None of us in this Chamber are absolutely perfect, nor do I expect the office of any institution of government to be perfect, but if something is concluded, I think it behooves us to then have a second review of an independent nature, and this resolution, seven days after we first requested it, does just that. So the Minister of Justice (Mr. Toews) lectures this Chamber about the power of subpoena and the oath of evidence, and, of course, those were the same recommendations we had given him just a short period of time ago.

The minister then says that on dealing with the scope—let me first of all deal with his comments about the AJI. I think it is important when the minister talks about the process established in the Aboriginal Justice Inquiry—and he may be correct in terms of the legal

abilities to move back and forth between the government and the commissioners of inquiry, but the scope of that inquiry, the individuals that were appointed to that inquiry, the kinds of issues to deal with the Helen Betty Osborne and the J.J. Harper deaths, all of the issues in the narrow scope of the two investigations, plus the broader issues of social and economic justice for aboriginal people and the way in which those matters would be reported, were dealt with in consultation and partnership with the First Nations communities in Manitoba.

The two individuals, one Mr. Sinclair and one Mr. Hamilton, the two judges that were appointed to that inquiry, and the powers of that inquiry and the scope of that inquiry and the way in which it would move back and forth in consultation with the government of the day, whether it was the NDP or later the Tories, was all dealt with and all determined in a codetermined manner between First Nations. So the Minister of Justice (Mr. Toews), who sits there and allows dust to be gathering on the Aboriginal Justice Inquiry, gives us a kind of Philadelphia lawyer-Philadelphia with a "p," not with an "f" from Paraguay; I do not want to insult the minister-gives us a kind of legal definition of something that we were dealing with in partnership with First Nations people and in consultation with them.

I want to deal with the second matter that the Minister of Justice talks about, and that is the scope of the inquiry. The scope of this inquiry is in the resolution on the legislative floor, and the broader the scope of this inquiry as passed by this Legislature, the more predictable the inquiry will be when the former Chief Justice, Justice Monnin, deals with this matter before it.

We would rather have the Legislature prescribe a broad scope of inquiry that allows us to deal with the ethical and moral issues before this House and the elections in 1995, rather than narrow violations or alleged violations of The Elections Act and The Elections Finances Act. We believe it is important that the scope be broad. Commentators are already saying on the national news, not the New Democratic Party, that if the Conservative Party ran a second campaign with Native Voice candidates in the Interlake, Dauphin and Swan River, it would be one of the largest cases of election fraud, and it would mean that the Tories and

the campaign they ran were ethically violating the principles of elections and the kind of morality that we should have in a democracy in terms of how we conduct our affairs.

We should run elections on ideas. We should run elections on alternatives. We should run elections on thought-out platforms. We should run elections on the people we bring forward and the enthusiasm to which we bring those forward. We should not run elections on the basis or trickery, deception and having two campaigns, in essence, being run by the same political party. That is the issue that we are dealing with beyond just some of the narrow legal definitions, and do not believe for a moment that the public does not believe the comments being made by Mr. Barrett and allegations that have been confirmed now, that buttons were purchased, et cetera. It goes way beyond what the Premier (Mr. Filmon) has said in this Legislature, that they only gave advice to the Native Voice candidates out of the goodness of their heart.

Obviously, the goodness of their hearts means nothing. It was only looking at a way to hold power and to ensure that seats were won or that the Tories would have a better chance of winning seats in the last campaign. I do not believe for a moment that the public does not understand the strategic advantage of running Native Voice candidates in Interlake, Swan River and Dauphin. Members opposite can feign concern for the electoral process, but they are part of a party that we believed and now have had confirmed that has run a second campaign in three areas or three constituencies for their own political advantage.

Mr. Acting Speaker, I am shocked that there is not more consternation with members opposite. Each and every one of us share one common experience before we get to this Legislature. We compete in a democratic forum to win the support of our constituents before we get here. We expect that to be fought in an honest and true way. We do not expect to go through what the member for Interlake (Mr. C. Evans) feels he went through, and that is as he said most articulately last Monday that: I felt I ran against two campaigns; I watched the pickup trucks go down the street with Tory and Sutherland signs. We knew that money was allegedly being supported for the other campaign, and now we have had the confirmation of buttons being

passed and we have the former Tory candidate, Mr. Sigurdson, confirming that he, in fact, was aware of a systematic campaign to achieve those results.

Why would it not be systematic? You do not just throw darts onto an electoral map to decide where to run in these campaigns. It is quite obvious that the three constituencies the Conservatives chose are constituencies they did not hold and where they felt there would be a political advantage to change the incumbency and change, therefore, the electoral results.

These are serious, serious allegations. I know you will talk about the narrowness of the resolution before us because of the narrowness of the scope, but, Mr. Acting Speaker, these go long beyond the Question Period of the day or the last week's events. These go to the very heart and soul of some individuals that are running that party, and the kind of lengths they are willing to go to maintain power in this province.

That is why members opposite may think that they could stonewall on Monday and stonewall on Tuesday and try to make this an issue of the Elections Manitoba versus the NDP or this commission versus the NDP or some other allegations versus the NDP. The real issue here is the ethics, the morality, the principles of the Tory party, and we think that goes way beyond the laws of The Elections Act, even the amended Elections Act and The Elections Finances Act. As commentators have stated that if the Tories have run a second campaign in these ridings and even if the Tories did not violate the direct laws that we saw amended in Bill 2 and The Elections Finances Act, they have gone way beyond the principles of democracy as ever experienced by any other political party in this province. That is why this resolution is so very important.

We support, as I say, the amendment, and why would we not? It is what we called for last week, and it is what the government rejected last week. I want to say that it is not just within the New Democratic Party that has said that the Chief Electoral Officer would be in an awkward position. We had legal advice that many lawyers would challenge. An individual, if he was reappointed to be a commissioner of inquiry, would challenge the individual's right to hear evidence.

\* (1600)

For example, if you were a person who went through the first investigation, and your lawyer felt that investigation was conclusive, then the members opposite know that the authority of a person to hear evidence twice would be challenged by people that would be interested in challenging it. If Mr. Balasko had been appointed a second time with new powers to hear the inquiry notwithstanding his expertise, notwithstanding his credibility, it would have put him in a horrible kind of position, and it was not just us saying it, editorials were saying it and other independent bodies were saying that as well. It was not just, quote, the NDP saying it. Some of the people that were allegedly not talked to before were also saying that they wanted something independent to deal with these serious allegations.

Mr. Acting Speaker, scope is very important, and the Legislature has the ability to have a broader scope in the resolution. We know that the Schulman inquiry had a broader scope than the Hughes Inquiry did on the alleged Pollock charges and the justice system considerations. We believe that when there is ethical and moral issues of democracy that are being challenged publicly, the scope of the inquiry, as passed by this Legislature, should be broader. We do not believe that it is up to lawyers to argue the scope of the inquiry, when former Chief Justice Monnin conducts the inquiry, and for lawyers to argue what the intent of the Legislature is and whether it is the intent of the Premier to review the ethical considerations or not when the Premier says that the Chief Justice can come forward at a later date to expand the scope.

We believe that the Premier and the Conservative caucus—and I do not think the Conservative caucus has the ability to stand up to the Premier and the Premier's staff, but if the Conservative caucus was truly being honest in wanting to get to the truth of all the allegations, some of them are ethical allegations, some of them are legal allegations, some of them deal with the power out of the Premier's Office, then the scope of this inquiry would be expanded and the amendments we will move later on would be approved by members opposite rather than curtailing those issues.

We also believe that if this Legislature wants to have and take the leadership to provide for the commissioner

the expressed view that the inquiry should be held in public, that could also be passed in amendments we are going to move here in this Legislature. We believe that the Legislature, which is setting up this inquiry, should take the leadership of scope and should take the leadership of having a public inquiry. We should not delegate that leadership to the chief commissioner. That does not mean to say anything about the character of the individual chosen. It has to do more with the responsibility of members of this Chamber to set up a commission of inquiry consistent with a broad and open inquiry rather than leaving to chance that the commission of inquiry will someday, later on, deal with this matter.

So, Mr. Acting Speaker, with those few comments, I want to come back to the narrow issue before us today or before us now. The narrow issue before this Chamber today, which should be the only issue debated in this Chamber, with the greatest of respect to the Minister of Justice (Mr. Toews), is the issue of the government amending their own resolution. It does not often happen where the government amends its own resolution. We think they did the right thing to do it, amend it. We think they were proper to amend it. We would have preferred, as we said on Thursday, for them to have made this change then and come into the Chamber with this change. Having said that, what we said on Thursday about a commission of inquiry outside of the Chief Electoral Officer—what we said on Thursday—we support today. What we said last Monday, we support today. So therefore our caucus will support this one amendment to the resolution. We will call on the government to support some other amendments that build upon the original resolution put forward by this House.

I actually think, Mr. Acting Speaker, that on this matter—this is an unusual matter we are dealing with. We are dealing with an election that took place in 1995. We are dealing with three individuals who feel that they had to deal with two campaigns in their own ridings. If members opposite want to follow the proper process to deal with these concerns, I think we should be dealing with these resolutions and the amendments to these resolutions in an all-party way. These are beyond just the government of the day using the tyranny of its majority to investigate the rights and concerns of the member for Swan River (Ms. Wowchuk), the member

for Dauphin (Mr. Struthers) and the member for Interlake (Mr. C. Evans).

There are also issues that I think the Minister of aboriginal affairs should be looking at because a lot of aboriginal people are saying: we feel used by this alleged process in the last election campaign. Who is speaking for them at the cabinet table about this very serious allegation? We are dealing with individuals who could have lost their seat with an alleged campaign that was systematically established out of the Premier's Office by the Premier's principal secretary. We are dealing with an individual who only won his seat by 36 votes whose whole career could have been terminated by a process that all of us would agree is tainted.

I think you should listen to their concerns when later on we speak to the resolutions of scope, because I think you should put yourself in their shoes. You should not put yourselves on the government caucus side and be subject to the government Whip and the tyranny of the majority when we are looking at the individuals concerned. Some day in the future there could be an allegation about any one of members opposite if you are in the minority about a process that was tainted and believed to be unfair.

Mr. Acting Speaker, we support the resolution, the amendment to the resolution, and we look forward to the government looking into their hearts on behalf of the individuals who have come forward with their new serious allegations and on behalf of three members of this Chamber, three out of 57 who actually had to run against two additional candidates, and the allegations that we know are very serious.

So I will be looking forward to seeing whether the government Whip dictates the ethics of members opposite on the amendments we will put forward. Is it the government and the Premier's Office who are under suspicion that are going to control the 31 Tories, or are they going to use the rights of individuals and an ethical review to be allowed in the scope of the inquiry? I know they will argue that the Chief Judge can ask for it later on, but it is up to this Legislature to provide leadership up front.

Thank you very much, Mr. Acting Speaker.



**Mr. Kevin Lamoureux (Inkster):** I was going to say with pleasure, but I am not too sure if it is, in fact, with pleasure, Mr. Acting Speaker, in speaking on the motion and the amended part of the motion.

Mr. Acting Speaker, I think what I wanted to acknowledge right up front is that, in essence, there are two issues here. The first issue is the allegations that are very strong and significant that point to a government that has really done a disservice to all Manitobans by some of the allegations that are, in fact, being levelled at it. That is indeed a very serious issue and one which I want to comment on.

\* (1610)

*Mr. Marcel Laurendeau, Deputy Speaker, in the Chair*

The second issue is the one of Elections Manitoba and its office. Mr. Deputy Speaker, my intention is also to comment on that particular issue. Then that will, in fact, be followed by an amendment to the government's motion.

Having said that, Mr. Deputy Speaker, it should be very, very clear in the minds of many Manitobans—or it is very clear in the minds of many Manitobans that something wrong has happened here. It is a question of whether or not to what degree the government—and particularly the election readiness of the Conservative Party, which is, in essence, headed, if you like, by the Premier or the First Minister (Mr. Filmon). That is something which causes a great deal of concern to a lot of people, not just within this Chamber but outside of the Chamber.

If we take a look at some of the allegations that are there, everything from the allegations of money being given to a so-called independent candidate to, I believe it was yesterday or the day before, with respect to buttons being purchased and submitted, and I know that in the last provincial election the issue was, in fact, brought up during that 35-day campaign. Well, at least at all costs I do not want to do anything to minimize the damage that the government, in essence, has caused with respect to that particular issue.

I recognize and to a certain degree on this particular issue I would applaud the aggressive actions from the

official opposition in trying to find out exactly what has happened. Where I disagree is on some of the tactics that are being used in order to draw out this particular issue. What I would have liked to have seen was the allegations surfaced in such a fashion in which we are questioning the integrity and competence of the government and how the Conservative Party, if you like, attempted allegedly to manipulate the situation, and I throw in the word “allegedly” somewhat loosely, in the sense that I look at the allegations and they are very serious allegations, coming not from one or two people but by a number of people and I think that, given the types of allegations that have come out, indeed it warrants an investigation that we do need and that it is in Manitoba's best interests to get to the bottom of the issue.

But I really do believe that the best body in order to investigate this whole situation is not a public inquiry in the sense of a judicial independence inquiry of any sort. I believe very firmly that it is the responsibility of Elections Manitoba, and this takes me to the second issue, to investigate the allegations and to report back. It is Elections Manitoba's responsibility to enforce The Elections Act, and I respect the integrity of that office, the need for that office to be not only perceived as being independent but in reality be independent.

What has happened has caused a great deal of harm, I believe, more harm potentially than the actual scandal, the alleged scandal in itself, and that is the questioning of the integrity of what is a very important office.

Again, I want desperately to be sympathetic to how aggressively the official opposition wants to deal with the issue of the scandal because the merits are there. I believe that there is something there. The aroma is strong enough that one can smell something rotten has occurred. Hopefully, we will, in fact, get to the bottom of it. But the best way to have gotten to the bottom of that was through the Elections Manitoba end and its officers. They have the mandate; they have the ability in order to do the job that is, in fact, necessary.

Why is that important? Well, the reason why it is important that we respect the integrity of that particular office is that if it is felt that there is an issue that people take exception to, are we then to call for an inquiry, and I guess the best way that I can sum it up—

**Mr. Deputy Speaker:** Order, please. I hate to interrupt the member. Could I ask members that want to carry on a conversation to do so in the loge or a little quieter out in the halls.

**Mr. Lamoureux:** Mr. Deputy Speaker, if I was to try to portray what I think would be an excellent example of the type of a problem or a scenario in which we are setting ourselves up to, I would reflect back to the last provincial election. Many of the members will recall that there was an incident that happened within our party, the Liberal Party, in the Minnedosa area in which there was an unfortunate incident that occurred. It involved the Liberal candidate; it involved the New Democratic candidate. There were, in fact, charges that were laid, and the individual had to pay the consequence for the actions that he had—or that campaign had actually indicated.

*Madam Speaker in the Chair*

Now, the party, the Liberal Party, did not condone the actions that were, in fact, taken. I think that the party which at the time was being headed by Paul Edwards made it very clear that those actions were not tolerated. I want to be a little bit hypothetical here. Let us say the government was down and out and the polls, they are at 15 percent, and then they reflect and they say, well, we now have a candidate or we have something that has occurred awhile back and we believe that Elections Manitoba did not do a thorough enough job. Therefore, we want to get to the bottom of: was the Liberal Party more involved than they led on to believe? Did Elections Manitoba do a thorough enough job? What prevents the government in that sort of a situation from saying, we are going to launch an inquiry into that particular issue?

Madam Speaker, what I would argue, that prevents the government from taking—and I must say, if the government saw fit that it was in their best interests to do that for political reasons, that given the resources that in opposition whether official or third party has, that they will have very strong limitations to counter the government of the day and the types of resources that it has. So what would happen is we would have to rely very heavily on the independence of Elections Manitoba in ensuring that the government of the day does not exploit a situation to their political advantage.

Each and every one of us, no doubt, have some concerns with the way in which elections are run. I know I speak first-hand, where I have levelled my concerns or some of the concerns. I have shared my concerns with the Elections Manitoba and its office. I am not necessarily happy with some of the results of me expressing the concerns, but at no point in time do I ever question the integrity of that particular office, because I really believe that it is in the long-term best interests of Manitobans that we as elected officials do whatever we can to support, endorse, to add to the integrity of the Elections Manitoba.

\* (1620)

Now, what we do if we believe Elections Manitoba is not doing its job? We do have vehicles in which we can hold Elections Manitoba accountable on behalf of the public if we feel very passionately that they are not doing their job. Its issues, whether it is LAMC, whether it is Privileges and Elections or another group of individuals that get together with Elections Manitoba, are representatives from each political party that from time to time meet with Elections Manitoba, and they have to be given notice.

How would we respond if you had a company or as an individual, if we release someone of the responsibility and we never brought it to their attention or we undercut someone prior to even dealing with the individual that, in essence, we are indirectly saying we are not happy with? I believe that what should have happened is the election returning officer, the Chief Electoral Officer, should have, at the very least, come to this Chamber, either collectively or through LAMC, or through correspondence of some nature, expressing the concern that individual members would be provided the opportunity to express the concerns that they have that there needs to be some sort of a communication link. But none of that has happened, to the best of my knowledge.

I recognize that there were some weaknesses within the legislation that did not allow the Chief Electoral Officer to have some of the powers that would have been beneficial for doing a thorough investigation. But I believe it was Tuesday night when we were in committee that I had asked the electoral officer whether or not he was going to be revisiting this issue. It was

indicated to me that, in fact, they are going to be looking at it, not because there was a specific request from a political party, but that particular office determined that it was necessary to revisit that issue because it was calling into question the integrity of Elections Manitoba office. That was the essence of the discussion that I had. I thought that was a positive thing.

Well, I would have thought that would have been enough in itself, that if Elections Manitoba felt that it needed to be empowered in different ways in order to accomplish a thorough investigation, I would have been supportive of that. So, when the government came up with the resolution that empowered, that gave it more abilities, I think that was somewhat of a positive move forward.

When I first had heard that there was going to be a commission, I did not know that it was going to be the Chief Electoral Officer that was going to be heading that commission. I had thought it was going to be, as the official opposition was calling for, some sort of a judicial independent commission. Well, when I first heard that, I was trying to think of how I could criticize the government for crossing the line. When I found out that it was going to be the Chief Electoral Officer who was going to be the commissioner, I was pleased.

Then, in Question Period today, I had no idea that the Chief Electoral Officer was the one who had requested the government to appoint someone else because of a perceived lack of confidence in his office. That is what I was told. As the result of my not being aware of that particular fact, I was very disappointed, and I expressed that in Question Period, that the government would have taken the type of action that it had taken. That is why, in my supplementary question, I wanted to make it very clear that it was the chief electoral office that, in fact, initiated it. I was glad to see that it was the Chief Electoral Officer that initiated it. At least it took the government off the hook.

But, having said that, we have to ask the question: why do we have an outside group investigating what is supposed to be the primary reason of having an independent Elections Manitoba office and its officers dealing with a violation of the Manitoba Elections Act and The Elections Finances Act? Why then do we have

that? If I were the Chief Electoral Officer, I would take that as a vote of nonconfidence, because the responsibility of that office is to ensure impartiality, to ensure that there is no political manipulation.

This time it works to the opposition's favour. It is in the opposition's favour to have a public inquiry, but what if in the future we see an incident where it is the government that sees an opportunity, Madam Speaker. That is the reason why, I believe, that if we are going to err, it is best to err on the side of the importance of the electoral office, the Manitoba Chief Electoral Officer and his or her staff. That is the reason why I believe that ultimately, whatever comes out of this, that it is important that as MLAs, we reinforce our support in that particular office.

Again, I know members of the New Democratic Party are concerned possibly with some of the words that I am saying. I do believe that they have an excellent case here where the government has made significant mistakes. If you follow through on these allegations and if they come true, you know, I think it is corrupt and there is no doubt about that, and I applaud the way in which they are trying to get to the truth. It is just the way in which, in part, by trying to bring the public or the judicial inquiry, they are making many Manitobans reflect very negatively about an institution which is fairly new in Canada, the independence and the strength of that independent office, and there are going to be a good deal of Manitobans that are going to be very disappointed and very curious.

What is going to happen on the boundary distribution now? Elections Manitoba, sometime in the next couple of weeks, are going to be coming out with new boundaries. You know, are there going to be communities, individuals, political parties now that are going to be questioning whether or not those are legitimate? I think that we have, whether intentional or not, we have caused a crisis within Elections—the need for an independent Elections Manitoba office. I think it is our responsibility, as it is our responsibility to ensure that they have proper funds to operate, it is equally our responsibility to ensure that Manitobans have faith in Elections Manitoba, in that office. That is the reason why I am going to be moving an amendment to the amendment.

Now, prior to moving that amendment, I did want, once again, to emphasize, because even though most of the speech that I have given has been a reflection on the importance of Elections Manitoba and its office, it should not take away in any fashion whatsoever the seriousness of the allegations that have been brought forward. I believe that the Premier (Mr. Filmon) himself has been putting his neck on the line by the way in which he has been standing by the individuals who have been tied in through these allegations. If I was an employer and serious allegations had been put on the record, one of the first things I would be doing would be talking to some of those employees. I would be talking to some of those supporters, avid supporters obviously.

It is not 23,000. We are talking about a handful of individuals to seek clarification. Why? Because if the Premier does due diligence on this particular issue, the first thing he should be doing is that if he believes there is any merit to these allegations, these individuals in question have to be replaced. That is critical, and by the Premier's lack of action on this particular issue, he himself is putting at risk a lot more than the potential jobs of some, the potential credibility of some of the volunteers, that go far beyond the names that have come from this Chamber.

\* (1630)

So, Madam Speaker, if we do not sit tomorrow and if I have the opportunity to ask questions in the future, I think the orientation of my future questions would be on two points. One is the need still for Elections Manitoba to come before an LAMC or at least to call an LAMC and let the Chief Electoral Officer decide whether or not to come before the committee and do likewise, or Privileges and Elections. That would be one line of questioning I would use.

The second line of questioning has to be the way in which the government, the Premier, in particular, is standing by the individuals in which the allegations have been levelled. I will tell you the Premier is taking a heck of a chance by doing that because the allegations are not coming from one or two or three people. They are fairly extensive. I do think that there is something there. As I say, there is definitely an aroma there, and when we turn that rock, my best guess is that we are

going to find something below it, and I do not think it is going to be something in which Manitobans are going to be very pleased.

Hopefully, the Premier (Mr. Filmon) will understand the seriousness of the issue that has been raised. But having said that, Madam Speaker, we have to as Legislatures recognize the importance of the office of Elections Manitoba, the Chief Electoral Officer. I think it is incumbent upon all of us to show and demonstrate very clearly that office has the support of each and every member.

So for that reason, I would move, seconded by the member for The Maples (Mr. Kowalski),

THAT the amendment be further amended by adding thereto after the word "Commissioner" the following paragraph:

AND FURTHER THAT this Assembly recognizes that the appointment of another person to the position of Commissioner in no way should reflect negatively on the independence, strength and integrity of Elections Manitoba and its officers.

**Motion presented.**

**Madam Speaker:** The subamendment is in order.

**Mr. Kowalski:** Yes, I will take this opportunity to speak to that subamendment for a few seconds here.

One point that was raised when I spoke earlier was that possibly the returning officer could not investigate something that he had already investigated, and they talked about an interview with Randy McNicol. The difference between a trial, an inquiry and an investigation—I was a homicide detective for a number of years, and there were homicides that we did not solve and were filed, and when new information came forward we reinvestigated, and it was the same officers. We did not start from scratch with two new detectives.

So if there is new information, there is nothing wrong with the same person reinvestigating a matter. I just wanted to make that point.

**Madam Speaker:** Is the House ready for the question?

### Point of Order

**Mr. McCrae:** Madam Speaker, on a point of order, in order to do justice to amendments that come forward now or may come later, in order for honourable members to review such amendments as the one brought forward, it might be expedient that we agree to defer the questions being put on such amendments.

Now, Madam Speaker, I look for your guidance as to whether that is something that can be done because, without adequate reflection, it is very difficult for all honourable members who are responsible in their decision making to pass judgment. I had not had any prior notice of this amendment.

Now, there are other options that I am prepared to listen to, but for the moment I am wondering, if it comes to a decision on an amendment like this, if it is something that can be deferred until perhaps a little later this afternoon.

**Mr. Steve Ashton (Opposition House Leader):** Madam Speaker, I was going to suggest that we dispose of the point of order and that we adjourn debate with the understanding that we will bring it back shortly, and then we could proceed with some bills that could very easily pass through third reading without any debate.

I think the government House leader might be adjourning it.

**Mr. McCrae:** If that is satisfactory to honourable members, reserving the right of the government to recall this matter at any time, Madam Speaker, I would move the adjournment of the debate, on that understanding.

**An Honourable Member:** So you have to move: I move, seconded by—

**Mr. McCrae:** Seconded by the honourable Minister of Family Services (Mrs. Mitchelson).

**Madam Speaker:** It has been moved by the honourable government House leader, seconded by the honourable Minister of Family Services (Mrs. Mitchelson), that debate on the subamendment be now adjourned. Agreed?

**Some Honourable Members:** Agreed.

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

**Mr. McCrae:** Madam Speaker, would you be so kind as to call Bills 29 and 51 for report stage.

\* (1640)

### REPORT STAGE

#### Bill 29—The Statute Law Amendment (Taxation) Act, 1998

**Hon. James McCrae (Government House Leader):** On behalf of the Minister of Finance (Mr. Stefanson), I move, seconded by the honourable Minister of Family Services (Mrs. Mitchelson), that Bill 29, The Statute Law Amendment (Taxation) Act, 1998 (Loi de 1998 modifiant diverses dispositions législatives en matière de fiscalité), reported from the Committee of the Whole, be concurred in.

**Motion agreed to.**

#### Bill 51—The Cooperatives and Consequential Amendments Act

**Hon. James McCrae (Government House Leader):** Madam Speaker, I move, on behalf of the Minister of Consumer and Corporate Affairs (Mr. Radcliffe), seconded by the Attorney General (Mr. Toews), that Bill 51, The Cooperatives and Consequential Amendments Act (Loi sur les coopératives et modifications corrélatives), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**Mr. McCrae:** Madam Speaker, would you call Bill 43, please.

#### Bill 43—The Victims' Rights and Consequential Amendments Act

**Mr. Gord Mackintosh (St. Johns):** Madam Speaker, I move, seconded by the member for Osborne (Ms. McGifford), that Bill 43 (The Victims' Rights and

Consequential Amendments Act; Loi sur les droits des victimes et modifications corrélatives), be amended by striking out Part 5.

**Motion presented.**

**Madam Speaker:** Are you speaking to the amendment?

**Mr. Mackintosh:** It is important, Madam Speaker, that the Assembly and the government have an ability to reconsider its move to do away with the Criminal Injuries Compensation Board and severely curtail the compensation that is currently available to victims of crime in Manitoba.

Section 5 of the bill is that part that deals with compensation for victims of crime, does away with the board, moves into the area of cabinet discretion, the compensation that will be payable to victims of crime and does away with some categories of compensation.

Now, is it not ironic that this is in a piece of legislation entitled The Victims' Rights Act? This part of the bill, in fact, denigrates victims' rights as now currently enjoyed in Manitoba under a victim compensation scheme which has been recognized as providing for benefits above average compared to the other provinces, although we recognize it does not provide for pain and suffering as some other provinces do provide for, but denigrates, as well, a compensation scheme that has developed in this province since 1970.

At that time, Manitoba was one of the first jurisdictions in Canada to implement a victim compensation scheme. What the bill will do is eliminate the death benefit that is the lump sum payment that is available for surviving spouses. That provision is set out in The Workers Compensation Act, by reference from the current Criminal Injuries Compensation Act. There is no reference whatsoever to that benefit in the new bill that is before this House.

Second of all, retraining costs were specifically provided for as a benefit available under The Criminal Injuries Compensation Act. Although the act says that those benefits may be payable, the policy of the board has been to make that mandatory.

The government has, as well, removed from this legislation a clear provision for the maintenance of a child born from a sexual assault. It has taken away the security of benefits as determined under the Criminal Injuries Compensation Board. It has cut the time that applicants have available to apply for benefits in half. It, of course, does away with independent administration and did away under this bill with one level of appeal.

It, of course, moves into the area of cabinet discretion and out of the protection of statute, that is, The Workers Compensation Act, the formula and duration of wage-loss benefits, the formula for dependents' monthly payments, payment of rehabilitation costs, payment of counselling costs, a formula for compensation for permanent impairment, the meaning of words in the act, the criminal offences that give rise to the basis of an application for compensation. What we are very concerned about, Madam Speaker, is it gives to cabinet the ability to cap any or all benefits payable under the scheme, including funeral expenses.

We are aware of where this came from. It came from two sources. Number 1, this government is stingy when it comes to compensation schemes like this. It is stingy when it comes to victims. It does not understand the plight and needs of victims of crime in Manitoba. But it also comes from a report prepared by Prairie Research Associates which spoke to the need for the government to get serious about victim services in this province. One recommendation in there was very interesting because it said to the government that it should start to cap compensation benefits, do away with the death benefit as well, and as well it should cut the time for applying for compensation in half.

Well, Madam Speaker, is it not funny that the one recommendation they moved on immediately was that recommendation? What they moved on immediately was that part of the recommendation which says that people that were not working at the actual day of the crime should not be eligible for benefits. So, in the last session, the Minister of Justice (Mr. Toews) brought in an amendment to do away with that area of compensation, and we were opposed to that. It is interesting to hear the rebuttal of the minister because he has nothing else to say. He creates an argument from nothing saying that this side of the House, he

alleges, was in favour of all the recommendations in that report. He says so, having in front of him our press release when we released, when we leaked that report on victims' rights. What did we say in that report or in that press release? We said the report that we leaked points to the need for the government to rebuild the justice system around the needs of victims instead of the broken promises on victims' assistance and cuts to victim compensation.

We, then, went on to say that we will continue to fight the constant cuts to victim compensation, as indeed we did last session, as we have done continually. Unlike members opposite, we have been consistent in supporting victim compensation, supporting victims of crime in this province, not by talking one thing during an election campaign and coming into the Assembly and, without even telling the Legislature what was in a bill, taking away compensation benefits that victims of crime have had a right to.

Madam Speaker, this is the same government that deindexed benefits back in 1993, that capped psychological counselling in 1996, and by the way, Prairie Research Associates concluded, at that time, to set an arbitrary limit on counselling creates a system that has no sensitivity to the needs of the victim. Then, of course, as I said, went on last session to eliminate the wage benefits for those not working on the actual day of the crime; no understanding by members opposite of how earning capacity by a victim can be affected by a crime.

So, Madam Speaker, it is for that reason that we move this amendment at report stage. We want The Criminal Injuries Compensation Act to remain in force; we want it to remain in force with reference to The Workers Compensation Act and the benefits that are set out there in detail. It is through the legislation in The Workers Compensation Act and the legislation in The Criminal Injuries Compensation Act which provides for a right. Moving all of that scheme into the area of cabinet discretion removes victim compensation as a right. For that reason we ask this Assembly to support the removal of Part 5 from Bill 43.

\* (1650)

**Madam Speaker:** Is the House ready for the question? The question before the House is an amendment to Bill

43, The Victims' Rights and Consequential Amendments Act, that was moved by the honourable member for St. Johns (Mr. Mackintosh), seconded by the honourable member for Osborne (Ms. McGifford), that Bill 43 be amended by striking out Part 5. Is it the will of the House to adopt the motion?

**Some Honourable Members:** Yes.

**Some Honourable Members:** No.

#### Voice Vote

**Madam Speaker:** No? All those in favour of the amendment, please say yea.

**Some Honourable Members:** Yea.

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

**Some Honourable Members:** Nay.

**Madam Speaker:** In my opinion, the Nays have it.

#### Formal Vote

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

**Madam Speaker:** A recorded vote has been requested. Call in the members.

The question before the House is the proposed amendment to Bill 43: That Bill 43 be amended by striking out Part 5.

#### Division

*A RECORDED VOTE was taken, the result being as follows:*

#### Yeas

*Ashton, Barrett, Dewar, Doer, Evans (Brandon East), Evans (Interlake), Friesen, Gaudry, Hickes, Jennissen, Kowalski, Lamoureux, Mackintosh, Martindale, McGifford, Mihychuk, Reid, Sale, Santos, Struthers, Wowchuk.*

### Nays

*Cummings, Derkach, Downey, Driedger (Charleswood), Driedger (Steinbach), Dyck, Enns, Faurschou, Filmon, Findlay, Helwer, Laurendeau, McAlpine, McCrae, McIntosh, Mitchelson, Newman, Penner, Pitura, Praznik, Radcliffe, Reimer, Render, Rocan, Stefanson, Sveinson, Toews, Tweed.*

**Madam Deputy Clerk (Bev Bosiak):** Yeas 21, Nays 28.

**Madam Speaker:** The amendment is accordingly defeated.

\* (1700)

**Hon. James McCrae (Government House Leader):** Madam Speaker, on behalf of the Attorney General (Mr. Toews), I move, seconded by the Minister of Highways and Transportation (Mr. Findlay), that Bill 43, The Victims' Rights and Consequential Amendments Act (Loi sur les droits des victimes et modifications corrélatives), as amended and reported—[interjection]

Before I move that motion, I wonder if there is leave to waive private members' hour, so that we might expedite the business of the House.

**Madam Speaker:** Is there leave to waive private members' hour? [agreed]

**Mr. McCrae:** —as amended and reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**Mr. Mackintosh:** On the motion.

**Madam Speaker:** Do you wish to speak on the motion?

**Mr. Mackintosh:** I just want it recorded that the other four amendments were not moved because they were incidental to the amendment that was voted on by the—

**Madam Speaker:** Order, please. It is report stage, and the debate occurs on actual third reading. This is just report stage.

**Mr. McCrae:** Madam Speaker, did I ask you to call Bill 36? Would you mind calling Bill 36?

### DEBATE ON THIRD READINGS

#### Bill 36—The City of Winnipeg Amendment and Consequential Amendments Act

**Madam Speaker:** Adjourned debate on third reading, on the proposed motion of the honourable Minister of Urban Affairs and Housing (Mr. Reimer), Bill 36, The City of Winnipeg Amendment and Consequential Amendments Act (Loi modifiant la Loi sur la Ville de Winnipeg et modifications corrélatives), standing in the name of the honourable member for Transcona (Mr. Reid) who has 22 minutes remaining.

**Mr. Daryl Reid (Transcona):** When I last left off talking about Bill 36, the amendment to The City of Winnipeg Act, I was referencing the proceedings that happened in committee and the public hearings that we had at that time about Bill 36 and what the presenters in committee were telling members of the committee. Of course, I referenced the fact that there was one presenter that came forward that said that everybody else that presented at that committee, their opinion should not count and that they were all vested or special interest groups, as that one presenter referenced.

Madam Speaker, it was interesting to note, as I had said last time, that that particular presenter himself who made that comment was also a representative of a special interest group, being a part of the Chamber of Commerce and, nevertheless, decided they would make those comments about the other presenters in a way to try and discredit them. That was unfortunate, and I again thank the member for The Maples (Mr. Kowalski) for raising that matter in committee at the time.

In addition, Madam Speaker, only this government would bring forward a bill that would give an elected representative two votes and then have to backtrack on that issue after presenter after presenter came forward and said that that was the wrong move to make. It was only the—I believe it was the representatives from the Canadian Federation of Independent Business and representatives from the Chamber of Commerce in addition to Mayor Thompson herself that said that the



mayor should have two votes and that every other councillor duly elected should have only one vote. So it is interesting to see how this government, who they were listening to on this, and obviously it was not the public on Bill 36.

Madam Speaker, there were also problems, there were other concerns that were raised with respect to Bill 36 that presenters pointed out to the minister of municipal affairs. The minister chose not to listen to those presenters and has instead gone forward with the rest of Bill 36, which is I think unfortunate in that, as one presenter called this, a constitutional document and that this government is now changing that constitutional document without consulting with the people of Winnipeg since they are the people directly affected.

Here we go again, another agreement struck behind closed doors through a report that was commissioned by the City of Winnipeg and a report that was done by an individual who had no background and no history of any type of hearings in this process, in fact had absolutely no experience from what we can determine, as the presenters indicated, and had no major experience or no experience in dealing with matters involving cities of Winnipeg's size or larger. So this is a political document, report that came forward to the City Council. The City Council did not ask the residents of Winnipeg to comment on it in any way by public forum and instead chose to ram this through City Council and then, of course, asked the minister and the government to bring forward legislation.

I think this is the wrong step the government has taken. They should have put this out to public hearings in our city and given the residents of Winnipeg the opportunity to comment on Bill 36, but the government is choosing not to listen to the residents of Winnipeg and not to give them the opportunity to comment on Bill 36.

Madam Speaker, they will no doubt—the residents have their ability to comment on this government's actions in Bill 36 the next provincial general election, and I hope they will take the opportunity to tell the government very clearly what they think of Bill 36.

I believe I will be the last speaker on Bill 36, and since we have had the opportunity to listen to not only

the public but other members of this Chamber on second readings and in committee, we are prepared to vote on this Bill 36 in third reading.

**Madam Speaker:** Is the House ready for the question? The question before the House is third reading of Bill 36, The City of Winnipeg Amendment and Consequential Amendments Act. Is it the will of the House to adopt the motion?

**Some Honourable Members:** No.

**Some Honourable Members:** Yes.

#### Voice Vote

**Madam Speaker:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

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

**Some Honourable Members:** Nay.

**Madam Speaker:** In my opinion, the Yeas have it.

#### Formal Vote

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

**Madam Speaker:** A recorded vote has been requested. Call in the members.

Order, please. The question before the House is third reading, Bill 36.

#### Division

*A RECORDED VOTE was taken, the result being as follows:*

#### Yeas

*Cummings, Derkach, Downey, Driedger (Charleswood), Driedger (Steinbach), Dyck, Enns, Faurichou, Filmon, Findlay, Gaudry, Helwer, Laurendeau, McAlpine, McCrae, McIntosh,*

*Mitchelson, Newman, Penner, Pitura, Praznik, Radcliffe, Reimer, Render, Rocan, Stefanson, Sveinson, Toews, Tweed.*

### Nays

*Ashton, Barrett, Chomiak, Dewar, Doer, Evans (Brandon East), Evans (Interlake), Hickes, Jennissen, Kowalski, Lamoureux, Mackintosh, Martindale, McGifford, Mihychuk, Reid, Sale, Santos, Struthers, Wowchuk.*

**Madam Deputy Clerk (Bev Bosiak):** Yeas 29, Nays 20.

**Madam Speaker:** The motion is accordingly carried.

\* (1710)

### THIRD READINGS

**Hon. James McCrae (Government House Leader):** Bill 57, Madam Speaker.

**Madam Speaker:** To resume adjourned debate on third reading, on the proposed motion of the honourable Minister of Agriculture (Mr. Enns), Bill 37, The Farm Machinery—

**Mr. McCrae:** Sorry, Madam Speaker, Bill 57.

**Madam Speaker:** Third reading, Bill 57, The Regional Health Authorities Amendment Act. The honourable member for Kildonan.

### House Business

**Mr. McCrae:** On a matter of House business, Madam Speaker, there is a fair bit of work yet to be done today. In order to expedite the doing of that work, I wonder if we might have the indulgence of the House not to see the clock at six o'clock and allow the House to carry on at that time with a view to getting more work done around here.

**Madam Speaker:** Is it the will of the House for the Speaker not to see the clock at 6 p.m.? [agreed]

**Mr. Dave Chomiak (Kildonan):** Madam Speaker—

### Point of Order

**Mr. McCrae:** Madam Speaker, on a point of order. I am getting to know the honourable member for Kildonan quite well. Having been the victim of his criticism for some three and a half years, I know that he is somewhat like some of the horses at the line-up when they want to run before the bell even goes. That is the honourable member for Kildonan. But I am going to ask him to wait until we move the motion before he starts holding forth.

### Bill 57—The Regional Health Authorities Amendment Act

**Hon. James McCrae (Government House Leader):** Madam Speaker, I move, seconded by the honourable Minister of Industry, Trade and Tourism (Mr. Downey), that Bill 57, The Regional Health Authorities Amendment Act (Loi modifiant la Loi sur les offices régionaux de la santé), be now read a third time and passed.

### Motion presented.

**Mr. Dave Chomiak (Kildonan):** Madam Speaker, I would like to thank the honourable member for those comments, and I want him to know that my comment on this bill will be “nay.” [interjection] He can read it in Hansard.

**An Honourable Member:** Yes, but how is Hansard going to spell it? Neigh or nay?

**Mr. Chomiak:** I do not know.

I can indicate that, to the best of my knowledge, I will be the last speaker from our side of the House with respect to this particular bill. We have chosen on our side, in this caucus, to oppose this particular bill. If we were not opposed to this bill in principle, we certainly would be opposed to this bill because of the form, the style and the fashion by which the government has brought in this particular amendment.

When the original regional health authorities bill was brought into the Legislature, and despite the fact that almost unanimous consensus and the unanimous opinion of those who presented The Regional Health

Authorities Act was for the government to go slow to implement its regionalization in a more reasoned fashion, despite that, the government passed its regionalization plan. At the time, the premise upon which the plan was passed was that there would be choice amongst institutions and there would be choice amongst organizations on determining the future of their particular course of action.

In addition, the government was given warnings about what the effect their regionalization plan would have on that large group of individuals and that large body that basically keeps the system going in Manitoba, and I am talking about the volunteer sector. Despite all of that, the government put through the legislation.

Despite the promises made by the government, one of the first actions taken by the government was to basically—and I do not want to use the strong word “blackmail,” but I am looking for another word that will capture the essence of it. “Coercion” is perhaps too strong a word. Shall we say strong-arm tactics on the part of the government. Institutions were told you no longer had choice, which was the premise upon which the bill was passed, but you had to become part of the regionalization plan. If you did not become part of the regionalization plan, the government was going to withhold funding to pay off your debt.

Madam Speaker, the bill was passed on one premise and the recognition and the actual carrying out of the process was done in an entirely different fashion, and if it was not bad enough that that happened, the government, without any prior prodding or any prior knowledge, brought in the regionalization of Winnipeg. Without public hearings, without knowledge, they regionalized Winnipeg, and whether or not one agrees with the concept of regionalization, one must find distasteful the fact that a government completely changed the method of dealing with the entire health care sector in Winnipeg and indeed in Manitoba, but certainly in Winnipeg, without any prior notice or prior knowledge.

Again, they brought it in by virtue of an amendment to the previous act that had not even been considered during the course of debate. What makes it even more distasteful is we had asked during the course of debate whether Winnipeg would be considered and the

government was noncommittal, but as soon as they got their legislation through, they brought in an amendment. There were no public hearings and by virtue of government edict, Winnipeg was regionalized.

And what was one of the first orders of business that occurred as a result of the regionalization of health care in Winnipeg? Was it a discussion with those involved in the system? Were there public hearings held? Was there any attempt to create a dialogue? No, as we have said many times in health care, it is a monologue disguised as a dialogue. In fact, it was worse than that. It was an edict. This is what we are going to do. And again, the government took the same measures and the same steps that they did with the regional health authorities outside of Winnipeg. The government wrote, and it was not even an official of the department. It was the chief administrator of health care in Manitoba. The Deputy Minister of Health wrote to the hospitals and said you will come aboard or your debt will not be paid, and further the deputy minister wrote, you will take part in our frozen food plan or your debt will not be paid.

\* (1720)

Now, that is an interesting adjunct. You know, the government likes it to be made known that this frozen food plan was not the government's plan. This was the hospitals' plan. That is what they argue out there. They sent out leaflets by the thousands saying it was the hospitals' plan. Is it not curious, Madam Speaker, that the Deputy Minister of Health had to write to the hospitals and say as part of the conditions of having your debt paid you must take part in the government's frozen food plan. Does that not strike you as somewhat curious? It is very curious. The government says it is the hospitals' plan, and then the government says to the hospitals, by the way, if you do not take part in this plan that is supposedly your plan, we are not paying your debt.

But, Madam Speaker, I diverge a bit from my topic of discussion. In that same letter, the deputy minister, the chief administrator of health in the province of Manitoba told the hospitals, you either become part of the regional plan or else your debt is not paid. So pardon us for being somewhat suspicious and somewhat suspect of the government's motivation and the

government's intention with regard to this bill and with regard to the measures under this bill.

This bill and the measures taken has a long and sorry history in this province with respect to negotiations between the faith institutions and the government. There was one agreement; there was a backtracking on the agreement. There was another agreement and you know, it is interesting, the government had an agreement, they brought through an amendment to The Regional Health Authority Act. I will give the minister credit for bringing in a new agreement. I have given him credit for that, an agreement to protect some authority and some power under the faith institutions but it is interesting, if this bill was so well thought out, if the government's intentions were so well thought out, why was that amendment was not included in the original amendment that came through.

We had to go through, again, a process where I am sure the phone lines were burnt up, where the Knights of Columbus had to come out and pass resolutions, where there had to be church bulletins demanding that the government take action, where there had to be church bulletins demanding that the Minister of Health do something, and subsequently the government brought through amendment, not an amendment that satisfied or met the requirements that the government originally promised, but an amendment nonetheless.

But let me continue this sorry tale of this piece of legislation and the reason that we really question the government's motivation on this particular piece of legislation. The minister called in all of the bureaucrats, had a major press announcement, announced the plan for the hospitals in Winnipeg—major PR effort. No expense was spared to announce the PR plan for the hospitals in Winnipeg.

Now, that occurred, and subsequent to that, when the minister made it very clear that this was the plan and this is where they were going, the minister was forced to bring in legislation that allows the minister unilaterally to impose whatever the minister chooses on the institutions in Manitoba. The minister says that is fine and that is great, and I am sure the minister is going to argue that is because the institutions are funded 100 percent from the province, although the minister does not make the same argument when some

of that funding goes to private institutions—oh, no, then it is a bit of a different argument, but I diverge, Madam Speaker.

To return to the case in point, the minister, the day after they had the public announcement, the government made these major announcements about the plans and the future of health care in Winnipeg and to a certain extent in Manitoba, the minister brought in an amendment to give him the unilateral power to impose whatever the minister wanted.

Now, take a step back, Madam Speaker. They announced the act, Bill 49. They say the hospitals will have a choice. Then they force the institutions to go on with the threat of having their funding cut off, and then they are forced to put in a bill that gives them the final say. Does that not suggest that perhaps there is a bit of a credibility problem on the part of the government, there is a bit of a questioning of the government motivation, there is a bit of doubt about the government's initiatives in this regard? I suggest to you that is, in fact, the case that there is a good deal of questioning the government's motivation, the government's intent and the government's future of managing. Why should there not be?

It would be one thing if the government had managed health care in an adequate fashion in this province, but there is no doubt that health care has been so badly managed through three Health ministers that the confidence of Manitobans in health care is as low as it has ever been, and I dare say lower than most places in the entire country. Confidence in the health care system in Manitoba is at an all-time low. Confidence in this government's ability to deliver health care in Manitoba is at an all-time low. Madam Speaker, to what does one attribute that? Does one attribute that to opposition attacks in the Legislature? I do not think so. I think it is attributed to the fact that Manitobans' contact with the health care system has suggested and has clearly demonstrated to them that this government cannot manage health care.

So I ask you: why should we want to give complete, unfettered discretion and powers to this government to impose whatever it has wanted when this government has been in power for 10 years, and they have literally made a mess of health care in the province of

Manitoba? Why should we give these powers to this government to continue doing what they have done for 10 years? Why should we allow them to do that? So, on principle alone, we would not give this government the power or the ability to do that.

Now, I recognize that we give them the spending power, Madam Speaker, and we try to address it. We can give you countless examples of wastage of that spending power. We have the longest waiting lists in the country, and the government's priority is to bring in frozen food. We have the longest waiting lists for surgeries in the country, and the government is going to give us the most Cadillac-version computer system in the entire world, and it does not even meet today the expectations the government promised for that computer system three years ago. In fact, it is nowhere near where we are supposed to be, and they are back-tracking on that. The only thing they are not back-tracking on with respect to the computer system is how much money we are paying for the computer system—over a hundred million dollars.

Everything else has been downsized. The expectations are downsized; the results are downsized; the deliverables are downsized. The only thing that is not downsized is how much we are paying for that computer system. So, while we have a chance to question spending here, we do not have a chance to question some of the government's disastrous decisions that they have made in health care and they continue to make on a daily basis.

We started this session last fall. We told this government we had the longest waiting lists in the country last fall. We are now in June, soon to be July, 1998. We still have some of the longest waiting lists in the country. We have got some announcements from the government, and we have had a few measures. The government says do not worry, things are going to get better. Well, I want to tell you, Madam Speaker, we have been hearing that in this Chamber year after year and month after month: do not worry, things are getting better.

Thank heavens that we are facing an election within a year, because that seems to be the only thing that motivates this government to make change. The fact that we are going into an election within a year is of

some benefit to this province, because it is going to force the government to do some of the things as they did in 1995, although most of the promises made in 1995 they turned their back on and did not deliver. It is going to force us and force the government to make some announcements and have some real initiatives and put some measures in place. So thank heavens we are facing an election, and many people say that to us.

Madam Speaker, you will note from this session we had here, we started off this session in November outlining dozens and dozens of cases to the government of horrendous waiting lists, and we are ending off—last Thursday, we outlined dozens and dozens of cases and the government's inability to deal with the problem. So they say to us give us more power; give us the mandate to do whatever we want to do anytime. Is it any wonder that we are a bit suspicious about the motivations and about the ability of this government to deliver on health care? Do we have any choice but to vote against giving those extraordinary powers to a government that has demonstrated day after day, month after month, year after year that they cannot manage health care in this province?

I say, no, Madam Speaker, and I say we are not going to vote to give them those kinds of powers. We do not trust them, and a vast majority of Manitobans do not trust them either. So we question significantly the motivation of the government and the ability of the government to deliver.

\* (1730)

But, Madam Speaker, there are some good things in this bill. I accept the fact that programs will have to be put in place, operating agreements will have to be put in place, and I recognize the fact that a process is put in place for resolving difficulties. We recognize the process is being put in place, and we welcome the fact that a process is being put in place and is defined in legislation. So that is all positive. We recognize the fact the minister brought in a faith-based kind of amendment.

There are still major problems with the bill. I have already outlined our problems with understanding the government's motivation and why the government did it and our distrust of the government. I am still not

convinced about the nature of the provision in this act that gives the government extraordinary powers to supersede the legislation, to supersede private acts, to supersede the by-laws, to supersede The Corporations Act, to supersede the basis and the nature of almost every single legal right given to institutions.

I do not believe that that particular provision is unprecedented. I think it is unprecedented, Madam Speaker. Indeed, during the fight when the government wanted to close Seven Oaks Hospital, if they had had this power, if they had had the power at the time, they could have closed Seven Oaks Hospital and there would have been nothing we could have done, because we always had the right and responsibility under the private act. We always had the right and some legislative power that it derived to the shareholders and to the board of directors at Seven Oaks that derived under the private act.

Had this legislation been in place during the Seven Oaks when they attempted to shut down Seven Oaks, Seven Oaks could very well have been shut down today. The government wanted to, but the public was able to rally, the public was able to convince the government that it was a bad decision, and we were able to convince the government that it was the wrong decision to close Seven Oaks. Still on a daily basis people in my community are certainly cognizant of that fact; but, had this bill been in effect, the government could have gone in and simply shut it down. They could have superseded the act, and they could have simply wiped it out.

I dare say we are giving this power to the government now, Madam Speaker. Indeed, if you look at the way that they are closing Misericordia Hospital, this government is closing the hospital. Now they tie it up in all kinds of PR to say, oh, we are converting, and we have got the authority. We have got the authority from the board the night before we announced it.

When we announced it in this Chamber two weeks earlier, they denied it, and when we had a press—I should not say in this Chamber, but we had a press conference and the minister said, oh, no, no, no, we are still talking, we are still talking. Two weeks later they had an announcement; they had a meeting with the board; and, lo and behold, Misericordia Hospital is being closed.

This government is closing a hospital. This government that criticized us time and time again about Saskatchewan, this government that time and time again stood up and said they are closing 52 hospitals in Saskatchewan, which was not true, is closing Misericordia Hospital. They are closing it, Madam Speaker. They do not have the political honesty to stand up and say they are doing that. They are saying—oh, I do not know what they are saying now. I do not know what the latest is now. I suppose they are going to work their way through, but they are closing that hospital. Had this bill been in effect, you can be sure that Seven Oaks Hospital would have been closed as well, because that is what they wanted to do.

Madam Speaker, they have unprecedented powers in this bill. It is a great irony. On the one hand they talk about giving power to—getting government out of people and giving power to the City of Winnipeg. They make the argument that The City of Winnipeg Act, that they want to take the Legislature out of the responsibility for the City of Winnipeg. That is why they are giving the City of Winnipeg these powers. They made that argument over and over again. We do not want the provincial government playing Big Brother, but then they play the biggest brother of all imaginable, giving the Minister of Health unprecedented powers in the province of Manitoba to do whatever the Minister of Health chooses to do in health care.

Now, there is not only contradiction and irony, but it does say something about—and I am fearful, I do not want to give people that have done a lousy job for 10 years of running health care more power. I am sorry. I have given up. I gave up in 1995 when you made all your announcements about what you were going to do in health care. When the government made all its announcements, well, we believed it. When you went out and you campaigned, we even said that these were only promises. We tried to tell the public do not put trust in these people. They did, and they re-elected them. The government did exactly what we said they would do; they backtracked on all those promises.

One of the reasons we are in such a mess we are today is because the government backtracked. But they are saying, oh, forget that; that is then, and this is now. Well, there is a bit of a track record here. There is a bit

of a track record we are dealing with. There is a history here. The history has not been good.

So you are asking us in this bill, the government is asking us in this bill to give them the power to do whatever they want on a bill that they have been so—they have changed position. They have moved it around. Do not forget, this is an amendment of an amendment of an amendment. The original Bill 49, they said one thing; then they amended it again. Now, we are amending and amending and amending, which brings me back to the hearings that took place in the first place when it was said almost unanimously by the public to the government, go slower on this. Watch what you are doing. Your New Zealand model that you are following has collapsed, and you are following the New Zealand model. Do not step into the same path and the same difficulty. But, no, they went ahead and now we have an amendment of an amendment of an amendment. We have the irony of this government giving the Minister of Health unprecedented powers in Manitoba to do as the minister sees fit and to impose by edict whatever the Minister of Health decides.

It would be one thing if the government had a positive track record, but it is another thing. Not only has the government not, shall we say, been exemplary in its dealing with health care, but the government has managed to alienate every single group involved in health care. If it is not the nurses one week, it is the doctors the next week. It is the health care workers; it is the lab workers; it is the CEOs. The minister chooses to attack CEOs of hospitals. It is the board of directors of hospitals. Everybody is wrong. Everyone seems to be wrong in health care except the government which is bringing in a bill that allows the minister to do whatever he wants. Does that not suggest that they think that they are right all the time? Indeed, if you look at the track record, good heavens, if anything that the government has learned, it has been that most of their decisions have been wrong. Most of their decisions have amounted to making the situation far, far worse in the province of Manitoba.

So, Madam Speaker, this bill is not in isolation. This bill, which offers unprecedented powers to the Minister of Health, is in the context of a health care system that has been badly managed for years. It is in the context of a bill that promised one thing, and, as soon as the bill

had passed, the government said something entirely opposite.

It is a bill that has been amended several times. It has been a bill where the government has not gone to the public, has not asked for their viewpoints, but has imposed it. The government tried to slip it through this Legislature. The bill came about after the government announced what the plans were for the hospitals in Winnipeg. It is a bill that contradicts the faith agreements.

It is a bill that is an amendment of an amendment of an amendment that has an amendment on the faith agreement that has been revised twice. Those amendments on faith do not even offer the same comfort and the same powers that were offered in the original faith agreement, that betray the government's commitment, that do not go far enough, that have caused churches to ask their parishioners to write to the Minister of Health, that has caused organizations to ask that people write to the Minister of Health.

So, Madam Speaker, is it any wonder that we are opposed to this bill? Any dutiful opposition could not pass this piece of legislation, given the history of health care, given the context of this bill, given the unprecedented powers and authority that derives to the Minister of Health. Amendments could have been put through that did not give the minister extraordinary powers. Amendments could have been put through that put into legislation the agreement the minister and the Premier (Mr. Filmon) had entered into with regard to the faith institutions. Amendments could have been put through that did not provide for the government to have extraordinary powers to supersede The Corporations Act, to supersede the private acts of those institutions, to supersede by-laws.

\* (1740)

We are setting a precedent in this Chamber that as far as I know is unprecedented, that treads on the rights of other individuals and people. Whether you agree with whether or not there should be private acts or not, this piece of legislation treads on those rights and sets precedents.

This is a bill that is a bad bill, and we, in good conscience, on this side of the House, cannot support

this bill. We will not support this bill. We do not believe in this bill. We do not believe what health care says. Madam Speaker, we will not support this bill, and we look forward to an opportunity to put in place a health care system in this province that deals with people that belong in the health care field, with people that work in the health care field, with people that offer advice, and not to provide extraordinary powers to a government that has squandered those powers and created an unprecedented lack of confidence in the health care system, where every group does not trust the government in the health care system, where the government cannot function in the health care system because of its extraordinary lack of confidence.

We cannot support this bill, and we oppose the government's efforts in health care, because it has amounted to nothing short of the longest waiting lists in the country and one of the poorest managed health care systems in the country. Thank you, Madam Speaker.

**Madam Speaker:** Is the House ready for the question? The question before the House is third reading, Bill 57, The Regional Health Authorities Amendment Act. Is it the will of the House to adopt the motion?

**Some Honourable Members:** Yes.

**Some Honourable Members:** No.

#### Voice Vote

**Madam Speaker:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

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

**Some Honourable Members:** Nay.

**Madam Speaker:** In my opinion, the Yeas have it.

#### Formal Vote

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

**Madam Speaker:** A recorded vote has been requested. Call in the members.

#### Division

*A RECORDED VOTE was taken, the result being as follows:*

#### Yeas

*Cummings, Derkach, Downey, Driedger (Charleswood), Driedger (Steinbach), Dyck, Enns, Faurichou, Filmon, Findlay, Helwer, Laurendeau, McAlpine, McCrae, McIntosh, Mitchelson, Newman, Penner, Pitura, Praznik, Radcliffe, Reimer, Render, Rocan, Stefanson, Sveinson, Toews, Tweed.*

#### Nays

*Ashton, Barrett, Chomiak, Dewar, Doer, Evans (Brandon East), Evans (Interlake), Friesen, Gaudry, Hickes, Jennissen, Kowalski, Lamoureux, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Reid, Robinson, Sale, Santos, Struthers, Wowchuk.*

**Madam Deputy Clerk (Bev Bosiak):** Yeas 28, Nays 24.

**Madam Speaker:** The motion is accordingly carried.

**Mr. McCrae:** Madam Speaker, would you call bills as listed for debate on third readings on page 2 and then proceed with the third reading bills listed on page 3.

### DEBATE ON THIRD READINGS

#### Bill 14—The Executions Amendment Act

**Madam Speaker:** To resume adjourned debate on third reading, on the proposed motion of the honourable Minister of Justice (Mr. Toews), Bill 14, The Executions Amendment Act (Loi modifiant la Loi sur l'exécution des jugements), standing in the name of the honourable member for Burrows (Mr. Martindale). Is there leave to permit the bill to remain standing?

**An Honourable Member:** No.

**Madam Speaker:** Leave has been denied.

**Mr. Gord Mackintosh (St. Johns):** Madam Speaker, just to reiterate our concerns from second reading, and



we invite the minister now to put on record in answer to those concerns, and that is, given that the minister has seen fit not to put in legislation protection when money can now be seized and is seized, what protection and what checks and balances is the minister going to implement at an administrative level to ensure that money seized by sheriff's officers or other persons will be subject to checks and balances to make sure that the money is not misappropriated in any way?

**Madam Speaker:** Is the House ready for the question? The question before the House is third reading, Bill 14, The Executions Amendment Act. Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Madam Speaker:** Agreed? Agreed and so ordered.

#### **Bill 22—The Veterinary Services Amendment Act**

**Madam Speaker:** To resume adjourned debate on third reading, on the proposed motion of the honourable Minister of Agriculture (Mr. Enns), Bill 22, The Veterinary Services Amendment Act (Loi modifiant la Loi sur les soins vétérinaires), standing in the name of the honourable member for Thompson (Mr. Ashton).

**Mr. Steve Ashton (Thompson):** We are ready to pass this.

**Madam Speaker:** Is the House ready for the question? The question before the House is third reading, Bill 22, The Veterinary Services Amendment Act. Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Madam Speaker:** Agreed? Agreed and so ordered.

\* (1750)

#### **Bill 24—The Crop Insurance Amendment Act**

**Madam Speaker:** To resume adjourned debate on third reading on the proposed motion of the honourable Minister of Agriculture (Mr. Enns), Bill 24, The Crop Insurance Amendment Act (Loi modifiant la Loi sur

l'assurance-récolte), standing in the name of the honourable member for Transcona (Mr. Reid).

**Mr. Daryl Reid (Transcona):** Madam Speaker, my colleagues have put our comments on the record with respect to this bill, and we are prepared to vote on it now.

**Madam Speaker:** Is the House ready for the question? The question before the House is third reading, Bill 24. Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Madam Speaker:** Agreed? Agreed and so ordered.

#### **Bill 37—The Farm Machinery and Equipment and Consequential Amendments Act**

**Madam Speaker:** To resume adjourned debate on third reading, on the proposed motion of the honourable Minister of Agriculture (Mr. Enns), Bill 37, The Farm Machinery and Equipment and Consequential Amendments Act (Loi sur les machines et le matériel agricoles et modifications corrélatives), standing in the name of the honourable member for Dauphin (Mr. Struthers). Is there leave to permit the bill to remain standing?

**Some Honourable Members:** No.

**Madam Speaker:** No? Leave has been denied.

Is the House ready for the question? The question before the House is third reading, Bill 37. Is it the will of the House to adopt the motion?

**Some Honourable Members:** No.

**Some Honourable Members:** Yes.

#### **Voice Vote**

**Madam Speaker:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

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

**Some Honourable Members:** Nay.

**Madam Speaker:** In my opinion, the Yeas have it.

**An Honourable Member:** On division.

**Madam Speaker:** On division.

#### **Bill 41—The Life Leases and Consequential Amendments Act**

**Madam Speaker:** To resume adjourned debate on third reading, on the proposed motion of the honourable Minister of Consumer and Corporate Affairs (Mr. Radcliffe), Bill 41, The Life Leases and Consequential Amendments Act (Loi sur les baux viagers et modifications corrélatives), standing in the name of the honourable member for Transcona (Mr. Reid).

**Mr. Daryl Reid (Transcona):** Madam Speaker, I have had a chance on several occasions to add my comments about the life-leases concept and some shortcomings within the current legislation, and I will let those comments stand at this time. We are prepared to vote on the bill.

**Madam Speaker:** Is the House ready for the question? The question before the House is third reading, Bill 41, The Life Leases and Consequential Amendments Act. Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Madam Speaker:** Agreed? Agreed and so ordered.

### **THIRD READINGS**

#### **Bill 26—The Teachers' Society Amendment Act**

**Hon. James McCrae (Government House Leader):** Madam Speaker, I move, seconded by the Minister of Industry, Trade and Tourism (Mr. Downey), that Bill 26, The Teachers' Society Amendment Act (Loi modifiant la Loi sur l'Association des enseignants du Manitoba), be now read a third time and passed.

**Motion agreed to.**

#### **Bill 28—The Employment Standards Code and Consequential Amendments**

**Hon. James McCrae (Government House Leader):** Madam Speaker, I move, seconded by the Minister of Family Services (Mrs. Mitchelson), that Bill 28, The Employment Standards Code and Consequential Amendments (Code des normes d'emploi et modifications corrélatives), be now read a third time and passed.

**Motion presented.**

**Mr. Daryl Reid (Transcona):** Madam Speaker, while we were debating Bill 28 in this Legislature and going through the committee hearing process, I was unaware of a situation that is apparently occurring in this province that has just come to my attention in the last week.

It has been drawn to my attention that because we are talking about changes to The Employment Standards Code in this province, information that has come to my attention indicates that in this province, where you have children working, and I will reference particularly the film industry that is occurring in our province, there are no regulations in place in this province to regulate how those children are employed with respect to that particular industry. Since it has just come to my attention, I think it is important that we want to make sure that our children who are involved in these activities that their parents are first involved and made aware that there are permits required for these children to be involved. In this particular case, this did not happen.

In addition to that, Madam Speaker, there are no regulations, from what I understand, dealing with the employment of those children in the film industry. Perhaps the government needs to take a look at The Employment Standards Act and incorporate some type of regulation. If I can reference for the government's attention, perhaps they would want to look at the government of British Columbia, who I understand has extensive regulations in dealing with this matter, since British Columbia does have a flourishing film industry. Perhaps this government would do wise to look at the example set by the province of British Columbia with respect to regulations of the film industry.

So, Madam Speaker, I draw this to the minister's attention, to the government's attention in hope that you will look at those regulations and implementing them in a very short period of time. Thank you.

**Madam Speaker:** Is the House ready for the question? The question before the House is third reading, Bill 28, The Employment Standards Code and Consequential Amendments. Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Madam Speaker:** Agreed? Agreed and so ordered.

### **Bill 39—The Highway Traffic Amendment Act (2)**

**Hon. James McCrae (Government House Leader):** Madam Speaker, I move, seconded by the honourable Minister of Natural Resources (Mr. Cummings), that Bill 39, The Highway Traffic Amendment Act (2) (Loi no 2 modifiant le Code de a route), be now read a third time and passed.

### **Motion presented.**

**Mr. George Hickes (Point Douglas):** I just want to put a few comments on record. The community that I represent have had various meetings and have worked very hard to try and remove prostitution from the community and from the area, because a lot of times what happens is children walking to and from school or just out to the corner grocery store or just out playing are approached by individuals.

If you look at the history, there are some children as young as eight years old that are involved in child prostitution. I think that is very sad to see that. So whatever measures that we as legislators have to take, we should be prepared to take that step to try and eliminate child prostitution from our neighbourhoods, from our communities.

A lot of the children that are put into these situations are very vulnerable, and they need help and assistance from governments. When you have individuals, grown men in most cases, that are out there soliciting child prostitutes as young as eight years old, I have no sympathy for those individuals. Those are our children

and the children of our community that the individuals are taking advantage of.

If it means taking away a vehicle, if it means taking away drivers' licences, whatever the measures, I feel are not harsh enough when we deal with individuals that prey on children as young as eight years old. I think we have to get tough, we have to get serious, and we have to try and eliminate what to me is a very serious crime against our youth, because children as young as eight years old are not really given a chance to enjoy their childhood and to grow into adulthood when they are sometimes forced into these situations.

So I was hoping that the government would have at least taken seriously and adopted the amendments that my colleague the critic for Justice brought forward about seizing drivers' licences, because sometimes that is a way of getting people to really seriously think about what they are doing and hopefully will curb those kind of negative activities that are really, really hurting our children.

With those few words, I am disappointed that the government did not take those measures, and we will continue to try and bring helpful resolutions to make a better place for the children of our community and the children of our province.

\* (1800)

**Madam Speaker:** The honourable Minister of Justice, to close debate.

**Hon. Vic Toews (Minister of Justice and Attorney General):** I do not anticipate any other comments from the other side, but I certainly would be willing to allow anyone else to speak before me.

I do have a few comments to make. I am very proud of this particular bill. It is certainly a first in Canada, indeed, in North America. I know that in some of the other jurisdictions in the United States, they approach this on a criminal law basis. Unfortunately, we do not have the criminal law power that the American states do to address this kind of a situation.

The particular act that we have drafted is designed to ensure administrative simplicity to be most effective to

deal with matters within the jurisdiction of the Legislature of Manitoba. I do want to also put on the record that I commend the federal government for finally moving in this area. There are some new amendments to the Criminal Code that especially will be helpful in the areas of dealing with child prostitution.

It is a particularly difficult type of a case to prove, especially because of the nature of the evidence required, so I was very pleased to see the federal government moving in its sphere of responsibility. I would indicate that our legislation dovetails very nicely with the federal amendments, and I certainly share the concerns of the member for Point Douglas (Mr. Hickes). We hope that both the federal initiatives and now this provincial initiative will assist with this very serious problem.

**Madam Speaker:** Is the House ready for the question? The question before the House is third reading, Bill 39, The Highway Traffic Amendment Act (2). Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

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

**Bill 40—The Domestic Violence and Stalking Prevention, Protection and Compensation and Consequential Amendments Act**

**Hon. James McCrae (Government House Leader):** Madam Speaker, I move, seconded by the honourable Minister of Agriculture (Mr. Enns), that Bill 40, The Domestic Violence and Stalking Prevention, Protection and Compensation and Consequential Amendments Act (Loi sur la violence familiale et la protection, la prévention et l'indemnisation en matière de harcèlement criminel et modifications corrélatives), be now read a third time and passed.

**Motion agreed to.**

**Bill 45—The Manitoba Public Insurance Corporation Amendment Act**

**Hon. James Downey (Minister of Industry, Trade and Tourism):** Madam Speaker, I move, seconded by

the Minister of Finance (Mr. Stefanson), that Bill 45, The Manitoba Public Insurance Corporation Amendment Act (Loi modifiant la Loi sur la Société d'assurance publique du Manitoba), be now read a third time and passed.

**Motion presented.**

**Mr. Steve Ashton (Thompson):** I just want to put on the record, as we have during the committee and also at second reading, that while we do not oppose this bill, we feel that it is an inadequate response to the PIPP review. We feel there are significant elements of that review that were left out. We believe there is a lot more work that needs to be done to improve the current no-fault system. I would just remind the minister responsible for MPIC (Mr. McCrae) that we did move some 35 amendments. I believe, in fact, the member for Brandon East (Mr. L. Evans) moved them when the bill was brought in originally.

These amendments are very much the result of the one amendment that was adopted by the government at the time, and that was to establish a review five years later. So while this is something we are pleased to see, it does not go far enough. I would put on notice to the minister that we are going to be continuing to fight for a better no-fault system, Madam Speaker, that is fair to injury claimants in this province, but that does not mean we are opposing these improvements. They certainly will benefit some people in the province. Thank you.

**Hon. James McCrae (Minister charged with the administration of The Manitoba Public Insurance Corporation Act):** Madam Speaker, while it is true that perfection is an elusive goal, it remains our goal and until we achieve it we will continue to bring forward improvements to all of the programs carried forward by this government, including the ones at Manitoba Public Insurance. We are grateful for the work done by Sam Uskiw in getting us to this point where we are bringing forward more improvements. We have rates that are comparable anywhere in North America and benefits comparable anywhere in North America, usually the best anywhere. We are mindful of that, but we are also mindful about what the honourable member has said. While we have not achieved perfection, we will continue to strive to do so.

**Madam Speaker:** Is the house ready for the question? The question before the House is third reading Bill 45, The Manitoba Public Insurance Corporation Amendment Act. Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

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

### **Bill 53—The Apprenticeship and Trades Qualifications Act**

**Hon. James McCrae (Government House Leader):** Madam Speaker, I move, seconded by the honourable Minister of Housing and Urban Affairs (Mr. Reimer), that Bill 53, The Apprenticeship and Trades Qualifications Act (Loi sur l'apprentissage et la qualification professionnelle), be now read a third time and passed.

**Motion presented.**

**Mr. Daryl Reid (Transcona):** Madam Speaker, I am pleased to rise to add my comments on third reading of Bill 53, The Apprenticeship and Trades Qualifications Act. We sat in committee hearings on this bill and listened to presenters come forward and talk about Bill 53 and the impact that it was going to have upon the apprenticeship operations in the province of Manitoba. We listened to the comments that were made, and I will draw attention again for the attention of the members opposite that there was concern with respect to the federal government's offloading or withdrawal from apprenticeship programs. In fact, there is some concern that the federal government would take this step just at a time when we are looking to move towards national programs with national standards that are involved.

It is still a worthwhile goal to have that we would want to have nationally certified program. The Red Seal Programs, which are in a limited form now, we would want to expand on, I believe, and by the federal government's withdrawal from apprenticeship and training programs, it leaves this now to be in a fragmented state across the country. Manitoba can have its plan, and all the other provinces themselves, as well, would be able to have their plans, but there is no

national plan that would be put in place as a result of that federal withdrawal.

Presenters came forward and talked about the fees that this government is proposing, the \$200 fee that this government is proposing to be charged to those who are entering the Apprenticeship Program. Now, to some Manitobans, \$200 may not seem like a lot of money, but to those that would be in low-paying jobs or perhaps unemployed \$200 can be a barrier to people entering the apprenticeship and training program. So we would hope the government would listen to the presenters that came forward in committee to put in place provisions that would allow for hardship cases to be taken into consideration for those that would not be able to afford the \$200 fee. In principle, I do not support that \$200 fee. We think it is the wrong thing to do. We think there are other mechanisms the government could use if there was a purpose to that \$200 fee for which they still have not explained to my satisfaction yet what the intent is.

In addition to that, presenters came into committee and told members of the committee that there is some discrepancy in the way that the members of the Apprenticeship and Trades Qualifications Advisory Board, who are to be appointed by the minister, will be able to serve two terms and then off for one term and then be able to be reappointed for a further two terms, if that is the will of their respective constituency bases.

In respect to the Trade Advisory Committees, no such rules apply. Once you have served your two terms, you are off for life and can never be reappointed again, which puts in place some discrepancy. Why would you want to have people with the detailed knowledge of those particular trades only able to serve two terms where those that are on a Trade Advisory Committee not be in a position to have the same conditions apply? So there is some discrepancy in here, and when the minister tried to explain it in committee to us, it did not hold any water. We did not think that it was a sufficient explanation for what we thought was an inconsistency in the legislation itself.

Madam Speaker, we will be watching very closely the government's plan when they announced earlier this year, I believe it was, that they are going to expand the apprenticeship numbers in this province. In fact, I

think they said there was going to be a doubling or a tripling of those numbers over the next three years, I believe it was, and we will be watching very closely to see whether or not that is a result of this government's actions or there are some other forces or factors that are involved in any changes to those numbers that may be occurring.

\* (1810)

We would like to see the Apprenticeship Program grow and expand. We hope the government would initiate, if they have not already, discussions with other provinces to move forward with Red Seal Programs so that the consumers of our province and those that are working within those chosen or designated trade areas would have the training and certification to back up the efforts that they have made and that we would have those Red Seal Programs in places for those people. I hope the government is undertaking to ensure that those standards are put in place so that everyone is protected and that those who are working in the trades can have some confidence that they have met a high-quality standard of training in our province.

So, with those few words, Madam Speaker, we are prepared to vote on Bill 53, The Apprenticeship and Trades Qualifications Act.

**Madam Speaker:** Is the House ready for the question? The question before the House is third reading, Bill 53, The Apprenticeship and Trades Qualifications Act. Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Madam Speaker:** Agreed? Agreed and so ordered.

**Mr. McCrae:** Madam Speaker, we would now move to report stage of Bill 46.

**Madam Speaker:** By leave.

**Mr. McCrae:** By leave.

**Madam Speaker:** Is there leave to proceed to report stage, Bill 46, The Correctional Services Act? [agreed]

## REPORT STAGE

### Bill 46—The Correctional Services Act

**Hon. James McCrae (Government House Leader):** Madam Speaker, on behalf of the Attorney General (Mr. Toews), seconded by the Minister of Agriculture (Mr. Enns), I move that Bill 46, The Correctional Services Act (Loi sur les services correctionnels), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

**Motion agreed to.**

**Mr. McCrae:** Madam Speaker, with the leave of the House, would you call Bills 29, 43, 46, and 51 for third reading.

**Madam Speaker:** Is there leave to proceed to third reading of Bills 29, 43, 46, and 51? [agreed]

## THIRD READINGS

### Bill 29—The Statute Law Amendment (Taxation) Act, 1998

**Hon. James McCrae (Government House Leader):** Madam Speaker, with the leave of the House, I move, seconded by the honourable Minister of Agriculture (Mr. Enns), that Bill 29, The Statute Law Amendment (Taxation) Act, 1998 (Loi de 1998 modifiant diverses dispositions législatives en matière de fiscalité), be now read a third time and passed.

**Motion agreed to.**

### Bill 43—The Victims' Rights and Consequential Amendments Act

**Hon. James McCrae (Government House Leader):** With the leave of the House, I move, seconded by the honourable Minister of Government Services (Mr. Pitura), that Bill 43, The Victims' Rights and Consequential Amendments Act (Loi sur les droits des victimes et modifications corrélatives), be now read a third time and passed.

**Motion agreed to.**

### Bill 46—The Correctional Services Act

**Hon. James McCrae (Government House Leader):** Madam Speaker, by leave, I move, seconded by the Minister of Industry, Trade and Tourism (Mr. Downey), that Bill 46, The Correctional Services Act (Loi sur les services correctionnels), be now read a third time and passed.

**Motion agreed to.**

### Bill 51—The Cooperatives and Consequential Amendments Act

**Hon. James McCrae (Government House Leader):** Madam Speaker, with leave of the House, I move, seconded by the Minister of Agriculture (Mr. Enns), that Bill 51, The Cooperatives and Consequential Amendments Act (Loi sur les coopératives et modifications corrélatives), be now read a third time and passed.

**Motion agreed to.**

**Mr. McCrae:** I move, seconded by the honourable Minister of Industry, Trade and Tourism (Mr. Downey), that Madam Speaker do now leave the Chair and the House resolve itself into a committee to consider of the Supply to be granted to Her Majesty.

**Motion agreed to.**

## COMMITTEE OF SUPPLY

### Consideration of Concurrence Motion

**Mr. Chairperson (Marcel Laurendeau):** The Committee of Supply has before it for our consideration the motion concurring in all Supply resolutions relating to the Estimates of Expenditure for the fiscal year ending March 31, 1999.

**Mr. Steve Ashton (Thompson):** Mr. Chairperson, I thank you for your patience while the government House leader (Mr. McCrae) and I were involved in some ongoing discussions.

I want to ask the Minister responsible for Sport (Mr. Stefanson) a question on the arrangements with

Donovan Bailey. I believe this question was taken as notice during Estimates, and I am wondering if the minister is in a position to respond now.

\* (1820)

**Hon. Eric Stefanson (Minister responsible for Sport):** Mr. Chairman, the member for Thompson is correct that during the Estimates of Sport, there were a few matters that were taken as notice.

One of the questions asked by the member for Radisson (Ms. Cerilli) related to the contractual arrangements with Donovan Bailey, what kinds of commitments, what kinds of requirements there are related to that contract and, of course, any financial elements there are relative to that contract. I did take it as notice, and I do not have any further information here today. I will be responding to the member for Radisson with that information as soon as I receive it.

**Mr. Ashton:** So there is a contract but the minister does not have the details and will respond when the details are available.

**Mr. Stefanson:** Mr. Chairman, the information I had at the time that I was in Estimates was that no contract had been concluded. I am led to believe that that has, in fact, been done, an arrangement or a contract, but whether an actual contract has been signed, certainly I believe that an arrangement has been agreed to, and along with a few other matters, I did undertake to provide that to the member for Radisson (Ms. Cerilli), and I will do that.

**Mr. Ashton:** I would like to ask that the minister will also include information on Mr. Bailey's personal appearance here, his involvement in advertisements for the Pan Am Games, what the contractual arrangements were in that respect. Also, if I might just add one more question, I am wondering if the minister could indicate when he anticipates this information being made available to our Sport critic.

**Mr. Stefanson:** I should make it clear I will certainly provide as much information as I am able to on that entire issue. I am not aware of what might be in any agreement or any contract relative to confidentiality and those kinds of issues when arrangements are entered

into, but I will certainly undertake to provide as much information as I am able to relative to any financial compensation and conditions related to Mr. Bailey.

In fairness to this question, I really was looking at responding to the member for Radisson (Ms. Cerilli) on a comprehensive basis to every issue I took as notice. I might well have been able to pursue this issue had I expected to be asked it today, but I do expect to respond to the member for Radisson certainly within the next few weeks.

**Mr. Ashton:** Just before I pass it over to my colleague, I just want to indicate that I appreciate that. But as the minister can understand, since we are not likely to be sitting beyond today, we just want some assurance that the information will be provided. I appreciate the minister's commitment to provide a comprehensive description of the arrangements.

I think it is important for Manitobans to know. It certainly is a major boost for the games to have someone of Mr. Bailey's stature, but I think Manitobans want to know what the arrangements are and particularly the cost element and other contractual arrangements. So I thank the minister for that assurance.

**Ms. Jean Friesen (Wolseley):** I want to also follow up on questions which I have previously raised in concurrence with the minister dealing with the application of one of my constituents, Susan Cushman, an Olympic athlete, gymnast, Spanish speaker, who had applied to the Pan Am Games and who had not received any response to her application.

On raising this issue, the minister indicated that the Pan Am Games Committee indicated that they could not find the application. Even at that point no phone call was made, no contact was made with Ms. Cushman. Two weeks ago, the minister undertook to look into this. Two weeks have passed. Could the minister tell us what inquiries he has made, who he has spoken to, and what the result has been.

**Mr. Stefanson:** I had discussions with individuals who work for the government of Manitoba in the Community Support Programs area, Mr. Jim Berry, the

director of that area, to follow up with the Pan Am Games.

I was given a verbal briefing, and I asked for it to be put in writing back to me relative to Ms. Cushman in terms of this confusion around her application, and that is exactly what it seems to be, is some confusion. She did have a discussion with somebody in the organization, but, again, the information I was provided, there was no record of an actual job application with the Pan Am Games.

But the more important issue is the one that we discussed during concurrence or during Estimates, in that I believe somebody from the Pan Am Games should be contacting this individual and at least obviously clarifying what ever happened relative to her application, but also if she has an interest in being involved in the Pan Am Games, whether it is as an employee, as a volunteer, whatever, it might be based on her past involvement and her past accomplishments with sport, the fact that she has some abilities in Spanish, and so on, that certainly, and particularly up to the media coverage, that some contact should be made with her.

I certainly sent that word back from my perspective that I would expect and hope that somebody fairly senior in the Pan Am sports organization would make contact with her, arrange to meet with her, talk with her, and basically clear the air on this confusion and determine what role if any she might play for the Pan Am Games. I could not say today whether or not that contact has been made, but it certainly is the direction that I provided.

So in terms of responding to the member for Wolseley (Ms. Friesen), I will outline for her in writing a response to the very specifics of what happened with the application, and so on, but I think the more important issue is how we move forward and that I am encouraging, if it has not taken place already, that direct contact be made with Ms. Cushman.

**Ms. Friesen:** Well, it seems to me that it is, from what I understand from my constituent, that this is more than confusion, this is carelessness. At the very minimum it is carelessness. It is not just the loss of an application on one occasion. It is a failure to act on being informed



of that. I recognize the minister is taking it seriously. I recognize that he has indicated to the Pan Am Games that contact should be made. I understand that he has not followed through on that to make sure that it has been made, and I think that would be the next step in that area.

Then the minister has undertaken to provide a written report from—and this is where I guess I am asking another question. The minister indicated that he had spoken to people within the government of Manitoba but he did not indicate which department and what kind of response and what kind of time frame he is looking at for a response from those individuals. So is this within the minister's personal staff? Is this Industry, Trade and Tourism? Who has he spoken to and when can we expect the written report that will result from that contact?

**Mr. Stefanson:** Basically, the department of government that is our direct liaison with Sport Manitoba, because, as the member knows, Sport Manitoba is a separate governing body for sport and with games events like the Pan Am Games, the Canada Games, is done through our Community Support Programs division of government, which does report to me as Minister of Finance, Minister of Sport. The director of that area is a Mr. Jim Berry, and it is through him and that office that I make a lot of my contact, get a lot of the information I have on all of these kinds of issues, sport-related issues and so on. So it was he that I talked to. He has provided me with the verbal response of what happened. It was also through that department that I indicated my desires and suggestion that direct contact be made.

I should not have to follow up a second time, but I will follow up to be sure that that message is very clear about making direct contact if it has not happened already. It is through that department that I will receive a written response that I can provide the member, relative to the confusion, what happened with the application and so on. As I say, from my point of view, well, that was unfortunate. The more important issue is moving forward, and I have certainly given direction to do just that.

**Ms. Friesen:** I look forward to that written report from the minister, and I assume that we will be receiving that within the next two weeks.

**Mr. Stefanson:** I should be able to provide it within the next couple of weeks, yes.

\* (1830)

**Ms. Friesen:** The other general issues that were raised, and we were in this case going both from personal knowledge as well as from reports in the Free Press, particularly the two reports by Scott Taylor and concerns about the firing of Ernie Nairn and the ability of the communications area of the Pan Am Games to meet the demands of the games in Manitoba.

Has the minister given any further thought to that? Is he confident that the disruptions and turmoil, I would say, in the communications area of the Pan Am Games, the firing of a number of people, not just Ernie Nairn, the bringing in of people from outside who will certainly need some time to be familiar with local conditions, is he confident that under those conditions the communications area of the Pan Am Games will perform as it needs to perform to make the games a success? And that does not just mean obviously on the day. It means starting from now.

**Mr. Stefanson:** Yes, I am confident on an overall basis in terms of the current status of games readiness as well as the whole telecommunications aspect of the games. I think we discussed last time we met that there were some 170 employees currently of the Pan Am Games. I believe of that 170 some 14 are outside of Manitoba. Of that 14, nine of them have previous games experience, whether it be the Canada Games or the Olympics in Atlanta. Certainly Manitobans have worked on other games. So it is not uncommon that there is some mobility within games development but, on an overall basis, out of 170 the vast majority are Manitobans.

In terms of the whole issue of television, I think, as the member knows, a contract was signed some time ago with both CBC and TSN for television rights within Canada. I believe a contract has been entered into in South America, but I cannot recall the name of the company. I am certainly prepared to undertake to provide that. Discussions have been ongoing for television rights into the United States. Obviously that is still a huge market that needs to be met, but no agreement has been reached as of yet. I am told that

hopefully something will happen in that area fairly shortly.

On an overall basis, yes, I am satisfied in terms of the whole issue of television, telecommunications, and so on, with the games, and, on an overall basis, with the job that the board of directors and the volunteers and the staff of the games are doing at this stage.

**Ms. Friesen:** Could the minister indicate for the record now at the end of June what the outstanding issues are with the federal government over the Pan Am Games.

*Mr. Peter Dyck, Acting Chairperson, in the Chair*

**Mr. Stefanson:** I do not think there are any significant outstanding issues with the federal government at this particular moment. The most significant issue over the last year was the adjustment of the budget of the Pan Am Games where both the federal government and the province of Manitoba made additional commitments to the Pan Am Games.

In terms of any other outstanding issues at this very moment, I know there was the issue that we discussed, or I discussed, I cannot recall, with the member for Wolseley (Ms. Friesen) or the member for Radisson (Ms. Cerilli), the issue of the bid for the city of Winnipeg, including support for athletes, athlete travel, and that the Pan Am Games Society is basically funding the athletes from the United States out of private sector support, and the majority of the other athletes support from the overall funding provided to the games.

That was an issue that was raised with both the federal government and the provincial government, but nothing comes to mind at this moment in terms of a significant outstanding issue with the federal government relative to the Pan Am Games.

**Mr. Jim Maloway (Elmwood):** I would like to ask the minister if he could tell us which board members of Manitoba Telephone System have accessed their share options. Could he provide us with the names of the board members who have done so?

**Mr. Stefanson:** Mr. Chairman, I am not aware of what board members might have exercised their share

options. I am certainly prepared to take that question as notice and provide the member with the information on that question.

**Mr. Maloway:** Could the minister tell us when he anticipates discovering the names of the board members who exercised their share options of the Manitoba Telephone System, and when he plans to provide those answers to us?

**Mr. Stefanson:** Mr. Chairman, I will certainly pursue the issue within the next few days with Manitoba Telecom Services and determine whether or not I am able to provide that information. I am certainly prepared to start the wheels in motion very quickly to see what information I can obtain.

**Mr. Maloway:** Mr. Chairman, I would like to ask the minister some questions regarding the government's computer contracts. It is my understanding that, while SHL gets the desktop management contract, IBM is getting all of the Y2K programming. Can the minister confirm that or perhaps explain just what the role of IBM is versus SHL regarding the programming questions?

**Mr. Stefanson:** Well, Mr. Chairman, I thought we had a pretty full and comprehensive review of this during the Estimates process, but I know the member for Elmwood does take a keen interest in this whole area of information processing and technology. There are a few initiatives underway right now within the province. One is the desktop management initiative, which the member, I think, is quite familiar with, the replacement of some 7,000 units in the province, which was put out for public tender. The successful company was Systemhouse. We have discussed that contractual arrangement at length during Estimates and occasionally here during Question Period.

There are some other initiatives underway today in the Province of Manitoba of which IBM is providing services. Again, I believe the member is quite familiar with the whole changeover to the one-tier welfare system, which is being basically performed by IBM. As well, IBM continues to do some work, I believe, in terms of some of the developments under the Better Systems initiative, of which the member is somewhat familiar with some of the changes taking place in that

area. So IBM is doing some work in other areas of government.

All of these in various ways have some connection to year 2000 compliance. So year 2000 compliance really does filter its way through all of these initiatives that are underway in government because of obviously the need to be compliant for the year 2000. So those are some areas that IBM is currently doing some work on behalf of the Province of Manitoba.

**Mr. Maloway:** Would the minister provide us then with a list of the Y2K contracts that IBM has, a list of the contracts and the amounts?

**Mr. Stefanson:** I will certainly undertake to provide—I am wondering, is the member asking his question specifically about work that IBM is doing for the Province of Manitoba, or is he asking specifically about any contractual arrangements related to year 2000?

**Mr. Maloway:** I guess both now that the minister has mentioned it. What I would like to do is get a list of the specifically Y2K contracts, the amounts and who is doing them. It is just my understanding that as a general rule IBM was getting all of the Y2K contracts.

That is what I had been told. I do not know whether that is right or wrong, but I would like confirmation of that. So if you could provide us with just a list of all the Y2K contracts that you have in the system, including the Crowns by the way, and who is doing them and the amount of money involved, that would be very helpful, and also just simply a list of contracts that IBM has with the government for programming, that it would be nondirectly Y2K would be very helpful as well.

**Mr. Stefanson:** I can certainly undertake to provide the member whatever information I can in both of those areas.

\* (1840)

**Mr. Maloway:** When does the minister anticipate providing that information?

**Mr. Stefanson:** Mr. Chairman, I do not expect that it should take all that long, so in the next handful of weeks.

**Mr. Maloway:** Mr. Chairman, I believe the minister said it would be in the next few weeks. Yes.

I would like to ask the minister, I understand that the government is currently implementing a new government-wide human resources and payable software system—it is called SAP—to replace the current systems that are not Y2K compliant, and he is right, I did ask him questions in Estimates about this, but I did not receive the answers that I was anticipating. I would like to ask the minister then: is this SAP software system, is this initiative on schedule at this point?

**Mr. Stefanson:** Mr. Chairman, I think it is important, and I am sure the member for Elmwood is aware that some of the changes that are being put in place are not only because of the year 2000. It just happens that year 2000 is going to be a part of the adjustments, but more importantly, we are upgrading our human resource reporting system, we are upgrading some of our financial reporting and our payroll systems and so on. Those are all upgrades that are required to really bring our systems into the next century.

At the same time, obviously, they all have to be year 2000 compliant. So I would not want to leave the impression that those initiatives are linked to the year 2000 issue, that they are being done because of year 2000, they are being done because the systems need to be upgraded.

Now, in terms of SAP, they are doing work in those areas in terms of the human resource reporting and the financial reporting areas. I would have to confirm the current status of the schedule. To the best of my knowledge, I believe everything is on schedule in that area. Certainly, when it comes to year 2000 issues, I believe we are in good shape in Manitoba. We are probably in the best shape or amongst the best shape of any province in Canada. So, again, there are two really separate issues, even though year 2000 compliance is an important issue right across the system, but as I have already said, these are more than just year 2000 issues.

I will undertake to provide the member with a status of the SAP contractual arrangement as it relates to the timing and the implementation of the system adjustments.

*Mr. Chairperson in the Chair*

**Mr. Maloway:** Mr. Chairman, well, if this initiative is on schedule, as he seems to indicate that it is, why is the government paying to have a lot of its non-Y2K software systems evaluated to find out how much it would cost and the time that it would take to have it converted to the proper forms? In other words, if he is confident and this program is on schedule, then why are they going around costing out the Y2K? Why are they costing out the old system, I guess, for Y2K compliance if he is so confident that he is going to make the deadline?

**Mr. Stefanson:** Mr. Chairman, I have already indicated I will get information for the member. I am certainly satisfied with the status of the SAP contract. I could hazard a guess, so to speak, in terms of the issue that the member raises that one of the concerns expressed by the Auditor and one of the prudent things for us to do is certainly in some key areas to be sure we have contingency plans in place.

I do not think any organization wants to be expecting that everything will be a hundred percent completed and not have some contingencies in place if anything ever did go wrong, particularly in key areas. So that might well be a part of what the member is referring to, but I am only speculating based on what he just outlined.

I know in various areas we are looking at contingencies. We are looking at backups, because that is the prudent thing to do. You do not want to make an adjustment and expect that if necessary it will be done, and if something does go wrong not be able to deal with it. I did indicate I will get a status report on SAP, and I am certainly satisfied with how all of our information techniques and initiatives are progressing at this stage.

**Mr. Maloway:** Mr. Chairman, I believe the minister is confirming that there are contingency plans in place then, that they, in fact, are scoping out the cost of fixing the old programs, I guess, making them Y2K compliant just in case this new SAP system is not completed in time. Is that what he is telling me?

**Mr. Stefanson:** Mr. Chairman, yes, that is what I am telling you in some specific areas of government, and

I would have to go back and get the details of which areas that is the case. In some areas, contingency plans are being worked on, are being put in place. In the unlikely event that they have to be utilized, but again I just suggest it is a prudent thing to do.

**Mr. Maloway:** Mr. Chairman, well, then could the minister give us a list of these contingency plans and also the expenses and who, in fact, is going to carry them out as to, you know, whether it is IBM or another company that is doing these things? I mean, what we have here potentially is enormous amounts of money spent on SAP and other systems here to make sure the government keeps functioning, right, on a new system? The reason they are doing that is so that they do not have to take the old software and spend millions of dollars upgrading it to making it Y2K compliant.

What we are hearing now from the experts in this government is that they are doing both. They are spending enormous amounts of money buying new software throughout the government, and because they are behind schedule throughout—they are way behind schedule and they do not think they are going to make their deadlines—they are rushing right now at essentially the last minute, going to pump out all kinds of money making Y2K compliant obsolete programs.

That is what is happening in this government. Can the minister confirm that?

**Mr. Stefanson:** No, I will not confirm any such thing. The member is incorrect of most of what he just put on the record. I have indicated in some key strategic areas some contingency plans are in place. I do not want to leave him with the impression that that is costing a lot of money or will cost a lot of money. It is more of a planning issue to be sure that you do have alternatives. I think he is an Autopac agent or was an Autopac agent. He went through an adjustment in his field of work which caused some disruption in that particular industry. All I am saying to him is in some key areas, we want to be absolutely certain that we do have backup if we ever needed it. I am not expecting we will ever need it.

We are not talking about spending lots of money. We are talking more about a planning issue and preparing this issue than we are as I say dedicating an awful lot of

resources, but it is the prudent thing to do in any of these situations. I think if we talk to anybody who is making the adjustments now, they, in various key sectors of their information systems, have contingency plans in place, and that is really what I am suggesting to the members. We have some of these plans in place in some key areas. We are not talking about having spent a lot of money or expecting to spend a lot of money or duplicating systems or any such things. I do not want him to in any way put that kind of misinformation on the record.

\* (1850)

**Mr. Maloway:** Nevertheless, that is evidently true, though, that that is, in fact, being done, for whatever reason, that it is being done as we speak. I would also like to ask the minister to confirm that, in fact, because many of the financial and information systems have to be converted to the new systems by April 1 next year, because of the budgeting cycle of the government, as opposed to January 2000, that, in fact, we do not have 18 months here to play with it. We really only have a nine-month period.

Can he confirm that the critical point for this government is April 1 next year?

**Mr. Stefanson:** First of all, Mr. Chairman, I have to repeat for the member most of what he just said a few moments ago is not true. I hope he is listening. It is not true. It is inaccurate information in terms of the financial impacts, in terms of duplication and so on. It is a planning process to be sure that we are ready to protect our systems, particularly the vital systems to government.

He and I have discussed before that our target for implementation of year 2000 compliance is March 31 of 1999, not only because of our year-end—in fact, not so much because of the fiscal year-end of government, but more being absolutely certain that we are ready with the year 2000 compliance when it actually has to officially kick in, that we are not pushing it right up till the last moment, to the wall, so to speak, to have it ready to go that we will have it implemented by March 31 and be able to start running systems and being sure that everything will be functioning properly when it is required for year 2000.

**Mr. Ashton:** Mr. Chairman, since we are running close to the end of concurrence, I just want to indicate that I had hoped to raise a number of questions to the Minister responsible for the Civil Service Commission (Mr. Gilleshammer) involving the placement of people who have been laid off. I have written to the minister on the Mr. Dan Bracke situation; I have written to ministers on Margy Monahan. But, given the time element, what I want to put on the record is I feel that they deserve better treatment. There are many people in the civil service who should be given, I think, greater consideration in terms of placement with positions that have been coming up with equivalent qualifications. I did want to put that on the record. I have written to the minister, and I will be pursuing that. I would hope that the minister would listen.

I would also like to indicate that I believe there is agreement that we can have the committee rise and go into the motion, and we can then start debating. So I believe there is will to have committee rise.

**Mr. Chairperson:** Did you want to rise, or did you want me to pass the first element of concurrence? No?

**Mr. Ashton:** Committee rise.

Just to explain that we will be having a number of votes in concurrence later, but we have agreed, given certain circumstances, to delay those votes. So, as soon as we are able to have the vote in concurrence, we will be prepared to go back into committee. There will not be any further debate on it unless members want us to have more concurrence time.

**Mr. Chairperson:** Committee will recess until the House calls us back. [agreed]

Call in the Speaker.

IN SESSION

DEBATE ON GOVERNMENT MOTIONS

**Hon. James McCrae (Government House Leader):** Madam Speaker, this would be an appropriate time, I suggest, for the House to return to the resolution with which it was dealing earlier this afternoon and the

amendment as well as the subamendment moved by the honourable member for Inkster (Mr. Lamoureux).

**Madam Speaker:** The subamendment moved by the honourable member for Inkster (Mr. Lamoureux), seconded by the honourable member for The Maples (Mr. Kowalski), standing in the name of the honourable government House leader (Mr. McCrae).

**Mr. McCrae:** Madam Speaker, despite my sensitivity to the honourable sentiments which actuated the honourable member for Inkster (Mr. Lamoureux) this afternoon when he moved the subamendment, I must, for my part, decline support, and let me say why. In fact, had I had more notice of the subamendment coming forward, I might have wanted to argue on a point of order that there may be reason to remove this subamendment from our consideration. I do not know if I would have done so with success or not, but I probably would have argued that the subamendment might indeed work against the intent of the amendment to the resolution. I am not arguing for the purposes of having the amendment withdrawn or ruled out of order, but, as I said at the beginning, despite my feelings of sympathy for some of the thoughts expressed in the subamendment, I do not believe it is supportable.

Former Chief Justice Monnin will have significant responsibility in this endeavour, Madam Speaker, and honourable members have already raised concerns. Whether legitimate concerns or not, they have been raised about the scope and the mandate of this particular enquiry, and I do not want the language of the resolution, which is attached to the order-in-council which would appoint former Chief Justice Monnin to this function or duty—I would not want anything to confuse the issue. Given the scope that we understand Mr. Monnin will have under The Evidence Act, the subamendment could have the effect of leaving former Chief Justice Monnin with the impression that somehow his mandate has been narrowed. This is not something we intend, nor do I believe the honourable member for Inkster (Mr. Lamoureux) intends that.

Much has been said in the last week about the role and the function of the Chief Electoral Officer of Manitoba, and I think it should suffice that the records, the words said about the chief electoral office and Elections Manitoba should be matters of record on

Hansard and in other places, but to include such language in the resolution itself by way of subamendment, I suggest may very well lead to effects which no one really intends, effects that might somehow narrow the mandate of the commissioner in this matter.

So it is with great respect for what the honourable member for Inkster was trying to achieve that I, with respect, would urge honourable members to decline this particular subamendment.

**Mr. Stan Struthers (Dauphin):** You know, Madam Speaker, there is nothing more basic, nothing more fundamental and nothing more important to this House and to Manitobans than the electoral process by which we govern ourselves as a province. Centuries ago our forefathers, foremothers fought for the right to cast our votes in an election in which we choose the people who govern the province and the country.

Centuries ago we had people in society who were brave enough, who had the backbone and I think the intelligence to push for democracy. It is incumbent upon us here as legislators to defend that democracy and, indeed, more than that, more than just defending democracy, not to attack democracy in the first place.

\* (1900)

So I stand today, Madam Speaker, and indicate that the member for Inkster (Mr. Lamoureux) with a subamendment that he is proposing is along the right track. Indeed, Elections Manitoba plays a very important, I would say crucial, role in the conduct of the electoral process in this province. The people who work at Elections Manitoba need not be put into the kind of situation that this government put them in last week. That was absolutely unacceptable what this government did to the folks over at Elections Manitoba. So, on the basis of that, I would say that the member for Inkster is putting forth a reasonable common-sense subamendment here today.

Madam Speaker, for this government to, No.1, deny these allegations—there has been no doubt that these allegations are absolutely serious. These allegations strike to the very heart of democracy in our province, because if we do not have faith in the integrity of our electoral process, if we do not have faith in the integrity

of the system that puts all 57 of us here in the Legislature, then it is absolutely a dark day in the history of our province—a province, I may add, that has had one scandal over another over the period of 128 years that we have been a province. We have had our share of scandals as a province, but I can think of no other scandal that strikes so close to the heart of the essence of this province than the one that we are dealing with here in the Legislature at the end of June in 1998.

Manitobans understand this. Manitobans take great pride in knowing that, when they cast their vote and they have considered all of the options, whether they be New Democrat or Liberal or Progressive Conservative or any other legitimate party—they need to know that, when they cast their vote, they are not wasting their time. Madam Speaker, it looks to me like a good portion of my constituents wasted their time on April 25, 1995, when they went into the ballot box totally in good faith to exercise their democratic right to choose their decision makers.

When they went into that ballot box, they believed that they were participating in a process that was important, a process that was essential, a process by which many of them had fought for in World Wars, a process that is fundamental to the well-being of our Manitoba society. Little did they know that the whole system would be called into question, because this government today in Manitoba, who holds the majority in this Legislature, was so desperate and hungered for power so badly that they were willing to throw aside, to cast aside, century-old traditions.

They were willing to say to the people of Manitoba that it does not matter how you vote in this election, we are going to rig this so that we have an unfair advantage. We are going to take steps to split the vote in these three ridings—Interlake, Swan River and Dauphin—to make it so that our candidates—it does not matter what the democratic process is; it does not matter what the people of the province want. We want to be in power, so we are willing to do anything we can to maintain that power.

Heaven knows, they did other things in that election like tell people that they were not going to sell MTS, and we see what happened then. They told people they

were going to save the Jets, and we see what happened there. They said they were not going to cut health care, and they ended up cutting health care. Those kinds of allegations can be made after many elections that we have seen in this province. Indeed, it would not be the first time that this particular provincial government said one thing before the election and something totally different after.

This is different, Madam Speaker. This is an assault by this government on the electoral process. This is an attack by this government on our democratic rights. Manitobans, and I can tell you my constituents, and I can tell you in particular my constituents who live in the area of Waterhen, will not forgive or forget what this government did in the election of 1995.

Madam Speaker, to approach candidates to run for a bogus party is bad enough, but then to cast doubts on a legitimate movement in this province, a movement where aboriginal people and First Nations people are looking for a voice and looking for a way into the process, a voice that can tell other Manitobans what it is like to live on reserves, a voice that can tell other Manitobans some of the challenges that aboriginal people come up against, this government is so callous, so uncaring about people who struggle in this province that they were willing to manipulate aboriginal people in this way. They were willing to disenfranchise aboriginal people in this province in the ridings which I have mentioned earlier.

That is what happens when a government too desperately wants to cling to power. Those are the kinds of actions that are produced when a government knows that it is unpopular, when a government knows that its days are numbered, that government just does not want to let go of the reigns of power, and they will do anything to make sure that they remain in power. That is what happens. This is the result of that kind of an attitude, and it is absolutely prevalent in this government and not just back in 1995, Madam Speaker, but today in 1998 that attitude is still prevalent from the opposite side of the House.

Last week, if this government did not have that yearning to cling to power instead of covering up all the allegations and covering up this scandal like it tried to do a week from today, they would have then taken the

steps necessary to clear its name. They would have then on Monday taken the opportunity to appoint a judge to look into these allegations. What did they do? The government decided to do like they usually do: deny, deny, deny, and then attack, attack, attack. Then flip-flop all over the place from one day to the next as it saw it was getting itself more and more in trouble. As it realized that fewer and fewer people were believing the stories that they kept churning out from its propaganda machine, it got more and more desperate again. That hunger for power came back again, and they thought to themselves, we had better do something because we are getting in deep.

So they tried to dump it onto Elections Manitoba, tried to use Elections Manitoba and Mr. Balasko as the scapegoat on this. That did not work either. The government put the Elections Manitoba process and that organization in an awful position. Mr. Balasko had the good common sense to see that if any credibility was going to come out of this for Elections Manitoba, then he would say no to the Premier (Mr. Filmon). He would say no to the cover-up that this government was perpetrating on the people of Manitoba, and he did the right thing. I do not think the Premier liked that very much, because now he had to cave in and he had to appoint a judge to look into these allegations.

\* (1910)

So, Madam Speaker, just to wrap up, I want to point out that the people of Manitoba are going to be very interested to see how this whole fiasco plays itself out over the next few months. These allegations had better be looked into in as much of an unbiased way as possible, and corrective actions had better be taken or Manitobans will not be pleased with what they see with this government. Manitobans are not going to forget what comes out of this inquiry. Manitobans are not going to put up with the kind of nonsense that this government has been perpetrating on us in the Legislature for the last week. It is time to get to the bottom of this. It is time to get to the truth. I do not think the folks across the way are going to like the answers that they find.

Madam Speaker, every country in this world has a government. Bar none, every country has a government. Not every country in the world has an opposition. The true test to a democracy is the strength

of its opposition, and part of that opposition are the inquiries that are used to keep the government in line. This will be the ultimate test of democracy in Manitoba. Do not blow it.

Thank you, Madam Speaker.

**Ms. Jean Friesen (Wolseley):** I am pleased to have the opportunity to speak for a little while on the issue of the amendments that have been brought before this House on the government's motion to appoint a retired judge, Judge Alfred Monnin, to a commission of inquiry. I will also be speaking to the subamendment brought by the member for Inkster (Mr. Lamoureux).

Madam Speaker, how much better it would have been for Manitoba, how much better it would have been for this government had they a week ago accepted the seriousness of the issues that were being raised in this House, the seriousness with which public opinion was taking these allegations, and the seriousness with which they were being discussed in the press of this province. But the government, I suppose, at one level chose to bury its head in the sand. Perhaps it thought, it is late in the summer, that this issue would go away, that they could get away with the kinds of things which they have been able to get away with in the past, to deny any kind of allegation, to attack the opposition, quite often with fairly scurrilous personal attacks.

It would have been much better for all of us if the government had taken a responsible position, if it had accepted the seriousness of the situation that they were in and which they had placed the Manitoba electoral system. But they chose not to. This is a government which has grown arrogant in power, and they believed that they could deny and attack and deny and attack. They could argue that black was white. They could attack the personal integrity of the Leader of the Opposition (Mr. Doer). They could attack the personal integrity of the member for Crescentwood (Mr. Sale), and over and over again they thought they could get away with it, a government that has grown arrogant in power. Nowhere was it more clearly shown than in the way in which they tried to deal with this issue over a week.

But as Harold Wilson said one time, a week is a long time in politics. I will bet it has been a long time over



this week for that government across the way, particularly for those of an authoritarian turn of mind, and there are some. Not all, but there are certainly some in that government who are extremely authoritarian. They thought too that they could get away with this, and they could not.

Over the course of a week, we have seen them try to turn away the blows that were coming their way, not just from the opposition, but from the press and from various elements of the press, too, in fact, some quite unexpected parts, and they found that they could not turn away those blows. You could almost sometimes see the changes that were being made almost on an hourly basis in this House. Within a week, they have gone from the personal attack, the denial of responsibility, the denial of any indication of wrongdoing to a point where within a week they have appointed a retired judge to head a commission of inquiry under The Elections Act into the very situations which we raised time and time again in this House. What a long week it must have been for them.

Madam Speaker, the government in the end had no choice but to do what it has done, no choice but to put in place a judge to extend the powers that that judge will have and to create a commission of inquiry which will have as broad a scope as it needs to do the job. A number of my colleagues will speak on the issue of scope because we have many concerns about that, but I just want to document the way in which the government dealt with this problem over a week.

Well, their first article of management was to deny, but then when Elections Manitoba said it was reopening the case, the government leapt on this. On Wednesday, Elections Manitoba said it was prepared to look at the new evidence that was being brought forward and very quickly, within 24 hours, this government saw its opportunity to put the lid on an alleged scandal that would bury them.

So they said, yes, fine, we will call an enquiry under Elections Manitoba, and we will let the Chief Electoral Officer deal with it. It will be in secret. It will be under the same kind of conditions that the Electoral Officer had dealt with it in 1995, the same kind of narrowly conceived and secret inquiry with a report and not recommendations. They saw their opportunity

to close down public discussion for three, four, five months, whatever it would take the electoral commission, with all the many other responsibilities it has at the moment, to deal with that issue.

But they were pushed by new evidence and by the opposition and by the press to go further, as indeed they should have been. The Chief Electoral Officer himself raised the issue of whether he, in fact, should conduct the inquiry, and we raised in this House the concerns that we had about the amount of new public business, boundaries commission, as well as dealing with the implications of the new electoral act that the electoral officer had to deal with at the moment. The government dismissed that; that was not an issue; no, of course, he could. We raised, of course, the issue of clarity. A commission which had already investigated this was now being asked to reinvestigate something on which it had already reported, albeit with some new information but certainly covering some old ground. We argued that there should be clarity on this. It should be clear. It should be transparent, to use the modern language on this, and so we continued to argue for another kind of inquiry, for a public inquiry of much broader scope.

Now, the government in its usual and unpleasant manner—there are many members on that side of the House who use this particular form of argument—tried to turn that to argue that we were calling into question the independence and the position of the Chief Electoral Officer, and nothing could be further from the truth, and they knew it. It is a particularly unpleasant and a desperate tactic, although they often use it, on the part of the government. So I welcome the subamendment of the member for Inkster (Mr. Lamoureux), because it does indicate that we do hold the Chief Electoral Officer in high respect.

We are very proud of the position which he has and of the work that he does, but for the purpose of clarity, for the purpose of accountability to the people of Manitoba, it seems to me that the argument we made, which the government has now accepted finally, that this should be a different kind of inquiry that was also able to look at previous evidence as well as new evidence, that this was an important point. So I am glad to see the subamendment of the member for

Inkster (Mr. Lamoureux), and I believe we will be supporting that.

But, Madam Speaker, over the last week, the continuing headlines, the continuing editorials, the continuing questions in the House, the interviews and the reports throughout the press and indeed in public opinion, when I spoke in Question Period today and mentioned the amount of discussion that I heard about this issue on the weekend, I am sure I was touching a chord in many members' experience, because it certainly was an issue, not just for us, but I am sure for members on the other side of the House. So we are concerned. So the government has, at the end of a very long week for them, had to change its opinion. It has had to do the right thing.

\* (1920)

But, Madam Speaker, as I raised in the House today, I am still concerned, and I am particularly concerned by the responses of the Premier, that this will not necessarily be a public inquiry. There may not necessarily be a public record. That seems to me one of the important elements that needs to be considered. The Premier has the power to ensure that it is, and he is choosing not to do that. So we may very well have a similar kind of report that we have had in the past. We will not necessarily know what witnesses have been called. We will not necessarily know what kind of evidence has been given. We may never know whether old ground has been covered or whether all of the new ground has been covered. We may not know what inconsistencies there are or maybe in the evidence of one or two or three different kinds of witnesses. We will not know to what extent the issues will be dealt with in Swan River or in Dauphin as they are in the Interlake in the public record.

I want to quote from the discussion that was held on CBC radio with Randy McNicol, a lawyer who has had some experience in public inquiries. He said that the public has the right to know what goes on, what the witnesses say, and, generally, public inquiries, one of the reasons for them is that they are intended to instill public confidence in the democratic process. That is, it is done in an open process where the public knows what is going on and knows precisely who is being questioned and what they are saying. Well, that sums

it up. That is basic. It is a simple procedure. It is at the basis of all of our legal systems that you are openly judged by your peers, that there is a public record that can be referred to over and over again and that is a commonly accepted document.

But it appears the government, which should have nothing to fear, is a government which appears to fear that public record. I urge them, as they look at this particular resolution and the whole issue of this, that they ensure that it become a public record, because the issue is public confidence in the electoral system. It is the public accountability of any government. I look forward to a commission of inquiry which is wide in scope and which has a formal public record and gives the public the confidence in the electoral system that I think we all want to see in Manitoba.

**Ms. Rosann Wowchuk (Swan River):** Madam Speaker, what a difference a week makes. A week ago today when this issue was raised, the government said that there was absolutely nothing wrong, that we were just trying to make hay at the end of the session or were on a political agenda, if I remember correctly what the Premier said.

I have to say that I was quite surprised at the attack that the Premier was taking, first of all trying to discredit members on this side of the House for bringing forward issues, trying to discredit the reputation of people who had decided to come forward with this information. But seeing the pressure that was brought forward from this side of the House and listening to the media and listening to the public, the government certainly realized that they had to do much more than what they were doing and that is denying that there was anything wrong.

I have to say that I am very pleased that they have moved as far as they have and that we are now going to have rather than the Chief Electoral Officer—I want to say that in no way are the comments that we have heard from the other side of the House that people on this side of the House are trying to discredit the Chief Electoral Officer—nothing could be further than the truth. We respect the Chief Electoral Officer, but in this case there are very serious allegations that have to be addressed, and I am pleased that we have a judge.

I have to say that I am very disappointed, as well, as my other colleagues have said, that this is not going to be a completely open process. The government should have nothing to fear; they should not be afraid of having witnesses speak out in public; the government should not be afraid of having this information put on the record and have a permanent record of this kind of information because this is a very serious case for Manitoba, probably one of the most serious cases related to an election that we have had in the history of this province.

But, you know, Madam Speaker, I want to say that I am very disappointed that this government would—not so much this government, that the Progressive Conservative Party would have taken any role in what is said to have happened here. Here we have First Nations people who are wanting a place in the Legislature, First Nations people who have, over the years, not had the opportunity to participate, and then for them to be misled in this way, for them to be led to believe that they could play an important role, when, in fact, they were only being used, as they tell us, is absolutely disgraceful and an affront to democracy.

But I have to say that I want to put on the record that this is not the first time that we have seen the Progressive Conservative Party try to play tricks and try to get votes in a deceitful way. In the 1990 election, members of the Progressive Conservative Party put out an extra pamphlet in the Swan River constituency to try to lure away votes from me. We did report that to Elections Manitoba. As it was, it did not help them to win the election, and it cost their official agent a fair amount of money because he had to pay for that pamphlet on his own. It was an extra pamphlet.

**An Honourable Member:** Maybe Cubby chipped in on that one, too.

**Ms. Wowchuk:** I am not sure exactly who was all involved in it, but we were given a pretty good indication of what was going on. That was the one time we heard about it, and now in the 1995 election we heard rumblings of it during the election, but now all this evidence coming forward it is clear that this government, this party, the Progressive Conservative Party, will go to any lengths in order to keep power. When you start to misuse or abuse people in that way

or manipulate people, that is completely unacceptable. So I am very pleased that we are going to have the opportunity, and these people who have brought forward this evidence, who have sworn statements indicating that they were having their bills paid, these people who have had their buttons bought for them and—

**An Honourable Member:** The Tories put up their signs for them.

**Ms. Wowchuk:** —people who had their signs put up by the Tories' signs crew, I am very pleased that there is going to be the opportunity for these people to have this evidence and have their names cleared. That is really what we want out of this. So I would hope that the government will realize that for us this must be a very open process, and there must be protection for those people who are coming forward with these allegations.

We can get to the bottom of this, so that the black name that has been put on democracy in Manitoba can be cleared up, Madam Speaker, because certainly it is a disgrace when the allegations against the Conservative Party in Manitoba become national news across the country. It is not the kind of reputation that we want in this province.

I hope that, when we get into this investigation, the judge will have a broad enough scope so that he can look at the other allegations that have been made. For example, what is the connection between Cubby Barrett providing funds for campaigns and then getting a licence for a hotel? Aboriginal people were denied a licence to this hotel several times. Cubby Barrett gets a liquor licence for this hotel without consultation with the local people. Allegations have been made about land flips where Cubby Barrett all of a sudden ends up with leased land that was put up for sale and then passed on to Mr. Barrett. So these are very serious things that are going on, and they have to be investigated. But, above all, my concern is the way First Nations people have been manipulated in this whole process. I think that is a shameful thing that is happening.

\* (1930)

We all say that it is time for First Nations people to become involved in the political process. You know,

we went through the whole Meech Lake Accord where we were saying that we wanted to negotiate. We talked about land claim settlements. Then to have these kinds of allegations made where people who are quite vulnerable are told that they are going to be supported, so that they can have a place in this building, a place of great honour, and then to realize that halfway through the campaign they were just being used so that it would help split off the vote and maybe help the Conservatives win the seat. Madam Speaker, that is not acceptable.

I look forward to hearing the results of this inquiry. I hope that the scope can be broad enough so that all of these issues can be addressed. I hope that the names of the many people who over the last week the Premier (Mr. Filmon) tried to discredit by saying that they were not credible people for making these kinds of statements—I hope that this inquiry will clear these people's names, because I believe these people are working for the best interest of democracy. But, when you get someone trapped in a corner the way the Premier was last week, the first opportunity he gets he is going to get out and try to bite them and try to discredit them. That is what we saw from the Premier over the last week.

I am pleased that he realized that he had no other way out of it than to call for an inquiry, and I hope that that inquiry will be as broad as can be to ensure, as I say, that those people who have been discredited will have the opportunity to put their evidence forward and clear all this mess up that we have in Manitoba. I hope that, when the time comes that those people who were involved, whether it be on the fundraising committees or in any other area, will be prepared to also tell this commission what their involvement was.

But certainly we cannot have in this province, as we have now, allegations that there are people who are manipulated to run in elections in order to split votes, and certainly we cannot have rigging of elections in this province. It goes completely against what many people have fought for. In other countries people fight for the right to vote, for the right to have a democratic government. In this province, we have that right, but it is unacceptable for it to be manipulated the way we are told it was, and all of this must be cleared up.

Thank you, Madam Speaker.

**Mr. George Hickes (Point Douglas):** Madam Speaker, I welcome the opportunity to put a few comments on record, because what we are dealing with here today and what we have been dealing with all week is the integrity of our electoral system and the public trust in that system. I am sure for a lot of individuals that trust has been broken. I do not know what it will take to restore that trust that was built over the years, but if you just look back in history, there were very few aboriginal people who used to come out to vote. Everyone in this House knows that. Throughout the years of building trust and understanding the system of our elections, more and more aboriginal people started to come out to vote.

I was very proud in 1990 when Elijah Harper, the former member, stood up and he stood up for all aboriginal people on Meech Lake. No matter what party Mr. Harper belongs to or will belong to, I still will have the utmost respect for what he did to ensure that the aboriginal voice had a place somewhere in our whole political system. I think that trust has been broken by evidence that has been coming out and what we are hearing on a daily basis of new evidence and new information that is coming forward. I hear some of the members opposite and they say, well, we will know who is wrong.

It does not matter who is right or wrong. It is the electoral system that has been used, and I feel really disappointed that the party across used aboriginal people for the 1995 election. I do not know why it had to be aboriginal people. I do not understand that because a lot of times we hear aboriginal people say provincially they always tell us we are federal responsibility, and that took years to overcome. Now a lot of the reservations and the reserves in Manitoba do come out to vote on election day, and I do not know what will happen in the next election.

The member for Dauphin (Mr. Struthers) was speaking about his constituents, the members from Waterhen. What he said was: they will not forget. I hope he is right. I hope all aboriginals across Manitoba and across Canada will remember that our electoral system is a good system. Sometimes it is just a few people that get overeager or will have to feel that they have to manipulate a group or someone who gets scared of losing the ultimate power, and things like this

happen. I am glad that there is a commission of inquiry, because if you listened to Mr. Sutherland, some of the things that he said, he said it got to a point where I finally put two and two together. He said I had a hard time sleeping. Of course he would. Of course he would have a hard time sleeping, because he is not out there running for Darryl Sutherland. He was out there representing what he thought was an aboriginal party.

So when the people who went out to vote for Darryl Sutherland, Contois family, that is who I feel the sorriest for, because those people thought they were going out to vote for a real candidate. They were voting for one of their own, an aboriginal candidate that was running for an aboriginal party. You had people that came out to vote in the Interlake, Dauphin, Swan River, and if you look at what nearly happened—what nearly happened?

The aboriginal candidate in Swan River took 118 votes. Our member that won the election against two candidates, she won by 36 votes. That could have made the difference in a fair election, so not only is Mr. Sutherland or the other candidates or Cubby Barrett, their integrity being judged, it is every one of us.

I do not want to go into the next election and have to face two candidates from the party. I am sure there are others members across there that would feel totally unjust if they had to go against two candidates that were funded or put out by the same party. I am sure they would be standing up and crying foul. So it is not only us who are looking at this; this has been playing nationally right across Canada. I am sure there are other people out there in other parts of our country that are looking at this very, very closely. I am sure there are a lot of aboriginal people that are looking at this. If you look back at the history of our country, we have more aboriginal people than ever involved in politics than I have ever known.

We are fortunate, I believe, because a lot of time that voice—there are a lot of sacrifices and the hardships that people in northern Manitoba, Northwest Territories, remote communities have, the struggles, the hardships just to make a daily living for the family—is never heard, because a lot of the individuals across Canada who are in politics did not have the opportunity to travel and live in a lot of the northern communities.

So that sharing is now taking place. I think it is really positive where a lot of individuals are getting a good education—I hope that is what is happening—and appreciating the difference of lifestyles, why things are done differently and why they have to be done differently in remote and far northern communities. I hope that there is an appreciation for that and a willingness to share and help some of the individuals that need a helping hand up and a little bit of assistance than someone that can walk to the corner grocery store and buy cooked ham for 44 cents a kilo or a gram or whatever they sell it for, because in northern Manitoba and Northwest Territories you would never get cooked ham for that kind of price. So those kinds of things are shared. It is shared to educate, and, hopefully, that things will go into place so that people across Canada will be treated equally.

\* (1940)

Other members ask—you know, like it will show who is wrong. They are saying, well, you guys across the way are pushing this, spearheading this. If that is what members opposite think, fine, but the truth has to be told. Does it not even twig a little curiosity for some of the members across there? There are some members across there that have high ethics and morals. There has to be. So on Monday morning when I came and opened the Free Press, here was a picture of an invoice for election buttons for the Independent Native Voice candidate, and here right on the invoice was Kris Barrett. In that same story, it said that the facts came from a family member of the Barrett family.

Well, does that not create a little bit of curiosity or a little doubt that there is something going on or something took place? Or are you not even concerned, whether it is your party or other parties, about our whole electoral system, that it could ruin it and it could make people fearful of what is happening here in Manitoba? We hear stuff like this happening in different countries, in different worlds. We sit back and we figure, well, how could that ever happen in Canada? I am sure we have all thought that, or we have all said that would never ever happen in Canada, but here we see something happening. Something has happened, so we have to make sure that the truth comes.

The other thing is that a lot of members in here have played something, some game or sports. If you have to

cheat to win a sporting event, is that really rewarding? Do you feel good about that? I would sooner lose by one goal and say I tried my best and, yes, we lost, but at least we all tried our best than to win by one goal and in our dressing room and behind our back, even our children, if they watch it, saying, well, gee, Dad, yes, you guys won, but you had to cheat to win. Now, is that a good example for my children? I do not think so.

So members on the other side, I hope, with the evidence that is coming forward, you are having a few second thoughts, because I think it is crucial at this time that our electoral system has to be perceived and has to be seen as fair to any individual and all individuals that want to put their name forward in any election. I will bet you this kind of—I call it a kind of corruption to our electoral system that probably would not even happen at a student council election. I will bet you the students probably have more integrity than what we have seen and what has been brought forward by the media in the last week. I am glad, because I have never heard of a student council election where there was rigging or ballot stuffing.

I ask one question. Of all the different people we have in Manitoba, why the aboriginal people? Why? Why the aboriginal people? For years the only member sitting in this Chamber was Elijah Harper. Now that has been expanded, and we hope it is to be extended more. So I hope that, if people know something across the way, they bring forward to restore justice to our electoral system and bring the faith back where it belongs with the people of Manitoba so that they will have faith and confidence that, when they go to the ballot box, they are voting for a real candidate.

With those few words, Madam Speaker, I am glad that a commission of inquiry has been brought forward, but I wish that a commission of inquiry had a wider scope so that way it could bring more. The amendment, yes—well, amended by the word of commissioner—recognized that the appointment of another person in the position should no way reflect negatively on the independent strength and integrity of Elections Manitoba.

I agree with that 100 percent, because it is not the integrity of Elections Manitoba that has been portrayed by us. Elections Manitoba was put into an awkward,

awkward position of trying to investigate where everyone knows a retired judge or a judge with all the powers in place, given a wide scope, had the powers to subpoena and to hear evidence and, hopefully, get to the bottom of the truth. That is what the citizens of Manitoba deserve, and that is what the voters in the next election expect. As I said, I hope this has not put in jeopardy the voice of aboriginal people that I feel has to be heard right across this country, never mind just the province of Manitoba.

With those few words, Madam Speaker, I thank you for giving me the opportunity.

**Mr. Doug Martindale (Burrows):** I rise to speak on the appointment of a commission of inquiry into alleged wrongdoing in the 1995 election and possibly subsequently as well. We are pleased that the government has agreed with our requests, first of all, for an investigation, and ultimately, after much badgering by us and the media, to appointing a judge to head up the commission of inquiry. However, we still have some concerns. We are concerned about the scope of the inquiry, and we are concerned that it be in public. Right now we do not have any guarantees that it will be a public inquiry. We hope that it will be a public inquiry. We think that by appointing a judge that may encourage a public inquiry, but we would like to see some guarantees that the inquiry will be conducted in public and that all testimony will be recorded plus the commissioner's findings and that both of these will be available to the public.

This inquiry, which will look into allegations about vote splitting and election rigging in the 1995 provincial election, goes to the heart of our democratic process. You know, I think that people have certain assumptions in our society about election campaigns. Many people might assume that if one party has more money than another party, that could influence the outcome. But I think people are prepared to accept that. They know that sometimes the candidate who spends the most money wins, but that is not always true. Sometimes a candidate that spends less money ends up winning a seat.

But I think as a generalization people might say, well, if you have more money, it increases the possibility of influencing the outcome of an election, because for one

thing you can pay for more literature, more lawn signs and especially more TV and advertising and radio advertising. But I think people are prepared to accept the truism of that.

\* (1950)

However, what people are also assuming during a provincial election or a federal election or a municipal election is that the electoral process will be fair. I can think of examples where people think that it is not fair and that laws should be changed. For example, in the city of Winnipeg, names used to be rotated on the ballot. They are not anymore. Someone said to me the reason is because they have electronic balloting and that with electronic balloting it is not possible to rotate the names. So we have a situation in the city of Winnipeg in the last municipal election where for school board, the school board contest in Ward 3, I believe there were 13 names. Well, guess what? One of the candidates whose name started with "a" won, and someone who was an incumbent whose name started with "y" lost, which suggests to me that rotating the names in the ballots is a much more fair way of doing things. I think The City of Winnipeg Act should be amended to do that. But if we cannot do it because of electronic balloting then let us get rid of electronic balloting—

**An Honourable Member:** You have got to be able to do it through electronic balloting.

**Mr. Martindale:** Well, that was an explanation that was given to me. I do not know necessarily whether it is true, but that is what I was told.

When it comes to provincial elections, we have to have trust in the electoral process and in Elections Manitoba, and by and large I think we do. What we do not count on is people allegedly offering money to people to run to split the vote, to pay for their signs, to pay for their buttons. Who knows what else they might have paid for or provided money for, for a candidate on social assistance who had no money of his own to run a campaign, and someone from somewhere—hopefully with a judicial inquiry we will find out who and where—put up the money? We need to find out how that happened and why it happened and make sure that it does not happen again, even if we have to change The

Elections Act and The Elections Finances Act to make sure that this never happens again. We may need to have an inquiry that is broad enough in scope that it can look at possible violations of the Criminal Code of Canada, which indicates how serious the concerns are that have been raised.

In conclusion, we think that a wide number of people should be interviewed, especially the candidates who ran as independent candidates in the Interlake, Swan River and Dauphin constituencies. You know, what is particularly sad I think is that this strategy, if it had been even a little bit more successful probably would have defeated our candidate in Swan River because our member there I believe won by 36 votes. I am sure that the people who were running phoney candidates were quite surprised and disappointed by the lack of success of their dirty trick strategy.

So we think that there is probably a large number of people who need to be interviewed. There needs to be an accounting of what happened up to April 25, 1995 and many subsequent events, because many pieces of evidence and allegations have come forward including in the Winnipeg Free Press and the Winnipeg Sun as late as June 25. We hope that all of those concerns that have been raised in the media this week and by the NDP caucus will be thoroughly investigated and that there will be an accounting. If it leads into the highest reaches of the Conservative Party or the highest reaches of the provincial government, so be it, and there will be appropriate consequences for everyone involved.

Thank you, Madam Speaker.

**Hon. David Newman (Minister of Northern Affairs):** Madam Speaker, I am pleased to rise to speak to the amendment to the resolution, which, of course, I support, but I wanted to, if I may briefly in speaking to it, refer in a positive way to the process which has been emerging over the past week, because what has happened is another example of how the members of the Legislature, by each of the 56 in the House, seeing things from their own perspective, with their own political philosophy, their own personal points of view, representing all of the constituents, ranging from 18,000 to 23,000 people roughly speaking, are able through a process of communicating back and forth and with the media, to move forward and develop the kind

of process which achieves general acceptability and which will, in the eyes of all members present here, be seen to be a process which will ensure that truth and justice will ultimately prevail in respect to an issue which relates to the quality of the democratic process that we have and the conduct of people that participate in that process.

My hope, Madam Speaker, is, rather than just the kinds of necessary positioning that goes on and the posturing that goes on, there will be an appreciation by all honourable members that the process here does work. Now I compare the process in the Legislature to the process of the courts where you present your cases in very formal ways, often over many months, sometimes many years, with other formal processes that follow and counsel representing the clients on each side are presenting cases to a third party who ultimately adjudicates and determines who is more right than the other or who is right and who is wrong, but usually it is who is more right than the other. There is always someone that comes away with a sense of loss, and I have great admiration and I might say greater admiration every time we go through one of these struggles to create something which we can all agree on.

We do it every time we have a piece of legislation which goes through all the different processes in this government, culminating in the Royal Assent. Through that process I would venture to guess, not unlike court cases, by far over 90 percent, probably 95 percent of legislation, changes to legislation, legislation itself goes through, essentially by agreement with refinements through the contributions of honourable members speaking from the opposition side to persuade the government to make improvements.

In the court forum, the results were similar: 95 percent of cases are resolved by agreement through discussion and a very small number of cases actually go to trial in the civil area. To my absolute amazement, when I did a review of the system, I discovered that less than 100 cases actually went to trial in the civil justice system apart from the family court cases and leaving out, of course, criminal cases, quite an incredible statistic given the many thousands of cases, claims that are made.

So I think what has happened here over the past week, and I do give credit to the official opposition for raising issues that should be raised, to the extent that if any member of the public feels that the system lacks integrity or people are abusing the system, this is indeed the place to hear it if the electoral review system under The Elections Act has not worked up to an optimum and resolved that issue.

Through circumstances, that happened to be the case here. This is fresh evidence coming forward many years, three years after the events alleged to be improper, and once the information came, another five or six months went by before the matters were brought to this Legislature. So circumstances required unusual process, a creative process, an innovative process to make sure justice was done. As the official opposition revealed from day to day the extent of this issue, the government listened and the government responded with appropriate suggestions. Comments were made back as to whether or not the processes offered by government were adequate or not, and ultimately we have come to this evening when hopefully we can and will once and for all resolve what is a generally accepted process.

\* (2000)

I wanted to, in concluding my remarks, make reference to aboriginal people whom I have heard referred to in a number of remarks from honourable members opposite, and that is of great concern to me when a particular group, a classification of people is brought into any particular debate in ways that suggest that there is somehow a singling out or a picking on. I wanted to make sure that, on the record, the great respect that we pay to all peoples of Manitoba and the partnership that we are working with aboriginal people in very effective ways is in no way impacted by some of the remarks that have been made by members opposite to try and expand what, at worst, is an issue involving individuals.

We do not yet know how high up in the system, but individuals who have been involved in an election campaign and suggesting that somehow or other there was a deliberate effort to pick on any particular group is a matter of some concern, and that is why we have to have a process which has integrity, objectivity and



competence attached to it. Hopefully, that will emerge here, and all of the relevant facts and suggestions for improvements will emerge.

Those who—or if anybody is accountable for less than acceptable behaviour is identified, hopefully there will be not only an accountability by them but most importantly changes to the system that will be deposited. Above all, hopefully, Madam Speaker, the inquiry will achieve, will result in some very constructive recommendations to ensure the system gets better. It may be that it even comes back to each party, for each party, like corporations, might find it appropriate to have—just as corporations have codes of ethics, maybe political parties should have codes of ethics so that they can indicate the standards expected of all volunteers as well as others involved in the system.

Finally, in closing, I wanted to again commend all honourable members for contributing to the creation of a process through this amendment which will achieve general acceptability by the Legislature. Thanks, Madam Speaker.

**Madam Speaker:** The question before the House is the subamendment moved by the honourable member for Inkster (Mr. Lamoureux), seconded by the honourable member for The Maples (Mr. Kowalski). Is it the will of the House to adopt the subamendment?

**Some Honourable Members:** Yes.

**Some Honourable Members:** No.

#### Voice Vote

**Madam Speaker:** No? All those in favour of the subamendment, please say yea.

**Some Honourable Members:** Yea.

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

**Some Honourable Members:** Nay.

**Madam Speaker:** In my opinion, the Nays have it.

**An Honourable Member:** On division.

**Madam Speaker:** On division.

\* \* \*

**Madam Speaker:** Is the House ready for the question? The question before the House is the amendment moved by the honourable government House leader (Mr. McCrae), seconded by the honourable Minister of Family Services (Mrs. Mitchelson). Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Madam Speaker:** Agreed? Agreed and so ordered.

**Mr. McCrae:** Madam Speaker, at this point, we could resume consideration of the concurrence in the Estimates.

## COMMITTEE OF SUPPLY

### Consideration of Concurrence Motion

**Mr. Chairperson (Marcel Laurendeau):** Order, please. The Committee of Supply has before it for our consideration the motion concurring in all Supply resolutions relating to the Estimates of Expenditures for the fiscal year ending March 31, 1999.

Is the House ready for the question? The question before the House is that the Committee of Supply concur in all Supply resolutions relating to the Estimates of Expenditures for the fiscal year ending March 31, 1999, which have been adopted at this session by the three sections of the Committee of Supply sitting separately and by the full committee.

Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

#### Voice Vote

**Mr. Chairperson:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

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

**Some Honourable Members:** Nay.

**Mr. Chairperson:** In my opinion, the Yeas have it.

**An Honourable Member:** On division.

**Mr. Chairperson:** On division.

Committee rise. Call in the Speaker.

### IN SESSION

#### Committee Report

**Mr. Marcel Laurendeau (Chairperson):** Madam Speaker, the Committee of Supply has adopted a motion regarding concurrence in Supply, directs me to report the same and asks leave to sit again.

I move, seconded by the honourable member for Emerson (Mr. Penner), that the report of the committee be received.

**Motion agreed to.**

**Hon. James McCrae (Government House Leader):** I move, seconded by the honourable Minister of Industry, Trade and Tourism (Mr. Downey), that this House concur in the report of the Committee of Supply respecting concurrence in all Supply resolutions relating to the Estimates of Expenditures for the fiscal year ending March 31, 1999.

**Motion presented.**

**Madam Speaker:** Agreed?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

#### Voice Vote

**Madam Speaker:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

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

**Some Honourable Members:** Nay.

**Madam Speaker:** In my opinion, the Yeas have it.

\* (2010)

#### Formal Vote

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

**Madam Speaker:** A recorded vote has been requested. Call in the members.

#### Division

*A RECORDED VOTE was taken, the result being as follows:*

#### Yeas

*Cummings, Derkach, Downey, Driedger (Charleswood), Driedger (Steinbach), Dyck, Enns, Faurichou, Filmon, Findlay, Helwer, Laurendeau, McAlpine, McCrae, McIntosh, Mitchelson, Newman, Penner, Pitura, Praznik, Radcliffe, Render, Rocan, Stefanson, Sveinson, Toews, Tweed.*

#### Nays

*Ashton, Barrett, Chomiak, Dewar, Doer, Evans (Brandon East), Evans (Interlake), Friesen, Hickes, Jennissen, Kowalski, Lamoureux, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Reid, Robinson, Sale, Santos, Struthers, Wowchuk.*

**Mr. Clerk (William Remnant):** Yeas 27, Nays 23.

**Mr. Neil Gaudry (St. Boniface):** Madam Speaker, I was paired with the Minister of Urban Affairs (Mr. Reimer). If I would have voted, I would have voted with a clear conscience.

**Madam Speaker:** The motion is accordingly carried.

**Mr. McCrae:** Madam Speaker, I move, seconded by the Minister of Health (Mr. Praznik), that Madam Speaker do now leave the Chair and the House resolve

itself into a committee to consider of Ways and Means for raising of the Supply to be granted to Her Majesty.

**Motion agreed to.**

## COMMITTEE OF WAYS AND MEANS

### Capital Supply

**Mr. Chairperson (Marcel Laurendeau):** The Committee of Ways and Means will come to order, please. We have before us for our consideration the resolution respecting Capital Supply. The resolution for Capital Supply reads as follows:

RESOLVED that towards making good certain sums of money for Capital purposes, the sum of \$124,766,000 be granted out of the Consolidated Fund.

Shall the resolution be passed?

**Some Honourable Members:** Agreed.

**Mr. Chairperson:** Agreed. The resolution is accordingly passed.

### Main Supply

**Mr. Chairperson:** We also have before us for our consideration the resolution respecting the Main Supply bill. The resolution for Main Supply reads as follows:

RESOLVED that towards making good certain sums of money granted to Her Majesty for the public service of the province for the fiscal year ending the 31st day of March, 1999, the sum of \$5,272,671,700 be granted out of the Consolidated Fund.

Shall the resolution be passed?

**Some Honourable Members:** Pass.

**Mr. Chairperson:** The resolution is accordingly passed.

Committee rise. Call in the Speaker.

\* (2020)

## IN SESSION

### Committee Report

**Mr. Marcel Laurendeau (Chairperson):** Madam Speaker, the Committee of Ways and Means has adopted a resolution regarding Capital Supply and a resolution regarding Main Supply, directs me to report the same and asks leave to sit again.

I move, seconded by the honourable member for Steinbach (Mr. Driedger), that the report of the committee be received.

**Motion agreed to.**

## INTRODUCTION OF BILLS

### Bill 59—The Appropriation Act, 1998

**Hon. Eric Stefanson (Minister of Finance):** Madam Speaker, I move, seconded by the Minister of Natural Resources (Mr. Cummings), that leave be given to introduce Bill 59, The Appropriation Act, 1998 (Loi de 1998 portant affectation de crédits), and that the same be now received, read a first time and be ordered for second reading immediately.

**Motion agreed to.**

## SECOND READINGS

### Bill 59—The Appropriation Act, 1998

**Hon. Eric Stefanson (Minister of Finance):** Madam Speaker, I move, by leave, seconded by the Minister of Justice (Mr. Toews), that Bill 59, The Appropriation Act, 1998 (Loi de 1998 portant affectation de crédits), be now read a second time and be referred to a committee of this House.

**Motion agreed to.**

## INTRODUCTION OF BILLS

### Bill 58—The Loan Act, 1998

**Hon. Eric Stefanson (Minister of Finance):** Madam Speaker, I move, seconded by the Minister of Industry,

Trade and Tourism (Mr. Downey), that leave be given to introduce Bill 58, The Loan Act, 1998 (Loi d'emprunt de 1998), and that the same be now received, read a first time and be ordered for second reading immediately.

**Motion agreed to.**

## SECOND READINGS

### Bill 58—The Loan Act, 1998

**Hon. Eric Stefanson (Minister of Finance):** Madam Speaker, I move, by leave, seconded by the Minister of Family Services (Mrs. Mitchelson), that Bill 58, The Loan Act, 1998 (Loi d'emprunt de 1998), be now read a second time and be referred to a committee of this House.

**Motion agreed to.**

**Hon. James McCrae (Government House Leader):** Madam Speaker, I move, seconded by the honourable Minister of Family Services (Mrs. Mitchelson), that Madam Speaker do now leave the Chair and the House resolve itself into the Committee of the Whole to consider and report of Bill 58, The Loan Act, 1998 (Loi d'emprunt de 1998), and Bill 59, The Appropriation Act, 1998 (Loi de 1998 portant affectation de crédits), for third reading.

**Motion agreed to.**

## COMMITTEE OF THE WHOLE

**Mr. Chairperson (Marcel Laurendeau):** The Committee of the Whole will come to order to consider Bill 58, The Loan Act, 1998 (Loi d'emprunt de 1998), and Bill 59, The Appropriation Act, 1998 (Loi de 1998 portant affectation de crédits).

### Bill 58—The Loan Act, 1998

**Mr. Chairperson:** We shall proceed to consider Bill 58 clause by clause. Is it the wish of the committee that we proceed in blocks of clauses? [agreed]

Clauses 1, 2(1) and 2(2)—pass; Clauses 2(3), 2(4), 3(1), 3(2), 3(3), 4(1) and 4(2)—pass; Clauses 5, 6, 7—pass; Schedule A—pass; Schedule B—pass; preamble—pass; title—pass. Bill be reported.

### Bill 59—The Appropriation Act, 1998

**Mr. Chairperson:** We will now proceed to Bill 59 clause by clause. Is it the wish of the committee that we proceed in blocks of clauses? [agreed]

Clauses 1 and 2—pass; Clauses 3, 4, 5—pass; Schedule—pass; preamble—pass; title—pass. Bill be reported.

Committee rise. Call in the Speaker.

\* (2030)

## IN SESSION

### Committee Report

**Mr. Marcel Laurendeau (Chairperson):** Madam Speaker, the Committee of the Whole has considered Bill 58, The Loan Act, 1998, and Bill 59, The Appropriation Act, 1998, and reports the same without amendment and asks leave to sit again.

I move, seconded by the honourable member for La Verendrye (Mr. Sveinson), that the report of the Committee of the Whole be received.

**Motion agreed to.**

## REPORT STAGE

### Bill 58—The Loan Act, 1998

**Hon. Eric Stefanson (Minister of Finance):** I move, by leave, seconded by the Minister of Environment (Mr. McCrae), that Bill 58, The Loan Act, 1998 (Loi d'emprunt de 1998), reported from the Committee of the Whole, be concurred in.

**Motion agreed to.**

## THIRD READINGS

### Bill 58—The Loan Act, 1998

**Hon. James McCrae (Government House Leader):** Madam Speaker, I move, seconded by the Minister of Energy and Mines (Mr. Newman), that Bill 58, The

Loan Act, 1998 (Loi d'emprunt de 1998), be now read a third time and passed. That would be with the leave of the House.

**Motion agreed to.**

### REPORT STAGE

#### Bill 59—The Appropriation Act, 1998

**Hon. Eric Stefanson (Minister of Finance):** Madam Speaker, I move, by leave, seconded by the Minister of Health (Mr. Praznik), that Bill 59, The Appropriation Act, 1998 (Loi de 1998 portant affectation de crédits), reported from the Committee of the Whole, be concurred in.

**Motion agreed to.**

### THIRD READINGS

#### Bill 59—The Appropriation Act, 1998

**Hon. James McCrae (Government House Leader):** Madam Speaker, I move, (by leave), seconded by the honourable Attorney General (Mr. Toews), that Bill 59, The Appropriation Act, 1998 (Loi de 1998 portant affectation de crédits), be now read a third time and passed.

**Motion agreed to.**

### DEBATE ON GOVERNMENT MOTIONS

**Hon. James McCrae (Government House Leader):** Madam Speaker, might we now proceed back to the resolution we were discussing earlier?

**Madam Speaker:** To resume debate on the proposed motion of the honourable Minister of Justice (Mr. Toews), standing in the name of the honourable member for Thompson (Mr. Ashton).

**Mr. Steve Ashton (Thompson):** I just want to indicate from the beginning that I thought the quotation used by the member for Wolseley (Ms. Friesen) was quite appropriate to the circumstances we have seen this past week. It was one of my favourite sayings about

politics, Harold Wilson's comment that a week is a long time in politics.

One week ago, when new revelations came out about the corruption of the electoral process in three constituencies in this province with fraudulently funded and assisted and run candidates with accusations leading to the top level of government right up to the chief of staff, the campaign manager of the Conservative campaign in the last election, the government dismissed it.

When it became clear there was new evidence pointing right to the top of the Conservative Party, they tried to attack the witnesses. I dare say we are now seeing, a week later, that those witnesses I believe were right in raising these concerns deserve to be heard, and I must admit it has been amazing even watching over the weekend how this government has gone from referring it to the Chief Electoral Officer and today appointing what we called for last week right at the beginning. We called for an independent judicial inquiry.

I want to state very clearly, though, that while this is a significant move on the part of the government, we still have major concerns about the scope of the inquiry and whether it will be open.

Therefore, Madam Speaker, I move, seconded by the member for Concordia (Mr. Doer),

THAT the motion be amended by

(a) striking out "to inquire into and report on" and substituting "to conduct a public inquiry into and submit a comprehensive public report, including recommendations respecting regulations, procedures and legislation, in relation to";

(b) striking out "occurring during the period prior to and during the" and substituting "or any illegal or unethical conduct, including cover-up activities undertaken or benefits received by agents of the Progressive Conservative Party, relating to"; and

(c) striking out "the attached proposed Order in Council" and substituting "an Order in Council which gives effect to this motion."

\* (2040)

**Madam Speaker:** Order, please. I have been advised that the motion is out of order. The amendment submitted is amending the original motion, not the motion as amended, and the amendments have been dealt with.

**Mr. Ashton:** Madam Speaker, by leave, I think we can deal with the concern by having it read: THAT the motion as amended be amended. I believe that is the concern. Just in the phrasing of the—we have checked the wording, by the way, with the Clerk's office.

Madam Speaker, I would then withdraw that wording and add an amended wording, and that would be I move, seconded by the member for Concordia (Mr. Doer),

THAT the motion, as amended, be amended by

(a) striking out “to inquire into and report on” and substituting “to conduct a public inquiry into and submit a comprehensive public report, including recommendations respecting regulations, procedures and legislation, in relation to”;

(b) striking out “occurring during the period prior to and during the” and substituting “or any illegal or unethical conduct, including cover-up activities undertaken or benefits received by agents of the Progressive Conservative Party relating to”; and

(c) adding after Commissioner “and the provisions of items (a) and (b) above.”

**Madam Speaker:** Order, please. Does the honourable member for Thompson have leave to withdraw his initial motion? [agreed]

**Motion presented.**

\* (2050)

**Mr. McCrae:** Madam Speaker, I have not had the benefit of a lengthy review of the resolution or the amendment being brought forward by the honourable member for Thompson this evening, but from what I can tell, having heard the amendment, it appears that it

is a rehash of a number of the matters that have been raised by honourable members of the New Democratic Party in the last few days.

I would simply repeat the answers that have already been provided, which really boil down to the fact that this form of inquiry under The Evidence Act and with Commissioner Monnin in place allows for a very wide latitude and allows for an appropriate handling of these matters by a jurist whose skills are questioned by no one, whose skills at finding the truth of getting to the bottom of things is well known and respected in this province. For those reasons we would not be supporting this amendment.

**Mr. Kevin Lamoureux (Inkster):** Madam Speaker, very briefly, I think, for some, today's events might have been somewhat confusing right from Question Period all the way up to this motion, the motion prior, where we talked about the need to support and endorse the Chief Electoral Office and the officers in it.

I am not too sure in terms of what is going to happen with the Chief Electoral Officer, given the motion was defeated earlier with respect to its endorsement, but having recognized that the government is now outside of having an inquiry headed by a judge, it would seem reasonable that we ensure that other concerns of ensuring that there is a high sense of accountability be at the very least listened to. Thank you.

**Mr. Conrad Santos (Broadway):** Madam Speaker, the basic issue before us is this question: who is going to express the legislative intention about the nature and extent of this commission of inquiry? Should it be the commissioner himself, who is an appointee of this Legislature, or should it be this Legislative Assembly?

It is very obvious, Madam Speaker, that the intention of the Legislature should come from the Legislative Assembly itself. This Legislative Assembly is the representative body of all the representatives of the people. The people are the ones who will either suffer or get their confidence restored in our electoral process, because what is at stake here is the very integrity of an orderly, peaceful, electoral process, you see.

It is so essential that the intent of the Legislature proceed from the whole body of the Legislative Assembly, not that the commissioner is unable to make a decision. He can, but that will not be the intention of the Legislature. If the commissioner himself will say, I decided it will be public, then good, because it will coincide with the legislative intention, but should he decide that it will be private, it will be nonpublic, it will be secret, what can the Legislature say?

We cannot do that. It is the prerogative of this Legislative Assembly as the highest court in this province to lay down the terms of reference to the commissioner to whom we are giving the authority to make the investigation, because what is at stake here is the very sanctity of the electoral process, the sanctity of the ballot, the basic political choice of every individual member of the political community. I believe that this Legislature should lay down the mandate, that it should be a very public, open inquiry with public record so that the public trust and confidence can be restored in the electoral process.

The basic human choice is part of our nature as human beings. Without any choice, we are less than a human being. We will be like robots if we are deprived of the basic right to choose.

**An Honourable Member:** Automatons.

**Mr. Santos:** Automatons, as the member said.

It is written: I lay before you life or death, blessing or curse. Choose that which is right that you may live. It is a basic choice of every human being to make the choice, and this is the choice in the sanctity of the ballot. The sanctity of the ballot did not come about in a jiffy. It took three revolutions, basic revolutions; the French Revolution, the American Revolution, the Russian Revolution, so that we can change that old order where what the king says is the law of the land. Right now the basic maxim of our political system is vox populi, vox Dei, the voice of the people is the voice of God.

If this Legislature is not in session, by definition under our institutional arrangement it will be the government of the day that will give, by Order-in-Council, the mandate. That will deprive the

representative of the people of their say in giving the legislative mandate to the commissioner, but then even if we are in session by the very nature of the fusion of the executive and legislative power in this Legislative Assembly, it is still the will of the government that will prevail because in the Legislature the majority wishes by the rule of majority will have to be carried out and the majority is carried by the majority party of the day. But let them vote against the openness, against the publicness of this resolution and it will be on public record. To insist on a private, secretive, non-open kind of investigation is to resuscitate the old Spanish inquisitor system, to resuscitate the Star Chamber which has cost many lives in order to achieve this freedom of the ballot, the freedom to make a political choice, the sanctity of our electoral process.

And we should remember that, no matter how much we cover up things, it will only take a while. The event will unfold itself until the truth comes out, because it is also written, nothing covered shall not be revealed nor he shall not be made known. What you speak in secret, you speak in the lie. What you hear in the ear, you shout over the house tops. All things will be known eventually and there is no denying about the truth.

The truth will come out. That is why I have said it before: Seek ye the truth—and I am only quoting from the great book—and the truth shall make you free. You will be free from all suspicion, from all suspicion of manipulation, all suspicion of tampering, all suspicion of violation of the sanctity of the electoral process if this is an open, public inquiry, as mandated by this representative body of all the people.

If some political operative, in their zeal to win power, violated some of those basic fundamental rules of the electoral process, then the neutral fundamental rules of the electoral system would have been violated. There is no level playing field. People will not be willing to play any more in that electoral process. There is a reason for revolution if they cannot trust the electoral system any more.

We have seen this in other countries. We have seen other systems where they disregard the sanctity of the ballot, but it costs blood, lives and disruption of the order of society because of this violation of human rights to make a choice. It is better, therefore, that we

uphold the power of love rather than the love of power. The love of power is dangerous. As has been written and said again and again, power corrupts, and absolute power corrupts absolutely. In the zeal of political operatives in order to win political power, they would have violated all kinds of rules of fairness, and they will be Machiavellian in their outlook because they seek power. That is why power is dangerous.

But, then, if we uphold the power of love, which means you have to uphold justice and fairness to everyone, who can be against you? No one because you are upholding the power of love. The power of love should prevail over the love of power. Love worketh no evil. Love worketh no ills to anyone because love is the fulfillment of the law. What law? Thou shalt not lie; thou shalt not steal; thou shalt not covet; and if any other law exists, it is in the maxim thou shalt love thy neighbour as thyself.

\* (2100)

If we would only follow the basic law, there will be peace, orderly, peaceful elections. There will be peace, an orderly political system. There will be peace not only for the present generation but for our children and our children's children. Violate the basic fundamental rules of the electoral process, and there will be dissatisfaction. There will be sedition, there will be uprisings as we have seen in other countries. As I have said before, this is basic and fundamental. We cannot just let it go. We have to rectify. We have to restore public confidence. Without public confidence in our electoral process, there can be no public confidence in our government, nor of officials, nor any elected official, nor even appointed officials.

Solomon said: and I saw under the sun the place of righteousness, and wickedness was there; and I also saw the place of righteousness, and inequity was there. No human institution is free from all this corruption because they are among human beings, but when it becomes so obvious, it is our obligation, our moral duty to restore the public confidence of the people in our political system. That is the duty of every one of us, not just to win elections and become a government for a certain period of time.

It is better to have loved and lost than never to have loved at all. It is better to have followed fair, orderly elections than to do it and cheat and win. There is no

honour in cheating because that is a violation of the fundamental rules of the game. You will be dishonoured for the rest, not only of your living life, but even the memory of the past. They will dig it up again and again.

I admire those people who can exit from public life with honour because they have followed the fundamental rules of the game of politics. Politics should not ever be brought into disrepute because it will become pseudo-politics, the love for self, the coveting of self-interest, the coveting of the specific group, not the search for the benefit of all and the good of all of the citizens in our political system, which is our duty as elected representatives.

I therefore conclude that as elected representatives, it is our moral obligation that we make the inquiry public by mandate from the source of the mandate, this Legislative Assembly, and not leave it to the delegate to determine whether it will be public or private. If we leave it in his hands, we are surrendering sovereign authority of this Legislative Assembly to one who is not even elected by the people nor appointed with authority by the elected representatives of the people. We appoint the commissioner and we give him the mandate that it will be public, it will be open, because we want to restore public confidence in our electoral system. Thank you.

**Mr. Gord Mackintosh (St. Johns):** It is an important time to reflect on the grudging attitude of this government, the members opposite, not just how to deal appropriately with this issue, but democracy. We have seen under this government corruption of this Legislature through your office. We have seen from this government this Premier stand aside when the Attorney General and Minister of Justice (Mr. Toews) makes a secret deal behind closed doors with the Chief Judge of this province for the sake of a political party in the government. Then not just the Legislative Assembly, not just the independent judiciary, but now the most serious allegations of corruption of the electoral process by the Conservative Party, members opposite, high-ranking officials in the Premier's Office, nothing but a grudging approach.

This harms the system as much as it harms the governing party and, because it harms the system, it



harms us all. We are all aware, Madam Speaker, of what is perhaps a stigma of being a legislator, what is popularly known as a politician. We have to day after day bear the brunt of a cynical public, cynical about people who hold public office and seek election, and why? It is because of incidents as have been alleged here. Second, it is because of the response of people in positions of authority and power to those allegations. The response here has been nothing short of disgraceful.

When the allegations were raised on Monday, there was nothing but denial, a pointing of a finger at the opposition when the allegations came from outside of this Chamber. They came from people in the Manitoba community. But, oh, no, Madam Speaker. It is, let us talk about the members opposite. The partisanship shown in response to these allegations was again indicated today. The Premier (Mr. Filmon) got up in Oral Question Period and said the stonewallers are you people in the opposition because you are not letting this inquiry get underway. Well, if we had agreed to that inquiry last week, there would not have been the former chief justice as the commissioner. But they made a decision on Friday when the Chief Electoral Officer decided to withdraw. Did they tell us? No. Did they tell us on the weekend? No. Did they tell us this morning? No.

They brought in an amendment today and had the gall to say: you should have given up Question Period, I suppose, and just given us a rubber stamp. But you can see the extent to which they will go to try and make an argument. Let us deal with the issues. Let us deal with the disgrace that this has, not just on this government, but all legislators, and think of the harm in the meantime, this government denying, denying, and now the flip-flop, the flip-flop.

This amendment, Madam Speaker, says two things. First, it says that the hearings must be public. The commission itself must hold its investigation in public before the eyes and the ears of the Manitoba community. This issue of publicness is not something we raise on a theoretical level. When the government finally, after much prodding by members of the community and this side, agreed to the Lavoie commission of inquiry headed by Mr. Justice Schulman. They said this would be a public inquiry.

Well, Madam Speaker, by September 12, 1996, it became apparent to us that the commissioner, after hearings were held in public, after cross-examination of witnesses and the cameras were gone, went and met with probation officials to discuss their programs and their caseloads, statistics, matters that went to the heart as to whether government was able to deal effectively with domestic violence in this province. We raised the matter in the Legislature on October 3. Do you know what the Minister of Justice said in response to us raising this concern, the concern about a public inquiry going private? She said the member opposite has now cast a shadow on the ability of Justice Schulman to do his work. She went on to say: he has questioned now whether or not Justice Schulman is conducting this inquiry in the appropriate way.

That was their response. Well, we say, Madam Speaker, let us get it straight from the first place. Let us get it right from this Assembly, which is the body that creates this commission of inquiry. This is the body that sets the terms of reference. When matters involve allegations of corruptness of the electoral process of a democratic system, the way to deal with it is to have it heard in public, so it is transparent entirely. The second thing this amendment seeks to do is to enlarge the scope of the commission of inquiry. This side, Manitobans have not simply been saying that there has been a breach of statute. We have not been saying there are simply alleged infractions of The Elections Act or The Elections Finances Act. We have said there are serious ethical breaches, matters that might not be covered by legislation but should be.

You know how we get laws—and good laws? We learn from history; we learn from our experiences. It may well be that the commission of inquiry discovers that the law should read otherwise. That should be within the scope of this inquiry. It is not right now. As well, there may be criminal matters that come to light, or maybe there are shortcomings in the Criminal Code or other statutes. Those shortcomings should be noted by the commissioner.

\* (2110)

We also need, Madam Speaker, recommendations from the commission of inquiry. It is not enough that there be a review of what happened. It is important that

Manitobans be offered a way to ensure that these allegations, if proven, never happen again or can be dealt with better in the future, what legislation should be improved on, what policies and procedures can be improved on.

As well, the resolution restricts the commission of inquiry to looking at matters that occurred prior to and during the '95 election, and omits to give the commissioner of this inquiry the power to look at matters that occurred after the election period. It is very important that the Premier's Office, what the Premier knew, ought to have known, what the Premier asked, what he did not ask, be looked at because there is a cloud over his office as well. It is important that any allegations of kickbacks and others regarding cover-ups be looked at, which could have occurred up to last week or this week. That is excluded.

As well, the investigation by Elections Manitoba deserves some explanation. We are confident that that investigation by Elections Manitoba was done in good faith, but there have been serious allegations that not all of the material facts were discovered or looked at. I do not know if that is true or not, but Manitobans deserve to know what went on, why the shortcomings.

Madam Speaker, it is not a lack of confidence by this side in Elections Manitoba, not at all. The lack of confidence is a concern of all Manitobans, because in media and by expressions, and I think all members here have heard expressions from members of the public of a concern about the investigation by Elections Manitoba. No other aspect of Elections Manitoba is under scrutiny or question, but their investigation, notably, why was not Mr. Sutherland interviewed? Well, he may have been interviewed, but the information we have is that he was not. So let us know what happened, what improvements could be made to give Elections Manitoba the time and the tools, or was it something more that they need? But the job of this side of the House is to restore and to ensure confidence in Elections Manitoba. It is not this side of the House that says it has no confidence. Indeed, we have extremely high regard for the Chief Electoral Officer and the administration of elections in this province.

I finally want to say, Madam Speaker, that the reason we believe the amendment has to be considered by

members opposite seriously is that the scope of the investigation by the commission of inquiry is determined by the resolution passed by this House. In our view, it is not determined by the wording of the Order-in-Council. It is not determined by the wording of The Evidence Act. It is determined by the instrument which gives the commission its authority, and that is this resolution before the House. The resolution restricts the commissioner's investigation to matters occurring prior to and during the '95 election.

Madam Speaker, we ask the members opposite to think seriously about these amendments, to support them, to ensure that this attack on one of the pillars of our democracy in Manitoba is dealt with the way it should be, and that confidence is restored so all Manitobans will know that this matter has been dealt with fully, everything will be known, and we can get on with the democratic system in this province that has the trust of all. Thank you.

**Mr. Tim Sale (Crescentwood):** Madam Speaker, I echo everything that my honourable colleague has just said, and I will not repeat his comments, but I would like to speak strongly on behalf of the process of openness and of a broader scope by giving a particular example of why this inquiry is such a vital process.

In September of 1992, Madam Speaker, I was sitting in the studio of CJOB, Peter Warren's show, with Jenny Hillard, the Conservative candidate in the by-election and Avis Gray, the Liberal candidate. During that show certain calls came in from people impersonating voters in Ms. Gray's former riding of Broadway which she had lost. While I was sitting there not recognizing those voices because I did not know the dulcet tones, not having lived in western Manitoba, the host, Peter Warren, wrote a quick note to me and handed it to me, quite an unusual thing for Peter Warren to do, and it said "rigged call." Peter Warren recognized the voices immediately.

So, Madam Speaker, here we were in 1992 in a by-election. High officials of the Conservative apparatus in this building were so desperate to win a by-election, which, in fact, they ran third in, that they rigged calls from Ron Arnst and Janice Armstrong, and then those same high officials of whom we speak today, the same people, lied about it, lied about it to the media for a

little while until Mr. Warren said: Mr. Downey, we have it on tape. Would you like to hear the voice and still deny that it is Ron Arnst and Janice Armstrong?

Well, at that point, Madam Speaker, of course, they caved in. Ron Arnst went to his reward and Janice Armstrong went to a different place of occupation. Who was the chief of staff at that time? A man named Sokolyk. Who was the Premier at that time? The same one we have today.

So when people wonder if this party opposite would stoop so low as to rig or attempt to rig an election, would interfere in the democratic process at such a level, let them recall the history and be reminded that out of the Premier's Office came corruption in 1992. Were it not—and this is my point about openness—for an alert media, a media which I might say has not been extreme in its friendliness towards this side of the House, but nevertheless a journalist, had it not been for an alert media, we would not have known Ron Arnst's identity, Janice Armstrong's identity, and the scam might not have come to light.

So we speak on behalf of openness for this inquiry for the witnesses, for the public of Manitoba, but we also speak for the men and women of the press who have done their job in this past week and in the weeks leading up to this event, who did their job in 1992 and who, if this inquiry went private as the Lavoie inquiry did at some stages, would be prohibited and disabled from doing their job.

If the government votes against these amendments, the government is saying not only to the public of Manitoba but to the press: you do not deserve the right to report fairly on the news you helped to make that is vital to the freedom and future fairness of elections in Manitoba. Do they really want to go on the record of denying freedom of the press to report on a matter of such public importance as this amendment speaks to? These are vital amendments. They are not laughing matters.

\* (2120)

The honourable member for Riel (Mr. Newman) spoke in a conciliatory tone about an hour and a half ago, saying we had arrived at a place that perhaps we

could all support. I say to him, with all respect, we do not support an inquiry that is not transparently open at the direction of this Legislature. Unless there can be shown specific cause and a specific situation why it should be closed, we do not support a mandate which does not require openness.

So, with all respect and regret, I tell the member opposite, we have not arrived at that place. The debate has not come full circle to the point where we can say, yes, this is a fair, full, public inquiry with a scope adequate to the very important task of restoring confidence in the electoral process in Manitoba and restoring particularly to aboriginal brothers and sisters of this province a sense that they will not ever again be duped into wasting their votes on a noncandidacy put in place to rig an election, Madam Speaker.

These amendments are critical, and let the government understand that, in voting against this amendment, they are saying not just to Manitobans but to the press, that they have no right to report on something so vital as the conduct of an election. If they vote against this amendment, it is as shameful as the rest of their conduct has been through this episode and through this past week.

**Mr. Gary Doer (Leader of the Opposition):** Madam Speaker, I want to say a few things about the amendments that we have proposed to this Chamber, and these are very serious amendments.

I want to say, right from the outset, I want to say right from the beginning, that if these amendments are not passed, if the majority tries to use their voting power over the minority in this Legislature, we are saying here and now that we will continue to reserve the right to raise all the issues surrounding the allegations that have been made over the last number of days, and we will continue to have the right and, dare I say, the responsibility to shake this tree and continue to see some of the rotten fruit come to the ground.

I say that to the members opposite, who I am sure have gone in caucus and I am sure they have got the Whip on and I am sure the same people that are alleged to be involved in the allegations have prepared the strategy, prepared the communication lines, prepared the caucus for this debate. They are the same people

that told you a week ago, oh, we can say: we just investigated this through Elections Manitoba, there is no need to reopen it. They are the same people that told you that on Wednesday they could live with a line, the public could live with the line that Elections Manitoba, that first investigated it, would reinvestigate it again, and now they are probably the same people who are saying: now that the power of the commission has been established and an independent commissioner has been appointed, the calls from the opposition and the calls from the public to have a broad scope and a public process can be ignored.

Well, I am saying to you that we expect support from members opposite. Failure to do so will have consequences in the public arena. I want to make that very clear. These are serious allegations. The members before me have already spoken to the merit of those amendments, and the allegations, as I say, are very serious.

Mr. Darryl Sutherland has come forward and publicly stated that he was funded by the Conservative Party of Manitoba, and, in the 1995 election, he was approached by Conservatives in a Conservative home, promised Conservative support to run as a Native Voice candidate in Interlake and that this was part of a plan to split the vote in three ridings in order for Tories to win the seats and MLA incumbents to be defeated.

I ask any one of you across the way to look at the Whip that is on you, the party discipline that is now in play with you, and ask yourself the same question of whether you would want a broad public inquiry with a broad scope and a public inquiry if you were the one facing, as Clif Evans did, or the member for Interlake did, a campaign of two candidates run by the same party. What would you expect in terms of the integrity of your democratic right to run as a candidate in the last election campaign? What would any of you expect if those allegations were made?

Look at the places where the campaigns were run. The New Democratic Party holds nine seats out of Winnipeg. We held five rural seats going into the last election campaign. Two of those rural seats have large numbers of urban voters in Brandon and Selkirk. The other three seats have large numbers of rural voters. Very, very close elections take place in all three seats.

Do you think this was a coincidence? You do not think this was not a systematic plan hatched in the Conservative offices, implemented by Conservative operatives close to the Premier, as alleged by Mr. Sutherland and further alleged by Mr. Sigurdson?

The evidence was clear. The opportunities were greatest for the Conservative Party in the three ridings that the Native Voice candidates ran. That is why when we hear allegations that were raised last week, that Mr. Sokolyk chose those three ridings in consultation with the provincial secretary of the Conservative Party and chose those seats because their poll results showed a split could indicate a possible win. That is why it is believable and that is why you should vote against the Whip and vote for these amendments.

These are serious allegations. A former Tory candidate in St. Boniface, Mr. Sigurdson, has come forward and named the dates and the places and the people that have participated again in this campaign that has so coincidentally focused at the three members of this side of the House in this alleged scheme that took place. Not only did Mr. Sigurdson allege this, but Mr. Sigurdson called Mr. Aitken to a meeting that was held on January 6, I believe, in the Norwood Hotel where Mr. Aitken confirmed to the member for Interlake (Mr. C. Evans) and the member for Crescentwood (Mr. Sale) an allegation that was made by Mr. Aitken and confirmed in the presence of both individuals.

Now, of course, Mr. Sigurdson wrote out a statement, and we would have preferred Mr. Aitken to write out a statement, but eventually what happened is Mr. Sutherland came forward and confirmed that money was, in fact, passed by the Conservative Party to him. Now members opposite, when they are given their marching orders by the Premier (Mr. Filmon) and his staff and his communicators and his controllers and his people—and as the member for Crescentwood (Mr. Sale) has pointed out and I pointed out at a public meeting last week, we have seen political campaigns out of the Premier's Office before.

We have heard people phone up and say, I am Joe Blow and I am just a citizen here on Ellice, and I think that what has happened with my former MLA in Broadway was she was horrible. She never returned

my calls. She never answered my phone. She never returned her mail. And then another staff, right out of the Premier's Office again, made those calls.

That is why the members of the Liberal Party should be concerned and support these amendments today because one of their own went through the same kinds of dirty tricks that we saw in terms of the electoral process. Two of the Premier's staff involved, and the Deputy Premier denied it and denied it and denied it. Even after a former colleague, Mr. Bob Irving, who worked at the same radio station, said that is Mr. Arnst, the Tory Deputy Premier still denied this allegation. So, when Mr. Sigurdson comes forward and Mr. Sutherland comes forward, we take those concerns and allegations seriously because the finger is pointed at an office and a person, a Premier, that has regrettably been involved in these campaigns before.

Now, the government has tried all kinds of strategies. It stonewalled. It stonewalled. It kind of thinks that this will go away. They have a lot of allegations that sometimes stay around for a couple of days or a couple of months, a couple of years, and a lot of things that go away, but you know why this will not go away in the public? You know why this will not go away, when somebody gets \$4,913 and is living on modest means, when somebody receives or donates to himself allegedly four or five times more than quite wealthy Conservatives opposite, donates four or five times more than the Premier himself in his own campaign in 1995, the public knows there is something rotten in the state of Denmark. They know that the allegations made by Mr. Sutherland about the \$4,913 sound true, sound very true. I have always believed, in terms of election financing, that one of the greatest strengths of our Elections Act is the wonderful transparency that we have in terms of political donations, political obligations, political expenses.

\* (2130)

We have a system in this province that provides for transparency because that provides for honesty. One of the fundamental honest tenets of this Elections Act and this Legislature is the fact that if Mr. Sutherland's allegations are true—and we know it would be near impossible for himself to raise or donate to himself that much money—the members, whoever were involved, have broken one of the first rules of ethics and law, in

our opinion, of any election, and that is we always, always are required by law, by ethics, by moral standards, by the traditions we live in in this Legislature to declare where the source of our money is, so the public will know what are the influences that guide us—always.

We do not do it the old-fashioned way. We do not pass money under the table. That is against the law. We declare where our money comes from, we declare where we spend our money, and that is the way we do it moving into the 21st Century. We do not need to go back a hundred years in terms of political corruption with Tory ethics in terms of what we are seeing here in this Legislature.

So that is why these amendments are very, very important, very, very important, because they speak to two other principles that we have here. Justice is done and conducted in a public, open forum unless there is a compelling reason for an individual bit of evidence to be presented in private for the safety of an individual. But the overwhelming thrust of an inquiry, in our view, it has to be public and this Legislature should set that standard. It should not be delegated to the commissioner, however respected the individual is. This Legislature is delegating power. We should take a leadership role on a public inquiry.

The second matter is, of course, scope. We want the ethics of what happened reviewed. We want the alleged corruption of what has happened reviewed. Can you imagine having a narrow set of investigations and having allegations? This is the most serious example of political corruption in recent Canadian history. Can you imagine that being interpreted and a judge, respected judge that he is, saying my terms of reference are narrow. These are the terms of reference. You are only to give evidence on these matters. Again, the Legislature should not delegate to the commissioner these kinds of scope. The Legislature should set the scope, and if the Premier (Mr. Filmon) is sincere, we should have a scope that gets to the bottom of all of it. He wants an honest inquiry. We will want him to practise what he preaches and increase the scope in this inquiry.

Let me give you a couple of examples. Mr. Barrett is obviously a member of the PC Manitoba Fund. He is

obviously a fundraiser for the Tories. He is obviously an integral part of this election alleged fraud in this area. He is a person in whose house Mr. Sutherland met. He has now admitted that he may or may not have given money. He could not remember. He would have to check "his records." It may or may not be a loan, but if it was a loan, it was not repaid. Three months later, this individual was given a liquor licence. What did the chief and council in this Cross Lake Band say about the liquor licence? They said we are opposed to this hotel getting a liquor licence. In fact, for 10 years they were successful in providing opposition to a liquor licence being granted, and three times the government refused to grant a liquor licence to the former owners, the Sweenys, I believe, prior to the 1995 election.

But what happened miraculously after the election? What happened after the election? In June of 1995, a new hotel owner with miraculous connections to the Conservative Premier (Mr. Filmon), a person he knows quite well, a person the Premier visits, a person who is on the inner fundraising cabinet of the government, is granted a liquor licence about eight weeks after the election. Well, we want to know from an inquiry whether there were any payoffs or any kind of connection between the granting of those liquor licences and the activity in the Interlake constituency.

Chief Sydney Garrioch at the time said this is political connections. He wrote a letter to the government in May of 1995, saying: this individual is only getting a liquor licence because of political connections. We did not know at the time that three years later how right Sydney Garrioch, the former chief of the Cross Lake First Nation Band would be, and I say that Sydney Garrioch deserves his day in court in the commission of inquiry about why that liquor licence was granted.

I also believe it is very important to recognize the concerns raised by the Peguis First Nation chief. He wants this inquiry to be public, and he wants this inquiry to be broad in its scope. He is quite worried about what happened in the 1995 election, and he feels the best way to get to the bottom of all the activity and the alleged activity in this 1995 campaign is to have an open, public and broad focus. I say Louis Stevenson is right in those proposals here today.

Clif Evans said last Monday, the member for Interlake stated: I felt as if I ran against two campaigns. I know the government said oh, we were only giving advice to the candidates running in Swan River, Dauphin and the Interlake. Well, it looks like they were giving money. It looks like they ordered the buttons, and I say to members in this Chamber that the Premier, who said he investigated these matters, either was misled by his chief political officer, Mr. Sokolyk, or, regrettably, he misled this Legislature. Those are very serious allegations, and obviously somebody along the command link did not ask the right questions, or if they did, they did not give us a full and open answer, because buttons are not advice, money is not advice, signs are not advice and \$4,913 is not chicken feed when it comes to funding election campaigns.

I want to say that the member for Rupertsland (Mr. Robinson)—and it is almost an eighth anniversary of the Meech Lake Accord—talked about the great expectations that aboriginal people had after Meech Lake about working and co-operation and partnership with all of us to move forward for first peoples in this province. I remember being in this Chamber when this Meech Lake Accord was before us and the former member for Rupertsland denied leave. There was a time when an individual member had some rights, and more importantly, had respect from everybody in this Chamber. Would it not be a sad state of affairs, and many people believe it already is, that the Conservative Party that has sat on the AJI, cut Access, cut New Careers, took away students' social allowance, have bombed all the bridges of opportunity for First Nations in Manitoba, then went and used them for their own political advantage in the campaign. I say shame on that Premier (Mr. Filmon). You should be ashamed of yourself in terms of what has happened.

The member for The Pas (Mr. Lathlin) made the same point, that there is no respect from this First Minister to First Nations people, and what hypocrisy for them to be directly involved in the Native Voice campaign and the Native Voice candidates in those three constituencies.

Madam Speaker, a week ago, the Premier (Mr. Filmon) refused to have an inquiry. A week ago, the Premier refused to have the powers of a commission. A week ago, the Premier refused to have an

independent person outside of Elections Manitoba. Now, today, after all the allegations have continued right through the weekend about buttons and signs and money and activity of the Tory operatives in those ridings, the Premier finally announces former Chief Justice Monnin as the commissioner. We think the person chosen is one with credibility, one with a reputation, a scholarly legal person, and regrettably this individual should have been appointed a week ago when we asked the government to appoint a retired judge or somebody with that kind of expertise to conduct these hearings.

\* (2140)

But, you know, Madam Speaker, I got a tattered piece of paper from the Premier today, asking for leave to amend a resolution that did not even need leave to amend, when it was up before the Assembly at 2:30 in the afternoon. I was thinking when I was looking at this tattered piece of paper, after I had to change my question at 1:31 today that, you know, a year ago, I remember the Premier (Mr. Filmon) sneaking in the back door of the Legislative Building because he did not want to face the flood victims, and he came back through the back door so he would not face up to the people who were most devastated by the Red River flood.

I do not think we are going forward in this Chamber with dignity, integrity and strength when the Premier does not have any more of a backbone than to leave a tattered piece of paper underneath the Order Paper. Why does he not work in an all-party way? These are allegations about an election. They affect three MLAs. Why did he not let us know and why does he not deal with us in an all-party way so that we can develop a resolution that we can all be proud of to put the integrity back into this process?

So I say to members opposite if you vote for our amendments, the process will have the full integrity from all sides of the Chamber. If you choose not to, we still must proceed with the process that has been put in place, and we will do everything possible to ensure that the truth is known. But, without a guarantee of a full public process, without the scope that includes alleged corruption, alleged antiethical behaviour, alleged cover-ups potentially right up to the Premier's Office, without those amendments this process will not be all it should

be, and we will continue to fight for truth in the public arena as well as fighting for justice with the commission of inquiry.

**Madam Speaker:** Is the House ready for the question? The question before the House is the amendment moved by the honourable member for Thompson (Mr. Ashton). Is it the will of the House to adopt the amendment?

**Some Honourable Members:** Yes.

**Some Honourable Members:** No.

#### Voice Vote

**Madam Speaker:** No? All those in favour of the amendment, please say yea.

**Some Honourable Members:** Yea.

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

**Some Honourable Members:** Nay.

**Madam Speaker:** In my opinion, the Nays have it.

#### Formal Vote

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

**Madam Speaker:** A recorded vote has been requested. Call in the members.

#### Division

*A RECORDED VOTE was taken, the result being as follows:*

#### Yeas

*Ashton, Barrett, Chomiak, Dewar, Doer, Evans (Interlake), Friesen, Gaudry, Hickes, Jennissen, Kowalski, Lamoureux, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Reid, Robinson, Sale, Santos, Struthers, Wowchuk.*

#### Nays

*Cummings, Derkach, Downey, Driedger (Charleswood), Driedger (Steinbach), Dyck, Enns,*

*Faurschou, Filmon, Findlay, Helwer, Laurendeau, McAlpine, McCrae, McIntosh, Mitchelson, Newman, Penner, Pitura, Praznik, Radcliffe, Reimer, Render, Rocan, Stefanson, Sveinson, Toews, Tweed.*

**Mr. Clerk (William Remnant):** Yeas 23, Nays 28.

**Madam Speaker:** The motion is accordingly defeated.

\* \* \*

**Madam Speaker:** Is the House ready for the question? The question before the House is the motion of the honourable Minister of Justice (Mr. Toews), as amended.

Is it the will of the House to adopt the motion as amended?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** Yes.

**Madam Speaker:** Agreed? Agreed and so ordered.

\* \* \*

**Hon. James McCrae (Government House Leader):** Madam Speaker, with the leave of the House, and seconded by the Minister of Agriculture (Mr. Enns), I move that the fees paid with respect to the following bills be refunded, less the cost of printing: Bill 300, The Brandon University Foundation Incorporation Amendment Act (Loi modifiant la Loi constituant la Fondation de l'Université de Brandon); Bill 301, An Act to Amend an Act to Incorporate the Dauphin General Hospital Foundation (Loi modifiant la Loi constituant la Fondation de l'Hôpital général de Dauphin); Bill 302, The St. Paul's College Incorporation Amendment Act (Loi modifiant la Loi constituant en corporation le "St. Paul's College"); and Bill 303, The Brandon Area Foundation Incorporation Amendment Act (Loi modifiant la Loi constituant en corporation "The Brandon Area Foundation").

**Motion agreed to.**

**Mr. McCrae:** Madam Speaker, with the leave of the House, I move, seconded by the honourable Minister of

Energy and Mines (Mr. Newman), that when the House adjourns today, it shall stand adjourned until a time fixed by Madam Speaker upon the request of the government.

**Motion presented.**

\* (2150)

**Mr. Kevin Lamoureux (Inkster):** We did want to put a few words on the record prior to the session rising. Madam Speaker, this is going to be indeed a session in which we will realize that a lot of legislation and a lot of other matters were dealt with, but all of those, given what has been happening over the last week, have been somewhat overridden. We need to reflect on some of the things that we believe have, in fact, gone through this Legislature.

We look at things such as the Children's Advocate's office as an issue which, for a good number of years, the Liberal Party has been asking the government to have it held more accountable through the Legislative Assembly. We see that as a positive. We have Bill 16, which was floodproofing, which enables Manitobans to be that much more in terms of better prepared. We have other legislation from the Minister of Justice (Mr. Toews) dealing with johns, dealing with stalking, some of the things which can be applauded, other things which could have easily been added or amended, legislation no doubt that will be followed.

Madam Speaker, we have the Public Trustee's office being turned into a special operating agency, something that does need to be monitored, but the principle and the concept of special operating agencies is yet another very positive thing.

We had issues such as the separate acts for our universities, empowering them to be able to provide that much more, which I think is a positive thing. There was some very hard legislation that was difficult to accept, legislation such as The Municipal Act and our Public Schools Act that increases from three years to four years. It became very apparent that, in fact, the government did not do its homework in consulting with not only the different interest groups out in rural Manitoba but also with the different individuals. They would have found that there was a great deal of



resistance to what, in fact, the government was doing. The regional health authorities, Bill 57, another bill which one has to question in terms of the direction that the government is taking health care in the province of Manitoba. I bring these up, Madam Speaker, just as some of the highlights from the last session which, in most part, are going to be forgotten as a result of what has been happening.

We had the issue of our budget; again, some positive things have come out. Many Manitobans are quite pleased with the fact that we have had a decrease in personal income tax. We questioned, to a certain degree, the motivation. From the Liberal Party's perspective, we have to look at ways in which we apply taxation, and the government's unwillingness to be able to seek fairer forms of taxation, something which the government needs to be held more accountable for.

But, all in all, again, what is going to be said about this session at the end of the day? I believe at the end of the day what we are seeing is really, more than any other session, a government in which its integrity has been questioned and legitimately questioned. We have had the incident with the Minister of Finance (Mr. Stefanson) and his brother in capacity with the golden shares, as one example. We had the Minister of Justice (Mr. Toews) being put into a particular position, which, by the way, I personally do not necessarily agree at all with the main opposition from the official opposition on those attacks because I have had the opportunity to review.

We have the most recent allegations which cause a great deal of concerns which are going to continue to grow. The biggest concern that we have to have is the way in which the Premier (Mr. Filmon) himself is dealing with that particular issue—raises a great deal of concern.

On more of, I guess to a certain degree, a personal note, I am disappointed with respect to what has been happening within the Elections Manitoba office and the pressures that have been applied to Elections Manitoba. I indicated that some people might be somewhat confused, and I do not really know what the current status of the Elections Manitoba office is going to be as a result of what has transpired over the last few days. We are, ultimately, going to, I guess, have to wait and see.

I have seen a definite lack of support, not only coming from the official opposition but also from the government, towards Elections Manitoba and that does cause concern and that, ultimately, might have to lead to a resignation in Elections Manitoba. We are going to have to wait and see how that particularly unfolds. I do not believe Manitobans were best served by the way in which the Elections Manitoba office, in many cases, has been intimidated and not supported—by the government not supporting, intimidated by the official opposition. So we will have to wait and see. But it does clearly demonstrate this session will be highlighted by the attacks on the government's integrity. In two of those three areas, I think they were successful hits. They are very strong allegations which have to be further prodded. We will wait in particular for the latter and see what happens.

Madam Speaker, wanting to end on a positive note, I would like to again extend our appreciations for those in Hansard, I guess, in particular, who have had to listen to me, probably far more often than they would have liked to, talk on a few issues. So I appreciate Hansard and the work that they do in making sure—even though my grammar might be wrong, they do ensure my spelling is correct, and I do appreciate that.

I also wanted to express my appreciation to the Clerk, the table officers, who ultimately allow this place to flow as efficiently and as effectively as we have, and I know that at times it can be very difficult, but they do do a wonderful job. I also want to make special note of our pages. The pages are the ones that put the miles going up and down the stairs. It is very much appreciated and I like to think a part of the process that makes things that much easier for the MLAs to be able to deal with the issues that need to be dealt with.

To conclude, to enter into an area which has been very delicate over a time on more of a personal, internal note, I just wanted to acknowledge the wonderful individuals from within the Liberal Party who have really gone a long way in trying to make things work. I recognize the special effort from the member for The Maples (Mr. Kowalski) for doing what he can. I recognize the member for St. Boniface (Mr. Gaudry), who has been put in a very awkward position, and I respect him for that, and has done a very admirable job as all three of us try to do the best we can at ensuring

that Manitobans will, in fact, be provided a viable alternative in the next provincial election, and there is very little doubt in my mind that, in fact, we will get the ship in order and there will be a positive alternative for all Manitobans. With those few words, I guess we would conclude the session.

\* (2200)

**Hon. Gary Filmon (Premier):** Madam Speaker, I rise to put just a few words on the record at the conclusion of the session. I know that members opposite have become used to my giving a lengthy speech. I am going to disappoint them this evening and say that there will be just a short opportunity for me to put some concluding remarks on the record. I am sure that the member for Wellington (Ms. Barrett) and the member for Wolseley (Ms. Friesen) will be disappointed. I will do my best in the next session.

I want to thank the member for Wellington for her remarks. I appreciate her sense of humour.

I begin by joining with my colleague for Inkster in thanking the table officers, the staff, the Hansard reporters, the pages for all the work that they have done in a busy and productive session. This was the first session in a little while that I had bills to pilot through the process, and I certainly was reminded of the great capability that we have within our staff for ensuring that we efficiently do the business of the Legislature, the business of the people of this province.

I will just touch briefly on the topic that has consumed most of the last week of the session, and I know that I have had my opportunity to speak both here in Question Period and out in the media. In fact, I think somebody on CBC on Friday morning made the comment that I had taken every question in every Question Period all week.

Madam Speaker, I just want to say to the members opposite that I take all of their allegations seriously. I realize that they have certainly had their say extensively with respect to the issues that have been raised with respect to the allegations of vote splitting in the 1995 election campaign. They have certainly arrived at their conclusions. They have acted as prosecutor, as judge, as jury. They have certainly convicted those involved,

gleefully recommending punishment throughout the province, but I say that if we believe in anything in this democracy, we believe in due process.

What we have in place, Madam Speaker, is a commission of inquiry led by an individual who has the credibility, the capability and the independence to investigate any and all allegations that are brought forward. He has a mandate that under The Evidence Act is broad enough that it can, in fact, be expanded to include whatever he chooses to examine. Under those circumstances I believe that we will indeed get to the bottom of all of the allegations and accusations that have been flying in this Legislature and outside for the last 10 days. I do not believe, contrary to members opposite, that we ought to be dictating to the commissioner, retired Chief Justice Alfred Monnin, every detail and every aspect of how he is going to conduct this inquiry.

I know that Mr. Justice Monnin will know, because of his vast experience, what is the best way to get the truth out and to ensure that there are no loose ends, that there are no areas that are left open to somebody's accusations and allegations at the end of this process. That is what I want, and that is what we want. I would hope that that is what members opposite want in the end.

Madam Speaker, I would just say that, as a corollary of this process that we have gone through, I suppose the one area of great disappointment that I have, and I know that the member for Inkster (Mr. Lamoureux) has referred to it, is the damage which I see was done in the relationship between members of this Assembly and the Chief Electoral Officer and the office of Elections Manitoba. At the end of the day, no matter what we believe in a partisan sense, we have to believe in the integrity and the independence and objectivity of the Chief Electoral Officer and Elections Manitoba, because whether it is a few months from now or whether it is a year from now or more, there will be more elections or by-elections in this province. All of us are going to have to turn to some independent authority if we believe that there is a question as to the appropriateness of any actions taken during an election campaign.

We are going to have to have our trust and our faith in the Chief Electoral Officer, because he has the

legislated mandate with two acts, The Elections Act and The Elections Finances Act, to carry out the responsibilities of ensuring that we have free and democratic elections in this province in future. So I say that that is something that we are all going to have to give some thought to to try and repair damage that was done to that relationship and to try and somehow overcome some of the problems created by statements and comments made during the process of the last 10 days.

I want to make just one point in response to the member for Inkster, and he said that our government was not supportive of the Chief Electoral Officer. At no time, at no time in the last 10 days did we ever show a lack of support. In fact, in every case we have attempted to do what we believed were his wishes in the course of this whole event, even to the extent of accepting his request that someone else be placed in a position of being the commissioner for this inquiry. So at every turn we accepted his recommendation and his advice to us in the process.

So those are things that all of us will have to think about in the intervening weeks and months as we go through various things as members of this Legislature, and certainly we as a government would want to see us address the assurances that the Chief Electoral Officer has our full and complete support and has the tools and the support to be able to carry out independently and with integrity his responsibilities.

Madam Speaker, I want to just say that, as the member for Inkster (Mr. Lamoureux) said, this was a busy and active session and a session in which there was significant legislation passed, things that will have long-term, positive impacts on the lives of Manitobans. He made the point that he believes that some of the things that we did were controversial and created conflict, and I would say to him that the only time in which people can avoid controversy or avoid disagreement and conflict is if they do not act.

One of the things that this government, throughout its 10 years in office, has, I think, been proud of—and justifiably so—is that we have taken action where we see it necessary to take action, and indeed we have never sat back, rested on our laurels. We have always been an activist government, and from time to time there will

be controversy, there will be conflict, but I can assure the member for Inkster and all members of the House that this government believes that we have been elected with a responsibility to act on behalf of the people of Manitoba and in the best interests of all the people of Manitoba.

Although it was not universally supported here in this Legislature, I believe that The Victims' Rights and Consequential Amendments Act is an important piece of legislation, is a valuable piece of legislation, and is a piece of legislation that will have long-term, positive impacts for the people of our province. The Domestic Violence and Stalking Prevention, Protection and Compensation and Consequential Amendments Act provides the strongest civil remedies in Canada to victims of domestic violence and stalking—a very, very important piece of legislation.

The Apprenticeship and Trades Qualifications Act. It strengthens the apprenticeship system. It increases industry involvement. It makes the regulatory process more efficient. It is important to us right at this time, because we have so much expansion taking place in so many areas of our economy that involve people of skilled trades, that are long-term job opportunities for people of skilled trades. Whether it be in our manufacturing sector, whether it be in our construction sector, we need people who are skilled in many of these trades for which qualification occurs through an apprenticeship system. There is a good deal more money being put into it, and there will be an opportunity for more and more people being trained in apprenticeship in this province. Why, Madam Speaker? Because we have opportunities the like of which we have not seen in more than a generation in this province.

\* (2210)

Colleagues and I have had the great pleasure of being able to go throughout the province, throughout various sectors of our economy, and to be able to see some very, very exciting things in action. Just last Monday colleagues and I were at the Isobord plant. There are about 200 people working there as the construction phase comes to a crescendo, installing the equipment, testing a lot of the runs, electrical, mechanical, other trades coming together at the end.

What was very interesting as well as very exciting, Madam Speaker, in going throughout the area was to see, firstly, that from the construction side the vast majority of work was done by Manitobans and Manitoba trades. The concrete contract, the amount of concrete floor there is several football fields in size, and it was all supplied by, I believe it was Perimeter Concrete. The building itself, which is a prefab building that was installed, a metal building, was done by a contractor from Portage la Prairie. The mechanical and electrical trades are all Manitoba companies that were doing much of the work. Obviously, some of the very sophisticated equipment comes from elsewhere, and we had technicians from Europe teaching Manitobans who are going to be running that equipment and participating in the installation.

The Deputy Premier (Mr. Downey) and I went into the lab, which was for quality control, and you had quality process control people there. The first two people we talked to, both young women, one was from British Columbia, the other from southern Ontario, had education and training degrees in quality process control. They were hired, obviously, from outside of the province because of the skill shortages that we are facing in the province today because of so many opportunities.

In fact, Madam Speaker, we have got something, I would say, in excess of 3,000 jobs these days that need to be filled in areas like construction trades, computers, manufacturing, long-distance trucking, high-tech areas, fashion industry. Certainly, the announcements that were made today by the Minister of Culture, Heritage and Citizenship (Mrs. Vodrey) and the federal Minister of Immigration with respect to new opportunities we have with our federal-provincial immigration agreement will see us being able to address those areas and make sure that we have people for the investments that are taking place and the new opportunities that are being created.

Palliser Furniture, a company that is well known to members on our side of the House and I know members opposite, are continuing their expansion, looking to add yet another 250 jobs, Madam Speaker. These are the kinds of things that I believe we can take a great deal of pride in because they flow from the decisions that we make in this Legislature with respect to the kind of

economy we want to create, with respect to the kind of competitiveness that we build in as a result of the budgets that we bring in and the legislation that we bring in, in things such as The Balanced Budget, Debt Repayment and Taxpayer Protection Act.

When I spoke a week ago last Monday to the Vancouver Board of Trade, Madam Speaker, they certainly wanted to talk about the contrast between the burgeoning economy, the tremendous investment that is taking place here in Manitoba; the value that is being added in our province into the resources before they are being exported; the tremendous growth we have had in exports, from \$3 billion a year in 1990 to over \$7 billion a year this year. They were very, very interested to know about the \$5 billion in private capital investment being made in our province, the seventh straight year of private capital investment increase in our province, the only province in Canada that can say that.

The growth that we have experienced over the past few years, Madam Speaker, as well as the continued growth that is being forecast by the Conference Board and all of the economic forecasters, these are the kinds of things upon which you build a future for our children and our grandchildren. Indeed, many of us are going out these days to graduations, and there are people who are graduating from our public school system who are going on to these opportunities in our colleges, our universities and our apprenticeship training or directly into the job market. They are seeing enormous opportunities, the like of which has not been seen, as I say, for more than a generation in this province.

Much of it has to do with the climate and the atmosphere and the economic foundation that has been created by our government over many, many years. That continues through the things that we do in this House in the course of each session. In addition to The Apprenticeship and Trades Qualifications Act, we passed The Cooperatives and Consequential Amendments Act that facilitates the development of new generation co-operatives.

I remember getting an article that was sent to me by the member for Emerson (Mr. Penner), well, it was close to a decade ago. It talked about the fact that we in Canada often had healthy farm economies and

unhealthy communities, and it compared us to the United States, where they said that when they had healthy farms, they also had healthy communities attached to those farms, the reason being that they would take much of what they produced and process it before it was shipped out from the farm community areas. They talked about the fact that Canada for years had set itself up as an exporter of raw materials to the world. The Crow rate resulted in our making it cheaper for our farmers to ship raw grain to the ports for export without ever adding the value to it.

So what we are undertaking now is one of the most important revolutions that has ever taken place in the history of our province as we convert our farm economy to not only producing healthy farms but also healthy communities, because today all you have to do is go south of here to places like Morden, Winkler, Altona, Steinbach, Rosenort, or go to Brandon and all of its surrounding areas, go to some of the communities like Minnedosa and Neepawa, and so on and so forth, and look at the investment that is taking place, Ste. Agathe.

It does not matter where you turn. The communities now are getting the benefit of investment that takes the raw materials, adds the value, creates tremendously much more jobs and keeps so many of the local people working at home, staying at home.

I know that the member for Swan River (Ms. Wowchuk) is probably aware of some of the impact that the Louisiana-Pacific plant had on her area. I remember going to the opening of the Louisiana-Pacific plant and talking with many of the people working on the production lines at Louisiana-Pacific. I was astonished at how many of them had come back to the Swan Valley for that work. They were saying thank you for creating that opportunity for us, because we had to go away when we graduated from school and take jobs somewhere else. They had either worked at the pipelines in Alberta or building houses in southern Ontario or somewhere else, and now they were able to come home and have a good-paying, long-term job opportunity right close to their home communities, where they had grown up and gone to school. These are the kinds of stories that we are seeing time and time again throughout the province.

We are also, of course, engaged in change with respect to The City of Winnipeg Act. I know that members opposite have criticized the changes in that act that flow from the Cuff report. But, you know, so many things are now being written about Winnipeg. In fact, a week ago Saturday in the Vancouver Sun was a very large feature about families from British Columbia moving back to Manitoba to take job opportunities and the growing strength of our economy throughout the province.

\* (2220)

The Globe and Mail had an article under the column entitled The West; this is last Saturday, June 27, Madam Speaker. It says: Winnipeg a weakling no more. It talks about the changes that we are making to The City of Winnipeg Act to strengthen the ability of the city to do its job in administering and managing all the things that are under its jurisdiction.

It says, and I will quote from it, Madam Speaker: The example set by Mr. Filmon and Winnipeg may be the first crack in the cosy edifice of city-province relations built by and for the premiers. From now on, Winnipeg's mayor will dominate City Council by having the power to appoint from among councillors what is effectively a city cabinet.

It says: On all counts, Mr. Filmon made the right move. Not only do the changes recognize the enormous importance of Winnipeg to Manitoba, they also impose far more responsibility on the city government to provide effective administration for its citizens. The new regime is a win for both the city and the province.

That, I think, is what we are trying to do here.

The member opposite, the member for Inkster (Mr. Lamoureux) spoke about the new acts for the universities. He did not talk about, but I think equally we should be proud of the establishment of the new Mennonite university.

I believe, Madam Speaker, that we must continue to build. We must continue to provide better and better opportunities for education, for training, for job creation, for economic development and, indeed, for challenges for our people and opportunities for our people in the future.

The budget, of course, indicates, as well, that we have to be committed to ensure that we are investing the fruits of a burgeoning economy in things like health care. There is a hundred million dollars more for health care in that budget. There is considerably more money that goes for education. There is considerably more money that goes to the Child and Youth Secretariat. There are opportunities being created in every aspect of the budget, and I believe that this is the kind of thing that we should all be proud of and we should all be pleased about.

One of the things that I like to say when I go to speak to people throughout Canada about the tremendous strength that has gathered here in this province over the last decade, Madam Speaker, just to give them a few examples, last year, we had all-time record manufacturing shipments, over \$10 billion; we had all-time record farm cash receipts, over \$3 billion. At a time when our traditional commodity prices were down, we still had all-time record farm cash receipts because we are diversifying and adding value for our farmers; all-time record exports, as I said earlier, over \$7 billion; all-time record levels of employment, around 540,000 people last year; we had record levels of private capital investment.

Madam Speaker, what I think excites them most is when I tell them that we are now the largest centre of bus manufacturing in all of North America. We are the home of the largest insurance company in Canada. We are the home of largest furniture manufacturer in Canada. We are the home of the largest ladies' wear manufacturer in Canada, and also the largest ladies' outerwear manufacturer in Canada. We are the home of the largest mutual fund company in Canada, the home of the largest potato processing operation in Canada, and soon to be home to the largest pork processing operation in Canada.

**Some Honourable Members:** Hear, hear.

**Madam Speaker:** Order, please.

**Mr. Filmon:** Madam Speaker, when I went through that list, the senior vice-president of AT&T said, yes, and the home of the largest call centre in Canada.

I remember when members opposite were in government and their favourite saying was to call us a

have-not province. Well, this is not a the profile of a have-not province, and what I think is even more important is that the growth in all of these various areas, in value-added agriculture, in manufacturing and financial services, in transportation and distribution, in computers and telecommunications, in broadcasting, film and culture will continue unabated for the foreseeable future because the fundamentals are right. We have put in place the right foundation, and that is why people are coming here, and that is why the economy is as strong as it is.

I just want to conclude, Madam Speaker, by—

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

**Mr. Filmon:** I know that the public will follow the negativity of the members opposite very, very closely. They will know that the members opposite never like to talk positively about Manitoba. They will know that these are the people who not only were proud of Manitoba as a have-not province but wanted to continue the cycle of dependence which Manitobans have erased in the last decade. So they will be happy to hear all the gloom and doom from members opposite. They will be happy to hear about it, because they know that the members opposite still have not woken up to reality.

These are the people who say now that they are going to take \$1.7 billion of money that should go to health and education and family services and all those things, and they are going to put it to buying back a telephone system. That is the kind of stupidity that we get from members opposite. That is the kind of social Darwinism that we get from members opposite.

But, in conclusion, Madam Speaker, I want to say just two things. One is I want to express my appreciation to all members of the House for participating in the debate and ultimately the unanimous passage with respect to the Calgary Framework on national unity. This Legislature has made for itself a reputation across Canada of participating very thoroughly and very fully in matters surrounding national unity. This Legislature has always found a way to achieve consensus on issues that affect national unity. I think it has given us a stronger voice, and I think it has given us a reputation across Canada as

a jurisdiction that cares about Canada and that is prepared always to work diligently for a better Canada. I just want to say that I appreciate the input and the participation of all members in unanimously passing that resolution.

Finally, I just want to say that since this may well be the last session that Lieutenant Governor Mr. Dumont is in his esteemed office, I want to express to him our gratitude for all of the functions that he has performed, for the very proud way in which he has represented our province and our people, for the way in which he has taken the office of the Lieutenant Governor out to people of all ages, of all backgrounds and all communities of Manitoba. I can say that I have been proud to be on many, many forums with him over the course of the last five years, that he has served with dignity. He has left his mark on that office, one that I think all Manitobans appreciate and all of us can be proud of. Madam Speaker.

\* (2230)

**Madam Speaker:** Order, please. The question on the adjourned motion has not been put.

Is the House ready for the question? The question before the House is the motion moved by the honourable government House leader (Mr. McCrae), seconded by the honourable Minister of Northern and Native Affairs (Mr. Newman), that when the House adjourns today it shall stand adjourned until a time fixed by Madam Speaker upon the request of the government. Agreed?

**Some Honourable Members:** Agreed.

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

### ROYAL ASSENT

**Madam Speaker:** Order, please. I am advised that His Honour, the Lieutenant Governor is about to arrive to grant Royal Assent to the bills. I am therefore interrupting the proceedings of the House for Royal Assent.

**Deputy Sergeant-at-Arms (Mr. Garry Clark):** His Honour the Lieutenant Governor.

*His Honour Yvon Dumont, Lieutenant Governor of the Province of Manitoba, having entered the House and being seated on the throne, Madam Speaker addressed His Honour the Lieutenant Governor in the following words:*

**Madam Speaker:** May it please Your Honour:

We, Her Majesty's most dutiful and faithful subjects, the Legislative Assembly of Manitoba in session assembled, approach Your Honour with sentiments of unfeigned devotion and loyalty to Her Majesty's person and government and beg of Your Honour the acceptance of these bills:

Bill 58—The Loan Act, 1998; Loi d'emprunt de 1998.

Bill 59—The Appropriation Act; 1998; Loi de 1998 portant affectation de crédits.

**Mr. Clerk (William Remnant):** His Honour the Lieutenant Governor doth thank Her Majesty's dutiful and loyal subjects, accepts their benevolence, and assents to these bills in Her Majesty's name.

**Madam Speaker:** May it please Your Honour:

The Legislative Assembly, at its present session, passed bills, which in the name of the Assembly, I present to Your Honour and to which bills I respectfully request Your Honour's assent:

Bill 2—The Elections Amendment Act; Loi modifiant la Loi électorale.

Bill 3—The Elections Finances Amendment and Consequential Amendments Act; Loi modifiant la Loi sur le financement des campagnes électorales et modifications corrélatives.

Bill 4—The Child and Family Services Amendment and Consequential Amendments Act; Loi modifiant la Loi sur les services à l'enfant et à la famille et modifications corrélatives.

Bill 5—The Agricultural Credit Corporation Amendment Act; Loi modifiant la Loi sur la Société du crédit agricole.

Bill 6—The Animal Liability and Consequential Amendments Act; Loi sur la responsabilité à l'égard des animaux et modifications corrélatives.

Bill 7—The Public Utilities Board Amendment Act; Loi modifiant la Loi sur la Régie des services publics.

Bill 8—The Real Property Amendment Act; Loi modifiant la Loi sur les biens réels.

Bill 9—The Mines and Minerals Amendment Act; Loi modifiant la Loi sur les mines et les minéraux.

Bill 10—The Mining Tax Amendment Act; Loi modifiant la Loi sur la taxe minière.

Bill 11—The Treasury Branches Repeal Act; Loi abrogeant la Loi sur les caisses d'épargne.

Bill 12—The Addictions Foundation Amendment Act; Loi modifiant la Loi sur la Fondation manitobaine de lutte contre les dépendances.

Bill 13—The Prescription Drugs Cost Assistance Amendment Act; Loi modifiant la Loi sur l'aide à l'achat de médicaments sur ordonnance.

Bill 14—The Executions Amendment Act; Loi modifiant la Loi sur l'exécution des jugements.

Bill 15—The Dutch Elm Disease Act; Loi sur la graphiose.

Bill 16—The Water Resources Administration Amendment and Consequential Amendments Act; Loi modifiant la Loi sur l'aménagement hydraulique et modifications corrélatives.

Bill 17—The Legislative Assembly Amendment Act; Loi modifiant la Loi sur l'Assemblée législative.

Bill 18—The Registry Amendment Act; Loi modifiant la Loi sur l'enregistrement foncier.

Bill 19—The Public Trustee Amendment and Consequential Amendments Act; Loi modifiant la Loi sur le curateur public et modifications corrélatives.

Bill 20—The Medical Amendment Act; Loi modifiant la Loi médicale.

Bill 21—The Communities Economic Development Fund Amendment Act; Loi modifiant la Loi sur le Fonds de développement économique local.

Bill 22—The Veterinary Services Amendment Act; Loi modifiant la Loi sur les soins vétérinaires.

Bill 24—The Crop Insurance Amendment Act; Loi modifiant la Loi sur l'assurance-récolte

Bill 25—The Highway Traffic Amendment Act; Loi modifiant le Code de la route

Bill 26—The Teachers' Society Amendment Act; Loi modifiant la Loi sur l'Association des enseignants du Manitoba.

Bill 27—The Manitoba Employee Ownership Fund Corporation Amendment Act; Loi modifiant la Loi constituant en corporation le Fonds de participation des travailleurs du Manitoba.

Bill 28—The Employment Standards Code and Consequential Amendments; Code des normes d'emploi et modifications corrélatives.

Bill 29—The Statute Law Amendment (Taxation) Act, 1998; Loi de 1998 modifiant diverses dispositions législatives en matière de fiscalité.

Bill 30—The Pharmaceutical Amendment Act; Loi modifiant la Loi sur les pharmacies.

Bill 31—The Regulated Health Professions Statutes Amendment Act; Loi modifiant diverses lois sur les professions de la santé réglementées.

\* (2240)

Bill 32—The Municipal Amendment and Consequential Amendments Act; Loi modifiant la Loi sur les municipalités et modifications corrélatives.

Bill 33—The Municipal Assessment Amendment and Consequential Amendments Act; Loi modifiant la Loi sur l'évaluation municipale et modifications corrélatives.

Bill 34—The Public Schools Amendment Act; Loi modifiant la Loi sur les écoles publiques.



Bill 35—The Mental Health and Consequential Amendments Act; Loi sur la santé mentale et modifications corrélatives.

Bill 36—The City of Winnipeg Amendment and Consequential Amendments Act; Loi modifiant la Loi sur la Ville de Winnipeg et modifications corrélatives.

Bill 37—The Farm Machinery and Equipment and Consequential Amendments Act; Loi sur les machines et le matériel agricoles et modifications corrélatives.

Bill 38—The Planning Amendment and Consequential Amendments Act; Loi modifiant la Loi sur l'aménagement du territoire et modifications corrélatives.

Bill 39—The Highway Traffic Amendment Act (2); Loi no 2 modifiant le Code de la route.

Bill 40—The Domestic Violence and Stalking Prevention, Protection and Compensation and Consequential Amendments Act; Loi sur la violence familiale et la protection, la prévention et l'indemnisation en matière de harcèlement criminel et modifications corrélatives.

Bill 41—The Life Leases and Consequential Amendments Act; Loi sur les baux viagers et modifications corrélatives.

Bill 42—The Norway House Cree Nation Northern Flood Master Implementation Agreement Act; Loi sur l'Accord cadre de mise en oeuvre de la nation crie de Norway House relatif à la convention sur la submersion de terres du Nord manitobain.

Bill 43—The Victims' Rights and Consequential Amendments Act; Loi sur les droits des victimes et modifications corrélatives.

Bill 44—The Statute Law Amendment Act, 1998; Loi de 1998 modifiant diverses dispositions législatives.

Bill 45—The Manitoba Public Insurance Corporation Amendment Act; Loi modifiant la Loi sur la Société d'assurance publique du Manitoba.

Bill 46—The Correctional Services Act; Loi sur les services correctionnels.

Bill 47—The Brandon University Act; Loi sur l'Université de Brandon.

Bill 48—The Mennonite College Federation and Consequential Amendments Act; Loi sur la Fédération des collèges mennonites et modifications corrélatives.

Bill 49—The University of Winnipeg Act; Loi sur l'Université de Winnipeg.

Bill 50—The Universities Establishment Repeal and Consequential Amendments Act; Loi abrogeant la Loi sur la fondation des universités et modifications corrélatives.

Bill 51—The Cooperatives and Consequential Amendments Act; Loi sur les coopératives et modifications corrélatives.

Bill 52—The Health Services Insurance Amendment Act; Loi modifiant la Loi sur l'assurance-maladie.

Bill 53—The Apprenticeship and Trades Qualifications Act; Loi sur l'apprentissage et la qualification professionnelle.

Bill 54—The Engineering and Geoscientific Professions and Consequential Amendments Act; Loi sur les ingénieurs et les géoscientifiques et modifications corrélatives.

Bill 55—The Certified Applied Science Technologists Act; Loi sur les technologues agréés des sciences appliquées.

Bill 57—The Regional Health Authorities Amendment Act; Loi modifiant la Loi sur les offices régionaux de la santé.

Bill 300—The Brandon University Foundation Incorporation Amendment Act; Loi modifiant la Loi constituant la Fondation de l'Université de Brandon.

Bill 301—An Act to Amend an Act to Incorporate the Dauphin General Hospital Foundation; Loi modifiant la

Loi constituant la Fondation de l'Hôpital général de Dauphin.

Bill 302—The St. Paul's College Incorporation Amendment Act; Loi modifiant la Loi constituant en corporation le “St. Paul's College.”

Bill 303—The Brandon Area Foundation Incorporation Amendment Act; Loi modifiant la Loi constituant en corporation “The Brandon Area Foundation.”

**Mr. Clerk (William Remnant):** In Her Majesty's name, His Honour the Lieutenant Governor doth assent to these bills.

*His Honour was then pleased to retire.*

*God Save the Queen was sung.*

*O Canada! was sung.*

\* (2250)

**Hon. James McCrae (Government House Leader):** Madam Speaker, I move, seconded by the Deputy First Minister (Mr. Downey), that this House do now adjourn.

**Motion agreed to.**

**Madam Speaker:** As previously agreed, this House is adjourned and stands adjourned until a time fixed by the Speaker upon the request of the government.

# LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, June 29, 1998

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**PROCLAMATION**



**PROVINCE OF MANITOBA**

**Kerr Twaddle,  
Administrator**

**CANADA  
PROVINCE OF MANITOBA**

**ELIZABETH THE SECOND, by the Grace of God of The United Kingdom, Canada and Her other Realms and Territories,  
QUEEN, Head of the Commonwealth, Defender of the Faith.**

**PROCLAMATION**

**To our beloved and faithful the Members elected to serve in the Legislative Assembly of our Province of Manitoba, and to  
each and every of you - GREETING.**

**WHEREAS the Legislative Assembly of the Province of Manitoba now stands adjourned;**

**AND WHEREAS it is deemed appropriate to request the Administrator by a Royal Proclamation effective on the fifth  
day of April, 1999, to prorogue the Fourth Session of the Thirty-Sixth Legislature of the Province of Manitoba and to summon  
the said Legislature for the dispatch of business on the sixth day of April, 1999;**

**NOW KNOW YE THAT, for divers causes and consideration, and taking into consideration the ease and convenience  
of our loving subjects, we have thought fit, by and with the advice and consent of our Executive Council of our Province of  
Manitoba, to hereby prorogue the Fourth Session of the Thirty-Sixth Legislature of the Province of Manitoba effective on  
Monday, the fifth day of April, 1999, and to convene the Fifth Session of the Thirty-Sixth Legislature of the Province of  
Manitoba on Tuesday, the sixth day of April, 1999, at the hour of 1:30 o'clock in the afternoon for the dispatch of business  
of our Legislative Assembly of our Province of Manitoba, in our City of Winnipeg, there to take into consideration the state  
and welfare of our said Province of Manitoba and therein to do as may seem necessary.**

**HEREIN FAIL NOT.**

**IN TESTIMONY WHEREOF We have caused these Our Letters to be made Patent, and the Great Seal of Our  
Province of Manitoba to be hereunto affixed;**

**WITNESS, His Honour A. Kerr Twaddle, Administrator of the Province of Manitoba;**

**AT OUR COURT HOUSE, at Our City of Winnipeg, in the Province of Manitoba, this twenty-fourth day of March,  
the year of Our Lord one thousand nine hundred and ninety-nine, and in the forty-eighth year of Our Reign.**

**BY COMMAND,**

**V. TOEWS,  
Minister of Justice and Attorney General.**