



Third Session - Thirty-Seventh Legislature

of the

**Legislative Assembly of Manitoba**

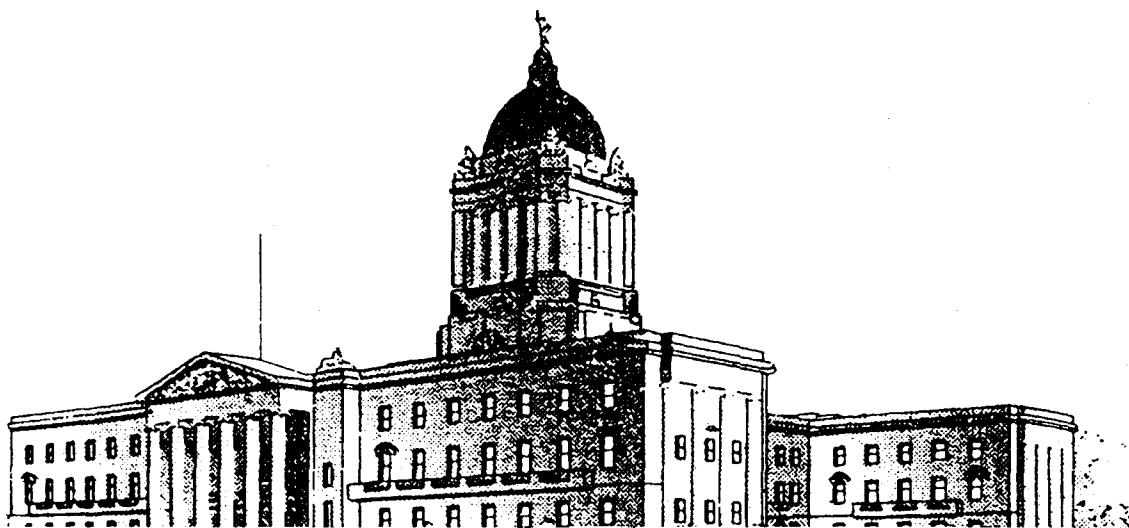
**DEBATES**

and

**PROCEEDINGS**

**Official Report  
(Hansard)**

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Seventh Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
AGLUGUB, Cris	The Maples	N.D.P.
ALLAN, Nancy	St. Vital	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
ASPER, Linda	Riel	N.D.P.
BARRETT, Becky, Hon.	Inkster	N.D.P.
CALDWELL, Drew, Hon.	Brandon East	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CUMMINGS, Glen	Ste. Rose	P.C.
DACQUAY, Louise	Seine River	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary, Hon.	Concordia	N.D.P.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
FRIESEN, Jean, Hon.	Wolseley	N.D.P.
GERRARD, Jon, Hon.	River Heights	Lib.
GILLESHAMMER, Harold	Minnedosa	P.C.
HAWRANIK, Gerald	Lac du Bonnet	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LATHLIN, Oscar, Hon.	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
LOEWEN, John	Fort Whyte	P.C.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
MAGUIRE, Larry	Arthur-Virden	P.C.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MIHYCHUK, MaryAnn, Hon.	Minto	N.D.P.
MITCHELSON, Bonnie	River East	P.C.
MURRAY, Stuart	Kirkfield Park	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
PENNER, Jack	Emerson	P.C.
PENNER, Jim	Steinbach	P.C.
PITURA, Frank	Morris	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack	Southdale	P.C.
ROBINSON, Eric, Hon.	Rupertsland	N.D.P.
ROCAN, Denis	Carman	P.C.
RONDEAU, Jim	Assiniboia	N.D.P.
SALE, Tim, Hon.	Fort Rouge	N.D.P.
SANTOS, Conrad	Wellington	N.D.P.
SCHELLENBERG, Harry	Rossmere	N.D.P.
SCHULER, Ron	Springfield	P.C.
SELINGER, Greg, Hon.	St. Boniface	N.D.P.
SMITH, Joy	Fort Garry	P.C.
SMITH, Scott, Hon.	Brandon West	N.D.P.
STEFANSON, Heather	Tuxedo	P.C.
STRUTHERS, Stan	Dauphin-Roblin	N.D.P.
TWEED, Mervin	Turtle Mountain	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

## LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, July 16, 2002

The House met at 1:30 p.m.

### PRAYERS

### ROUTINE PROCEEDINGS

### PRESENTING PETITIONS

#### Transcona-Springfield School Division

**Mr. Ron Schuler (Springfield):** Mr. Speaker, I beg to present the petition of Flora Schalla, Ray Schalla, Val Werhun and others praying that the Legislative Assembly of Manitoba request the Minister of Education (Mr. Caldwell) to reverse the decision to split the Transcona-Springfield School Division and allow it to remain as a whole or to consider immediately convening the Board of Reference to decide the matter.

### READING AND RECEIVING PETITIONS

#### Transcona-Springfield School Division

**Mr. Speaker:** The honourable Member for Springfield (Mr. Schuler), I have reviewed the petition and it complies with the rules and practices of the House. Is it the will of the House to have the petition read?

**Some Honourable Members:** Yes.

**Mr. Speaker:** The Clerk please read.

**Madam Clerk (Patricia Chaychuk):** The petition of the undersigned citizens of the province of Manitoba humbly sheweth

THAT on November 8, 2001, the Minister of Education (Mr. Caldwell) announced a split in the Transcona-Springfield School Division but despite repeated requests has been unable to identify any benefits of this decision to the students and taxpayers of said school division; and

THAT this decision was not preceded by adequate public consultation as outlined in section 7 of The Public Schools Act; and

THAT this decision would result in significant hardships for the students in both Transcona and Springfield that would affect the quality of their education; and

THAT the proposal by the Minister of Education on February 12, 2002, neither alleviates nor remedies these hardships; and

THAT this decision results in an increased financial burden on the taxpayers of both the Transcona-Springfield School Division and the province of Manitoba; and

THAT on March 13, 2002, the number of resident electors required by The Public Schools Act requested the Minister of Education to convene a Board of Reference to decide the matter.

WHEREFORE YOUR PETITIONERS HUMBLY PRAY THAT the Legislative Assembly request the Minister of Education to reverse the decision to split the Transcona-Springfield School Division and allow it to remain as a whole or to consider immediately convening the Board of Reference to decide the matter.

### Introduction of Guests

**Mr. Speaker:** Prior to Oral Questions, I would like to draw the attention of all honourable members to the public gallery where we have with us today members of the Manitoba First Nations Youth Council of the Assembly of Manitoba Chiefs. These visitors are the guests of the honourable Minister of Justice and Attorney General (Mr. Mackintosh).

On behalf of all honourable members, I welcome you here today.

### ORAL QUESTION PERIOD

#### Manitoba Hydro Amendment Act Justification

**Mr. Stuart Murray (Leader of the Official Opposition):** Mr. Speaker, Bill 41, The

Manitoba Hydro Amendment Act, which is better known as the multimillion raid on Manitoba Hydro act, has finally been introduced into the Legislature. The bill seeks to legalize the Doer government's raid on Hydro so the Premier and his Cabinet, all of those people over there, do not have to pay a fine of \$5,000 or go to jail for a year.

The bill is based on two suppositions, Mr. Speaker, the first which reads, and I quote: Manitoba faces exceptional fiscal challenge in light of the economic slowdown that followed the acts of terrorism of September 11, 2001.

The monthly economic updates put out by the Government, the NDP's Department of Finance suggest the Manitoba economy remained relatively strong last year, especially when compared to Canadian averages.

Can the Premier today table any supporting document outlining and detailing the economic slowdown that occurred following the events of September 11?

**Hon. Gary Doer (Premier):** Mr. Speaker, the member will know the corporate income taxes across Canada, including in Manitoba, have been reduced based on some of the economic situations. As I say, right across Canada it happened.

Mr. Speaker, I think the member should know the decision we made on utilizing the export—*[interjection]* The decision we made to utilize the export revenues from Hydro to deal with this bridge of economic corporate slowdown, and there is a little bit of they might be paying attention to some corporate challenges right now that exist across the North American markets, to also deal with the unpredictability of the federal error. This draw, this idea of taking the export revenues over the three fiscal years has provided us with the opportunity to balance the Budget last year and this year without using any money in the first two years in office from the rainy day fund—*[interjection]*

**Mr. Speaker:** Order. When members have the floor we have to be able to hear the question, we have to be able to hear the answer. I ask the co-operation of all honourable members.

\* (13:35)

**Mr. Doer:** Thank you, Mr. Speaker—allowed us to not draw from the rainy day fund since we were elected in our first two Budgets. Thirdly, we are paying down debt in the provincial operational side of government. We are paying down \$96 million in debt in the 2001-02 fiscal year without taking any money out of the rainy day fund.

Now, when we came into office—*[interjection]*

**Mr. Speaker:** Order. I would ask once again of all honourable members, we might not agree with the questions, we might not agree with the answers, but we should have the courtesy to at least let the member who has the floor have their say. It is a democracy. So I ask the co-operation of all honourable members, please.

**Mr. Doer:** Thank you, Mr. Speaker. When we came into office, the budget—in fact, seven days after the election campaign an Order-in-Council was signed for \$186 million to take the money out of the rainy day fund without any agreement from the incoming government. That happened, I believe, on September 23 by the previous—it is a public document. So, I rest my case.

**Mr. Murray:** I think it is just interesting to show that when the Premier talked about corporate taxes being down, the NDP side applauded that. Shame on them.

Mr. Speaker, the second supposition in which—*[interjection]*

**Mr. Speaker:** Order. I ask the co-operation of all members of the House. As I mentioned earlier, we might not agree with the question, we might not agree with the answer, but members have the right to have their say when they have the mike. I ask the co-operation of all honourable members, please.

**Mr. Murray:** Well, thank you, Mr. Speaker. The second supposition on which Bill 41 is based suggests the Government faces economic challenges due to, and I quote, the significant impact of federal accounting error on the Province's revenue.

According to page B5 of the Budget 2002, the NDP's Budget, the impact is not quite what

this Government would have Manitobans believe, and I quote, "offsetting the effect of the federal accounting error are higher budgeted Equalization payments or equivalent compensation that we estimate at \$140 million."

In the Budget, the Doer government is telling Manitobans to expect more money from Ottawa, but in Bill 41 the Doer government is blaming Ottawa to force them to raid Hydro.

Can the Premier update this House as to the status of the federal overpayments, whether a decision has been made, and will he table any supporting documents, Mr. Speaker?

\* (13:40)

**Mr. Doer:** Well, first of all, the supporting document is the Budget itself, which was reviewed by our Minister of Finance (Mr. Selinger) and the former federal Minister of Finance prior to his presentation in the House.

The word "unpredictable" is a correct term. Mr. Speaker, we found out at the end of January that the so-called overpayment by the federal government, or the so-called accounting error went back to 1993 and was over \$408 million in impact. We still—

**Mr. Speaker:** Order. The honourable Leader of the Official Opposition, on a point of order.

**Mr. Murray:** No, he sat down. I was prepared to ask—

**Mr. Speaker:** Okay. Go ahead.

**Mr. Murray:** Thank you, Mr. Speaker. We all know that the two suppositions on which Bill 41 is based are patently untrue. The fiscal challenges the Doer government faces are their own creation.

I congratulate the Member for St. Johns (Mr. Mackintosh) who, on October 30, 1995, Mr. Speaker, warned Manitobans that a future NDP government would be creative when it came to avoiding balanced budget legislation when he said, and I quote: Apart from limiting the choices of newly elected governments, this legalistic approach simply encourages ingenious

politicians to spend time looking for ways to get around the rules through accounting hocus-pocus and subterfuge of various kinds.

Mr. Speaker, will the Premier finally acknowledge that he had a deficit of \$150 million last year and the only way that they would not have to be subject to balanced budget legislation is to go into Manitoba Hydro and raid them for a million dollars a day?

**Mr. Doer:** Mr. Speaker, \$288 million over 365 days times 3. I think the member opposite should go back to his photo-op and predict income tax increases, gas tax increases, closing hospitals, all kinds of other things that he did in his pre-budget predictions. He still has not recovered from all his little pre-budget predictions that have fallen like a house of cards.

Mr. Speaker, I think the Member for St. Johns in 1995 was, regrettably, predicting the future. He predicted that you would use—

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

**Mr. Speaker:** Order.

**Mr. Doer:** He predicted that the Tories would use The Balanced Budget Act to utilize a sale of a major Crown investment, a major public asset; sell it at wholesale, at absolute discount prices, sell it only for the benefit of their friends, Mr. Speaker, and let the rates go up 65 percent.

I am glad the Member for St. Johns, the members of this side of the House, have amended the balanced budget legislation and will make it impossible to sell a Crown corporation again, make it impossible for Tories again to give away our future like they did in 1996.

### **Manitoba Hydro Profits**

**Mr. John Loewen (Fort Whyte):** Mr. Speaker, section 43(5) of Bill 41 spells out how this Government will take \$150 million for last year's raid on Manitoba Hydro plus \$75 million for a total of \$225 million of the dividend, a minimum of \$225 million from Hydro this year. In addition, documents filed by Manitoba Hydro indicate that this Government has increased the

water rental rate and will take \$96 million out in water rental rate, has increased the provincial guarantee fee and will take \$62 million—

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

**Mr. Speaker:** Order.

**An Honourable Member:** I am having a hard time hearing.

\* (13:45)

**Mr. Speaker:** Order. I cannot even hear the question. Could I ask for a little decorum here, please, because I know that the viewing members that we have in the gallery, the viewing public on TV, are, I am sure, having a very, very hard time hearing the questions and the answers. I ask the co-operation of all honourable members once again, please.

**Mr. Loewen:** Mr. Speaker, will the Minister responsible for Hydro, the Minister of Finance, simply admit to the people of Manitoba today that it is his decision to take \$415 million out of Manitoba Hydro in this fiscal year to cover up the fact that this Government cannot control its spending, \$415 million?

**Hon. Greg Selinger (Minister charged with the administration of The Manitoba Hydro Act):** Mr. Speaker, the member has repeatedly used Question Period to seek admissions instead of seeking information, and we have repeatedly tried to provide accurate information to the members opposite. We have indicated very clearly, and it is laid out in our legislation, that we will take a certain amount of money in each year as specified in the legislation or 75 percent of the net profits to ensure that Manitoba Hydro always retains a profit of at least 25 percent of its net earnings. That point has to be borne in mind by the member from Fort Whyte.

### Revenues

**Mr. John Loewen (Fort Whyte):** Mr. Speaker, a supplementary question. I would like to ask the minister if he will confirm that this year he is taking not 75 percent of the profit but 75 percent of Manitoba Hydro's extra-provincial revenue, that being: \$225 million for a dividend, \$96

million in water rental rates, \$62 million in a provincial guarantee fee, a million dollars for sinking fund administration fee, \$31 million in capital tax plus a minimum of \$225 million for the dividend. Will he simply admit that he is not taking 75 percent of their profit, he is taking 75 percent of their extra-provincial revenue?

**Hon. Greg Selinger (Minister charged with the administration of The Manitoba Hydro Act):** Mr. Speaker, not only did his preamble exceed one carefully drawn sentence for a supplementary question, not only did his preamble repeat questions asked many times before, but the member opposite should recognize that Manitoba Hydro as a Crown corporation does not pay \$93 million a year in corporate taxes that it would pay if it were in the private sector. The total amount of money that is being drawn, the \$288 million that is going to be drawn over three years, is approximately the same that they would pay if they paid corporate income tax revenues. It is a reasonable amount to ask from a corporation which has made very strong profits, far in excess of what they budgeted for over the last six or seven years.

### Rate Increase

**Mr. John Loewen (Fort Whyte):** Mr. Speaker, I would ask the Minister of Finance if he would admit to Manitobans that his Government's scheme to take \$415 million in cash out of Hydro in this fiscal year will result in rate increases further down after their ban has been lifted.

**Hon. Greg Selinger (Minister charged with the administration of The Manitoba Hydro Act):** Mr. Speaker, the member once again uses his supplementary question to make false accusations, to misrepresent the facts and to mislead the public.

Testimony at the Public Utilities Board, testimony which he has quoted often in this House, has indicated, including interveners who have a stake in this in terms of the rates they pay Manitoba Hydro, they have testified that they do not believe hydro rates will have to go up as a result of this transfer, that the normal assumptions Manitoba Hydro has made in previous years will hold in spite of the special

payment being made because of the excess profits which have been heard.

If the member opposite is being honest about that, he would put that on the record in the House. Instead, he chooses to mislead the public and continue to use Question Period for the seeking of admissions. Perhaps he should not have gone into politics; perhaps he should have gone into the priesthood.

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

**Mr. Speaker:** Order. I just want to remind all honourable members that each and every member in this House is an honourable member and should be treated as such. I ask the full cooperation of all honourable members.

\* (13:50)

### **Out-Migration Reduction Strategy**

**Mrs. Heather Stefanson (Tuxedo):** Mr. Speaker, the 2001 census figures released this morning clearly show young Manitobans are leaving our province because of this Doer government's inability to keep Manitoba competitive. Since the Doer government took office the number of people leaving, primarily for B.C., Ontario and Alberta, has doubled as the census shows, particularly young people between the ages of 25 and 44.

My question is for the Minister of Advanced Education (Ms. McGifford). What incentives is her Government prepared to offer our young people to encourage them to remain here in Manitoba after they graduate?

**Hon. Gary Doer (Premier):** Mr. Speaker, the previous regime, over its 10-year term, averaged over 1250 lost individuals between the ages of 18 and 25. We have reduced that by 50 percent in our first three years in office. We think we are heading in the right direction. Obviously, no one in this Chamber should be satisfied with anything except no one on a net basis leaving. In fact, we are optimistic over time we are going to start attracting a net increase in young people.

One of the reasons we are going to do so is by reducing the tuition fees by 10 percent in

universities. By doubling the number of community college spots, we are starting to demonstrate to our young people there is indeed hope and opportunity here in Manitoba.

**Mrs. Stefanson:** Mr. Speaker, can the Premier then tell this House and indeed Manitobans why he is making it his legacy to subsidize Alberta, Ontario and B.C.'s workforce?

**Mr. Doer:** Mr. Speaker, 1200 people between 18 and 25 leaving in 10 years of the Tory office on average, 650 now, heading down every year. Our legacy is to reverse the lack of hope and opportunity for young people and to provide hope and opportunity. We have the lowest youth unemployment rate in Canada and we need more young people. That is why we are providing more skills and training programs.

When we took over the office of Government, the roof at the University of Manitoba Engineering faculty was leaking. That is your legacy.

**Mrs. Stefanson:** Mr. Speaker, will the Premier recognize the reason for the low unemployment rate in our province is a result of people leaving our province? How can we even hope to have a future in this province if we are driving our young people out of here?

**Mr. Doer:** Mr. Speaker, I guess the member opposite thought the leaking roof at the University of Manitoba was a fine legacy to be left to the young people of Manitoba. That was their legacy.

Mr. Speaker, 1200—[interjection] Let us look at the bottom line; 1200 young people between the ages of 18 and 25 leaving under the Tory years, 650 and going down under the NDP years. We are not resting. We are going to solve your problems.

### **Hallway Medicine Reduction Strategy**

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, in the election, the Premier and the Minister of Health promised to end hallway medicine in six months with \$15 million, and in fact the Premier called it his moral commitment

to Manitobans. Now almost three years later and \$650 million more later there are still patients in ER hallways.

I would like to ask the Minister of Health how he can explain the fact that there are more patients in ER hallways today than there were a year ago. Not only have they broken their election promise, the Premier (Mr. Doer) has broken his moral commitment he made to that promise.

\* (13:55)

**Hon. Dave Chomiak (Minister of Health):** First off, the legacy of people being in the hallway one, two, three, four weeks has been totally reversed. Secondly, CIHI said that Manitoba had done the best job of hallways in the entire country and, in fact, the government of Ontario took our plan and implemented our plan in Ontario to deal with their hallway problem. At least they admitted it, as opposed to the Tories here who did not admit that they had a hallway problem.

The one difference between members opposite when they were government was that they did not even recognize that there was a problem. They refused. From the day we came to office, we started working on the problem and we work on it every single day.

#### **Emergency Services Advertising Campaign**

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, I would like to ask the Minister of Health to explain to Manitobans why he has spent over a quarter-million dollars advertising, trying to keep people away from our emergency rooms if in fact he is so confident that he has fixed the problem. Why has he spent over a quarter-million dollars?

**Hon. Dave Chomiak (Minister of Health):** Mr. Speaker, I will never apologize for an ad campaign, for example, to try to prevent childhood injuries. It has been recognized across the country to prevent childhood injuries. I will not apologize for a campaign that provides information to Manitobans to tell them the type and the quality of service that they should access. I will not apologize for that any day.

#### **Point of Order**

**Mr. Marcel Laurendeau (Official Opposition House Leader):** Mr. Speaker, *Beauchesne* 417: Answers to questions should be as brief as possible, deal with the matter raised and not provoke debate.

I do not hear this minister talking about the fourth floor of the Victoria Hospital right now that is empty at one end. All the beds are empty. There is nobody there to service those people.

**Mr. Speaker:** The honourable Minister of Health, on the same point of order.

**Mr. Chomiak:** Mr. Speaker, I suggest the member does not have a point of order. It is not a dispute over the facts.

In fact, the fact is that members opposite did not even admit there was a hallway problem, they pretended it was not there. We came into office dedicated to deal with it, and we have dealt with it every single day.

**Mr. Speaker:** On the point of order raised by the honourable Official Opposition House Leader, it is not a point of order. It is a dispute over the facts.

\* \* \*

**Mr. Speaker:** The honourable Minister of Health, to conclude his answer.

**Mr. Chomiak:** Yes, to complete, Mr. Speaker. The ad campaign with respect to emergency services and to provide preventative information to individuals was well received. In fact, we sent it to all Manitoba homes over Christmastime. We reactivate it during different periods of the year, unlike the Conservatives who advertised politically when they were in office and used government dollars to do that.

**Mrs. Driedger:** Mr. Speaker, I would like to table the FOI that showed back from December to February the Government was spending over a quarter-million dollars on this ad campaign. They are now, again, repeating the ad campaign.

I would like to ask the Minister of Health if he is aware that his desperate campaign with



expensive advertising is actually a dismal failure, that back when they started the campaign, there were approximately 4000 visits a week. There are now over 5000 visits a week. His campaign is failing and yet he is spending taxpayers' money on this campaign that is not working in Manitoba. How can he justify that?

**Mr. Chomiak:** Mr. Speaker, first, the member in her first question said you are doing this ad campaign to keep people away. Then in her third question she said you have more people coming. Not only is she wrong in what she states but she is inaccurate from question one to question three. No wonder the member opposite has to shout and has no credibility whatsoever.

We have been recognized in the country as having done the best job on hallway medicine. We were up front and said yes, we would spend that kind of resources in terms of providing information to the public. Mr. Speaker, it has been well received.

We did not spend \$700,000 in political advertising as was happening during the Tory regime. That we did not do, that we will not do. Information campaigns on childhood injuries, on utilization of health services we will do and will continue to do for the benefit of all Manitobans.

\* (14:00)

#### **Dakota Tipi First Nation Band Chief**

**Mr. David Fauschou (Portage la Prairie):** Mr. Speaker, yesterday the Minister of Aboriginal and Northern Affairs stated the Doer government had no choice but to recognize Mr. Dennis Pashe as chief of the Dakota Tipi First Nation. Today, though, it has been reported that Dennis Pashe has dropped his lawsuit against the federal government over being ousted as chief and the installation of a third-party management by the federal government.

Now that Mr. Pashe has dropped his lawsuit, I would like to ask the minister: Who today does he recognize as chief of the Dakota Tipi First Nation?

**Hon. Eric Robinson (Minister of Aboriginal and Northern Affairs):** I would like to advise

the member that the matter that was raised yesterday with me by the Member for Lac du Bonnet (Mr. Hawranik) about section 74 being invoked by the federal government, through the federal Indian Affairs Minister, is in fact not correct. What was implied in the letter was that there was an intention that the community was put on notice that section 74 was going to be invoked. Therefore, Chief Pashe and council are officially the leaders of the community until otherwise notified by the Department of Indian Affairs.

**Mr. Fauschou:** Mr. Speaker, in regard to the statement just made by the Minister of Aboriginal and Northern Affairs, in regard to the affairs of the Dakota Tipi First Nation, the federal government has installed a third party to manage the affairs of that reserve. They no longer recognize Dennis Pashe as the chief. I want to know, who does this Government recognize as chief.

**Mr. Robinson:** Let me repeat, Mr. Speaker, under section 74 there was an intention by the federal government and the community was put on notice. However, the section in itself was not invoked on the community. Therefore, no section 74 order has been issued by the federal minister. Therefore, we have no alternative but to acknowledge and recognize Chief Dennis Pashe and his council as the duly elected leaders of the community.

Further, true, the band, as many others across Canada, is under third-party management and we do feel, and I will be raising some of my concerns with the members of the Chamber of Commerce in Portage la Prairie, that the member brought up yesterday. The third-party management in the community, there are three levels to the third-party management. I do not have the opportunity to go through that

Mr. Speaker, there is also another policy under the federal government which is called an intervention policy. There are different levels of that, therefore causing the companies and the small businesses in the community of Portage la Prairie to suffer unduly.

#### **Gaming Revenues**

**Mr. David Fauschou (Portage la Prairie):** I would like to ask the Minister of Lotteries to

indicate to this House, seeing the lawsuit has now been dropped and there is obvious dispute as to who in fact is in management control of the Dakota First Nation affairs, will she now take the recommendation by the Council of Women of Manitoba to place all gaming revenues that are currently at risk into a trust fund?

**Hon. Steve Ashton (Minister charged with the administration of The Gaming Control Act):** Mr. Speaker, this is within jurisdiction of the Gaming Commission. I would advise the member that under the agreement that was signed in 1994 under which agreement one Darren Praznik and Jim Ernst signed an agreement, we have an agreement, one of 32 across the province, with a First Nation. This agreement set up a gaming commission which is still in operation. It is in fact in compliance with gaming regulations, something which was not the case when we came into office.

I want to indicate we have made significant progress on that. The member opposite I think perhaps should read through the agreement that was signed by his party, when in government, and the First Nation, because I think it will explain the answer to a lot of the questions he has raised. It is right here in the agreement.

#### **Hecla Area Land Expropriation Meeting with Ombudsman**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, my question to the Minister of Conservation. During Question Period, May 30, I asked the Minister of Conservation about his decisions and actions with respect to the Ombudsman's report on the investigations into circumstances around land allocation on Hecla Island and also the matter of the unauthorized disclosure of private information to unauthorized sources. The minister indicated he would have further to report to the Legislature once he had met with the Ombudsman on June 6.

The minister has now had plenty of time following his meeting with the Ombudsman to decide on a course of action. So, today, I ask the minister to give this Legislature a report of his meeting with the Ombudsman and his decision as to his course of action that he is going to be taking.

**Hon. Oscar Lathlin (Minister of Conservation):** Mr. Speaker, I thank the member for the question.

I can advise the member that I did have a meeting with the Ombudsman in my office here, as I had suggested, and it was a very good meeting, a worthwhile meeting. We were able to understand each other's concerns I think very well, at the end of which we had decided that we would review the situation a little bit more closely for a few days.

I believe now, as was suggested by the Ombudsman, the deputy minister has written letters to the affected parties, and so far we have not heard from the Ombudsman as to whether the contents of the correspondence to those individuals was to his satisfaction.

**Mr. Gerrard:** I thank the Minister of Conservation for his update.

#### **Minister's Action**

**Hon. Jon Gerrard (River Heights):** I would ask in my supplementary to the minister: Given the seriousness, as he acknowledged in his earlier replies, of the improper disclosure of private information to unauthorized sources, what action has the minister taken with regard to staff and others who may have been involved in the improper disclosure of such information?

**Hon. Oscar Lathlin (Minister of Conservation):** Mr. Speaker, I can indicate to the member that I believe also in my earlier responses I suggested to him that because the matter was quite sensitive in terms of it being a human resource issue, I had suggested to him that the provincial auditor was reviewing the leasing of those cottage lots that he had referred to at Hecla Island and also the conduct of civil servants who were involved in these processes.

I am sure the member would agree with me that it would be inappropriate for me to make comments on the issue while the issue is still under investigation by the provincial auditor.

**Mr. Gerrard:** Mr. Speaker, I thank the minister. I would ask, in addition, in the interim while he is waiting for the provincial auditor's report:

What measures is the minister taking to make sure that there are no further improper disclosures of unauthorized information?

**Mr. Lathlin:** Mr. Speaker, I can indicate to the member that we have requested the assistance of the Civil Service Commission, I believe the agency is called. Ms. Shirley Strutt is currently helping us to review the whole file with the view of coming up with some recommendations as to how this situation could be avoided in the future.

### **Selkirk Generating Station Natural Gas Conversion**

**Mr. Gregory Dewar (Selkirk):** Mr. Speaker, my question is for the Minister responsible for Manitoba Hydro. Earlier today, I joined the Premier (Mr. Doer) and the Hydro Minister in Selkirk to celebrate the official completion of the conversion of the Selkirk Generating Station from coal to natural gas. This represents our Government's vision of the future of this plant, in contrast to the members opposite who simply wanted to shut it down.

Can the minister inform the House how this conversion impacts upon job security, the local economy and the environment?

**Hon. Greg Selinger (Minister charged with the administration of The Manitoba Hydro Act):** Mr. Speaker, the decision by Manitoba Hydro to advance the conversion of the Selkirk coal plant to natural gas has stabilized jobs in the Selkirk community and will provide tremendous long-term stability and economic advantage to that region.

Secondly, it will diversify the energy base of Manitoba Hydro, which is 95 percent hydro-electricity that will allow Manitoba Hydro to offer firm contracts to clients and customers which will increase the long-term potential for profitability.

Thirdly, it allows Manitoba Hydro and the people of Manitoba to meet its Kyoto commitments to reduce greenhouse emissions of carbon dioxide and nitrous oxide. So there is a triple benefit to this conversion today in terms of local jobs, better export sales and climate change advantages to the people of Manitoba and all the people of North America.

\* (14:10)

### **Health Links Staffing**

**Mr. Denis Rocan (Carman):** Mr. Speaker, I rise today with a small measure of frustration to ask a question on behalf of many Manitobans who find themselves in the same situation I found myself in yesterday and/or today.

By way of background, I found a dead bird, a bird I believe was a member of the crow family, on my way over to the pharmacy yesterday afternoon. At about five o'clock, I called the help line the minister has set up in order to have somebody identify the bird or to have the opportunity to come pick it up.

Mr. Speaker, I would like to ask this Minister of Health whether or not he will indicate whether he will be hiring more staff to respond to the increased number of calls Health Links has been receiving since the West Nile virus was confirmed in Manitoba.

**Hon. Dave Chomiak (Minister of Health):** Mr. Speaker, as I indicated yesterday in the press information we provided to Manitobans, there has been an overwhelming response to the information about the West Nile virus being isolated in Winnipeg and, obviously, in Manitoba.

We have had experience with these occurrences in the past, both with the meningitis issue and in relation to the water issue. We increased the staff. We increased the throughput of Health Links to deal with it. We also did that in anticipation of the West Nile issue. What was not anticipated was the length of time the staff would have to spend on the phone with the individual callers describing the types of birds, because there was a massive amount of phone-backs of the types of birds and animals and a lot of time was spent. That was not anticipated.

I should indicate staff was already lined up to be expanded, and there will be additional resources, as well, provided.

**Mr. Rocan:** Mr. Speaker, the Minister of Health was wondering what these birds look like. I am not going to use the prop because there is no

way I am going to put my hand in here and take out my little tweety bird that I have been dragging around for the last little while in a bucket of ice.

Mr. Speaker, for the last 20 hours I have been waiting for an individual to call me. Fortunately, about an hour and a little bit ago an individual did call me. Now I am in the process of waiting another 24 hours for somebody to come and pick up my parcel. This little tweety bird in the meantime will just be like my shadow.

Can the Minister of Health indicate whether he will be hiring more staff to pick up the dead specimens so that Manitobans are not left waiting for them to be picked up and so that Manitoba Health receives the specimens before they are too decayed to test?

**An Honourable Member:** Yes, thank you, Mr. Speaker.

**Mr. Speaker:** Order. I have not recognized the honourable member. I would like to remind all honourable members of exhibits that are brought into the Chamber.

**Mr. Chomiak:** Mr. Speaker, I can indicate several weeks ago we hired staff in rural Manitoba specifically to do pickups. This weekend we gave an additional staff member from the provincial Department of Health to the City of Winnipeg in order to do pickups. Five Health Links staff have been added today, in addition to the resources we put on last week. *[interjection]*

Mr. Speaker, members opposite indicate that they may not be picking up fast enough. We are dealing with this—*[interjection]* If the members wanted a serious response I think they would stop the chirping from their seats and would allow me to respond to the particular point they are raising.

I should indicate we will take any advice with respect to resources and we are putting as many resources as possible from the provincial government into this program. I should indicate the program started two years ago, it expanded last year, it expanded more this year, and it has expanded as a result of our experiences in regard to this.

**Mr. Rocan:** Mr. Speaker, I understand the plight the minister is in right now because I am a firm believer that many of these birds are a bogus situation, but, unfortunately, we still have to take this opportunity that is before us to ascertain whether or not these birds are in contact with this West Nile disease.

I would ask this minister whether or not he is considering partnering with the City of Winnipeg to use some of their staff to assist the six Manitoba Health employees who are unable at this time to keep up with the current demand to pick up these dead birds.

**Mr. Chomiak:** Mr. Speaker, I should indicate we are utilizing individuals and staff, as I understand it when I last checked, from the City of Winnipeg. I can also indicate as a result of the volume impact on the weekend, as was indicated in yesterday's press briefing, the Chief Medical Officer for the Province of Manitoba indicated that we would try to do as fast as we can, pickups starting from yesterday forward in terms of picking up within 36 hours. She also advised at the time that it was not appropriate to put the bird into a freezer or anything like that, but not to touch the animal and to advise Health Links, to take the direction from Health Links and to deal with it accordingly.

As I indicated, Mr. Speaker, five additional staff have been added at Health Links. We expanded it last week. As the capacity goes we will continue to do that. We are also expanding our advertising of this, something in the earlier question the Member for Charleswood (Mrs. Driedger) opposed.

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

#### Introduction of Guests

**Mr. Speaker:** Before we move on to Members' Statements, I would just like to draw the attention of all honourable members to the public gallery where we have with us a Community Development and Justice Standing Committee of the Legislative Assembly of Western Australia. The study group is looking at emergency responses in Manitoba. They are Deputy Chairman, Mr. Larry Graham, who is a member of the

Legislative Assembly; Ms. Sue Walker, who is a member of the Legislative Assembly; and Mr. Tony O'Gorman, who is a member of the Legislative Assembly.

On behalf of all honourable members, I welcome you here today.

### MEMBERS' STATEMENTS

#### Portage la Prairie Strawberry Production

**Mr. David Faurshou (Portage la Prairie):** It has been tradition for the past 15 years for the Member for Portage la Prairie to bring a sample of the area's fantastic strawberry crop. Once again, I am pleased to offer each member a taste of Portage la Prairie, along with the co-operation of Mr. Ed Connery who was the former MLA for Portage la Prairie.

Mr. Speaker, over the past two decades, strawberries have become a prominent part of the Portage agricultural scene. There are now dozens of strawberry farms in the region with approximately 70 acres devoted to strawberry production. Nowhere else in the country is there an abundance of strawberries as there is in Portage la Prairie. As such, the city has earned the title, Strawberry Capital of Canada. The label is well deserved as was evidenced in 1988 when Portage la Prairie was entered into the *Guinness Book of World Records* with a giant bowl of strawberries weighing in at 1511 kilograms, a record that still stands today.

These strawberries represent Portage la Prairie area's ever-increasing commitment to crop diversification. Saskatoons and raspberries are other crops that in recent years have become important fixtures in our agricultural community. This year, Maple Leaf Distillers announced that they will be using locally grown raspberries and strawberries from the Portage la Prairie area in their line of spirits. Encouraging development such as this only serves to strengthen their already strong local economy in our region.

I encourage all members of the House to make their way to Portage la Prairie to either pick their own or buy prepicked strawberries, raspberries and saskatoons. I am very glad to just provide a small sample of what will be coming their way should they visit Portage la Prairie.

#### Glenda Walker-Hobbs

**Mr. Gerard Jennissen (Flin Flon):** I rise today to talk about one of my northern constituents, Ms. Glenda Walker-Hobbs. Glenda is a former school library technician at McIsaac School. She has published a book of poetry about the Flin Flon area called, *City on the Rocks: A Collection of Northern Poems*.

Ms. Walker-Hobbs has lived in Flin Flon for 26 years where she helped found the Flin Flon Writers Guild. She is also a member of the on-line Writers Village University and the Senior Poets Workshop. Her book was published with the help of her friend and fellow poet, Phyllis Antal, who started up a home-based publishing business. Another positive influence on Glenda's poetry is her husband, Harry Hobbs. She received further encouragement from the on-line poetry group.

The book's poems include: "Smokestack Images," "Autumn at Bakers Narrows," "Mandy Mine" and "Marijuana Capital." Other Flin Flon topics she covers are the Flin Flon Station Museum, Flinty's Boardwalk, Phantom Lake and her uncle, the late Neil A. McLennan.

The first two stanzas of her poem, "City on the Rocks," give the reader a sample of her vivid and intense poetic images

dollhouse homes / of the city / cling to the  
granite surface of / precambrian rocks

evergreens grow out of / crevasses, colour  
rocks / like green splotches / on an artist's palette

Glenda's unique work has been published in *Pulse Magazine*, *Collective Anthologies* and *Between Beaver and Anthapap*, among other publications.

Mr. Speaker, I would like to congratulate Ms. Walker-Hobbs on her published work and wish her the best of luck with her future projects. I encourage all Manitobans to read Ms. Walker-Hobbs' book and get a taste of northern Manitoba culture.

\* (14:20)

Copies are available from the Creighton Tourist Bureau and through the publisher, Lighthouse Publishers.

### Loewen Family Reunion

**Mr. John Loewen (Fort Whyte):** Mr. Speaker, this weekend, I had the very great pleasure of attending the Loewen family reunion in Gretna, Manitoba. Over 400 descendants of Heinrich and Sarah Loewen gathered in Gretna to celebrate the courage, faith and heritage that they had left for us. The group of descendants included the last remaining grandchild of Heinrich and Sarah, Katherine Symington, who was, at age 94, able to join this wonderful celebration of the lives of our forefathers.

Highlights of the weekend included a church service on Sunday and an opportunity Saturday night for many relatives to tell stories of the history of this family which settled in Silberfeld, just outside of Gretna, in 1879 after having made the long journey from Russia by boat to Québec, first travelling to the west reserve and then settling in the east reserve in 1879. On Sunday, there was a dedication to the memorial of the Loewen homestead just outside of Gretna.

All together the organizing committee was able to trace 5200 direct descendants and over 1800 spouses of Heinrich and Sarah Loewen, totalling over 7000 family members.

I would like to leave this House with a translation of a message that was written by Heinrich Loewen in October, 1836. He wrote this at the age of 13.

I quote: Hope is a beneficial companion in life. Hope comforts in misfortune and helps us focus with expectation that things will get better. One who is sick hopes for recovery. One who is in danger hopes the danger will pass. One who works laboriously hopes for rest and reward and is strengthened. One should however not hope for the impossible. He who hopes to be useful and of service someday but has never proven himself to be industrious and hardworking in his youth is only deceiving himself.

I would like to congratulate Benno and Mary Loewen who organized this event.

### Murray Smith

**Ms. Linda Asper (Riel):** Yesterday, Murray Smith, Rhodes scholar, received the Order of

Manitoba in the company of his wife, Muriel, his family and many friends.

In Murray's words, I quote: It is a very useful recognition of this kind of work I and many others have been engaged in all our adult lives. In our own professional work, political participation, toiling in the arena of public debate, such as CPP, OAS, seniors benefits, health care, equality of opportunity, family law, rights of children, whatever comes under social activism these days, I think it acknowledges that laypersons have many opportunities to contribute to the well-being of Canadian society and that we have a great asset in the tradition of NGO involvement.

I like the fact it reflects credit on the organizations some of us have worked in. In my case, the Canadian Association of Retired Teachers, Retired Teachers Association of Manitoba, Canadian Pensioners Concerned, the Manitoba Society of Seniors, CARP, Manitoba Council on Aging, the New Democratic Party, the Manitoba Teachers' Society. It lends credibility to our occasional claims that these efforts do effect change and that corporations and the media do not have all the weapons in their arsenals.

Murray Smith calls himself an ordinary citizen, but we know that his contribution has been great. A man of integrity, a man who lives his beliefs through his intelligence, kindness and wisdom so we all benefit. He has divided his abilities and energies between his profession of education and his community.

Congratulations, Murray, for your innovative and important contribution. Good health as you continue to share your life with your family, friends and your community. To know you is to love you and you are well known.

### 4-H Rally

**Mr. Larry Maguire (Arthur-Virden):** Mr. Speaker, it was my great pleasure to attend the 68th annual 4-H Rally in Boissevain on June 7 this summer. Many people from the area came out to take in the beef judging, showmanship classes and a sale of the calves conducted by Warren Wright. Those who attended this year's 4-H rally were treated to many excellent displays, which also included the annual 4-H parade during the noon show.

The annual rally provides an opportunity for our youth involved with 4-H to showcase their skills and abilities in different areas. Several youth were presented with awards for their achievements, including awards for raising and showing livestock, awards for the beginning beef and peewee show, as well as awards handed out for the horse show.

One of the highlights of the rally is always the presentation of the N.M. Paterson and Son gold watch awards. This year's winners for the Killamey area were Tobi Klassen of the Killamey Home and Hobby Club and Kyle Howarth of the Killamey Beef Club. The winners of the gold watch awards for the Boissevain area were Laura Hicks of the Boissevain Boots n' Bits and Carla Slimmon of Deloraine Beef. Certainly, all of the animals at this year's 4-H rally were of superior quality and I, much like everyone else in attendance, was very impressed.

Mr. Speaker, I would like to congratulate all of those who were honoured for their accomplishments at the 4-H rally on behalf of all members of the PC caucus, especially the honourable Member for Turtle Mountain (Mr. Tweed), the honourable Member for Minnedosa (Mr. Gilleshammer) and myself, who are all the MLAs for those who were recognized at this event.

For the months of hard work and dedication of all those who took part in the 68th annual 4-H Rally in Boissevain, congratulations once again for your remarkable achievements.

\* \* \*

**Mr. Speaker:** The honourable Member for Portage la Prairie, on a point of order?

**Mr. David Faurshou (Portage la Prairie):** A point of clarification, Mr. Speaker, in regard to the berries the members have before them, the berries have been produced pesticide-free and are quite edible as they have been presented. Thank you.

**Hon. Gord Mackintosh (Government House Leader):** Is that the berries on both sides?

**An Honourable Member:** Go ahead and try them.

**Mr. Mackintosh:** You first.

## ORDERS OF THE DAY

### GOVERNMENT BUSINESS

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, would you please call third reading on Bill 14?

### THIRD READINGS

#### Bill 14—The Public Schools Modernization Act (Public Schools Act Amended)

**Hon. Gord Mackintosh (Minister of Justice and Attorney General):** Mr. Speaker, I move, seconded by the Minister of Education (Mr. Caldwell), that Bill 14, The Public Schools Modernization Act (Public Schools Act Amended); Loi sur la modernisation des écoles publiques (modification de la Loi sur les écoles publiques), be now read a third time and passed.

#### *Motion presented.*

**Mr. Stuart Murray (Leader of the Official Opposition):** Mr. Speaker, I would like to put a few comments on the record with respect to Bill 14. I think it really stems from the fact that we have had difficulties with the entire process around the way that this bill came forward to Manitobans.

I think the one phrase that will always be remembered in this debate about Bill 14 is when the Premier (Mr. Doer) stood about a year ago in a meeting with the school trustees, and, when asked about forced amalgamation of school divisions, the Premier looked at the audience and said: It will not happen; it is not the Manitoba way. Those were the direct words that the Premier said to the school trustees.

Well, Mr. Speaker, as fast as your head can spin, the Minister of Education brings in Bill 14, which is exactly the opposite of what the Premier had indicated to those school trustees. So, the fact is you have a premier saying one thing to one room, you have the Minister of Education saying another thing to another group, and, then, ultimately, I do not know which one would make a decision as to say you go sit in the

corner; no, you go sit in the corner because you have misled the other group.

So, Mr. Speaker, Bill 14, from day one, has been flawed. It has been a bad process. I know that I had a chance to be out with the Member for Springfield (Mr. Schuler) at a large community hearing of very concerned parents where the member, the Minister of Education—  
[interjection]

\* (14:30)

**An Honourable Member:** January 10.

**Mr. Murray:** January 10 out in Oakbank. The Minister of Education was in attendance and some thousand parents, very concerned parents, simply wanted to know why they were being forced to amalgamate their school division, Mr. Speaker.

It was a very simple question, and I respect those parents because there was no hostility. It was only a sense of saying you are the minister; you are the one who made the decision. As a concerned parent of school children, could you please answer the simple question: Why have you chosen our school division?

The answer, of course, Mr. Speaker, is another doozy that will go down in history, when the minister looked at those concerned parents and said, well, the devil is in the detail. That was the answer that the minister gave to those concerned parents.

The biggest concern of Bill 14 is that one section states that everything the Minister of Education has done in regard to forced amalgamation was lawfully done. You have to wonder why it is that any minister of the Crown would have to put that kind of wording into legislation they are bringing in. Should Manitobans not expect all of their elected members whenever they bring in any legislation that it be lawfully done, to use the words that this minister feels that he has to do to cover his movements?

Manitobans should be further concerned that the bill protects this minister and his Government from any court decision. It essentially gives the Doer government immunity. That, clearly, is not in the best interests of a democracy, nor of this Legislature. This begs a

question, and I believe all Manitobans when they get a chance to look at this legislation, they can ask the question, why? Why did they do this and why did they bring this in? Why would a government need protection from judicial scrutiny? Why would the Minister of Education feel that he had to have that? Why would a government need to silence the right of any Manitoban to challenge them in court? By the way, we were told repeatedly by the Minister of Education, by forcing school divisions to amalgamate there will be \$10-million worth of saving.

Well, repeatedly, Mr. Speaker, we have asked on this side of the House, just show us, maybe, the first million. Forget the other nine, forget the ten. Show us a million dollars of savings. The Minister of Education, the Doer government, not one of them on that side can show us where there is any saving to be made through forced amalgamation.

Mr. Speaker, another question arises from the debate stipulated the bill as the deadline for Manitobans to request the Board of Reference. I know, speaking to my trustees out in the St. James-Assiniboia School Division, they were absolutely upset and appalled that the Minister of Education would bring this in. According to 21.3(b) of Bill 14, the minister is only obliged to submit to the Board of Reference if he "received the request obligating him or her to do so on or before March 1, 2002."

The March 1 deadline is curious when one considers that the Springfield School Parents Council submitted their request for a Board of Reference to the minister's office on March 13, 2002, just missing the minister's late decreed deadline.

Another questionable clause in Bill 14 concerns the appointment of an arbitrator to resolve any disputes between divisions undergoing the amalgamation process, and I should say, Mr. Speaker, that perhaps the word missing there is the "forced" amalgamation process, because that is what this minister is doing to those school divisions. He is forcing them to amalgamate.

According to subsection 12.3(4)(b), Mr. Speaker, this arbitrator is to be appointed by the minister with no input whatsoever from the



disputing divisions. Well, once again, here the minister is trying to have a single element of control, a single element to dissuade anybody else from getting involved in the process. That, I believe, again defies what a democracy, a true democracy should be about.

The power would seem to provide the minister, clearly, with a great amount of influence on the outcome of the arbitration. Why would he want to do that unless the minister was concerned that the arbitrator might find something wrong with what the current minister was doing?

Section 22(2)(a) forces each amalgamated division for three years to submit its proposed annual budget to the minister for review. Section 22(b) and section 22(3) force each amalgamated school division to revise each budget as directed by the minister. Well, the Education Minister is creating a two-tier education system. What is it going to be, Mr. Speaker? How is it possible that these trustees, with the kind of information that they get from the Minister of Education such as "the devil is in the detail," how were those trustees to go out and do the kinds of things that this minister is forcing him to do under this bill?

Clearly, this is classic New Democratic Party micromanagement at its worst. It is the minister getting involved and trying to micromanage the entire process, the budgetary process, the process that the school trustees have been put in charge of, or at least are led to believe they are in charge of, unless this Minister of Education swoops down in the middle of the night and decides that what the trustees have done is wrong and changes it.

So, now, we are going to be asking Manitobans to participate in school trustee elections. They are given all of the responsibilities to deal as school trustees, but none of the authority because it rests in the Minister of Education's office.

I believe our Education critic, the Member for Minnedosa (Mr. Gilleshammer), has done a very, very good job in trying to let Manitobans know why this bill is flawed. Numerous members in our caucus have come forward to speak on it. We see every day the member from

Springfield is very concerned, because he listens to his constituents. He listens to his constituents.

I would ask the minister to please take a page out of the member of Minnedosa's book, the member of Springfield's book, and listen to Manitobans. It is a refreshing thing to do when you get a sense of what the public is out there speaking.

So, Mr. Speaker, I will tell you that I am opposed to Bill 14. I think it is wrong to force school divisions to do things that they are not informed of, that go against the democratic process, that put pressure on parents and school trustees.

In fact, this minister has done nothing to say that, ultimately, it will do something to help our children in schools. Nobody would be opposed to that if this minister could prove that. He cannot.

So we are left on the basis that this is a very heavy-handed bill that the Minister of Education wants to ram through this Legislature. I, for one, as the Member for Kirkfield Park listening to my school trustees, am absolutely opposed to it. Thank you very much.

\* (14:40)

**Mr. Ron Schuler (Springfield):** Mr. Speaker, it is with a certain degree of sadness that I stand up on third reading, because I know this is the last opportunity I have to try and convince the Government that the approach they have taken is wrong. I see a lot of school divisions where individuals have worked very hard to build a strong and healthy public education system, facing a very uncertain future because we have a government that decided to take moves when they really did not have a clear vision or a plan where they were going.

As we know, the Minister of Education and Training, sometime in November, I believe it was November 8, made the announcement, and I quote from the minister, I am today announcing the amalgamations and other changes to school division and division boundaries, and so on and so forth.

I have said to this House before that it was with a great degree of shock that the residents of the R.M. of Springfield, the residents of Transcona, the residents of River East woke up when they found out what was actually going to take place. I know I began the process of speaking to parents. In fact, it was so hectic, people calling my office, that I had my constituency assistant tell people that we understood their concerns and we heard their concerns. At that point in time, we did not even have the opportunity to call them back, there was such a large volume of calls. There was just no way to keep up with the calls that were coming in.

What we decided to do was a coalition that got together with the reeve, John Holland of Springfield, the school trustees, in particular, Pat Watson, and myself. We decided to hold a public meeting to hear what the community response to this was. I think, when we talk about the education, we do not want to just talk about the special interest groups or the vested interest groups. What we want to do is talk about the parents who are there to stand up in the best interest of their children, Mr. Speaker. So we had a public meeting.

If I was going to give the minister credit in one area, I do give the minister credit that he did show up at a public meeting in Oakbank on January 10. If he did not know what he was walking into, he should have known what he was walking into. It was an emotionally charged event. Parents and citizens were coming forward, taxpayers, wanting to get answers, wanting to find out what it was that the minister was proposing and conversely trying to point out to the minister some of the concerns.

I just want to raise a couple of them that I brought forward to the minister's benefit. That was that Springfield Collegiate has a capacity of 673 students. It has an enrolment of 681 students, which means it is already over capacity by 8. I pointed out to the minister that Pierre Elliott Trudeau School, which is in Transcona, has 91 students from Springfield; Transcona Collegiate has 8 students from Springfield; Murdoch MacKay has 69 students from Springfield. So, in total, the number of students in senior high school, 168 are from Springfield attending high school in Transcona. That is Senior 1 to 4.

That means that, if you added the 168 into Springfield Collegiate, you would be over capacity by 176 students, and that is just not reasonable. It is not appropriate to have that many students in, even you added on, we used to call them portables, shacks, there is a new buzzword, relocatable buildings, the facility could not handle that kind of overcapacity, and we know that the area continues to grow.

I have given the minister credit for showing up. I have to say to the minister, and I said it to him at that time, that I was disappointed that he was not aware of this problem at the time. We had hoped, as a community, and, certainly, the parents and the taxpayers and I, as their representative, had hoped that the minister would come forward with more answers rather than indicating as he did that it was a fact-finding mission. That was surprising, I have to say. I mean, I pointed out to the minister that he de facto did have a whole public service, a whole bureaucracy to advise him, and it would have been nice if he had come forward.

The phone calls and the letters and the information coming from the community, coming from citizens in my community were, Mr. Speaker, overwhelming. I have files and files and stacks of documents. I think what really brought a lot of this to the fore was a statement made in this House, *Free Press*, December 5, 2001, page 3, where the Member for Transcona (Mr. Reid) indicated that the splitting of the tax base off of Springfield and adding it onto the city was pay back. There is always a point where residents sort of rally around, and that, certainly, was one of the flash points that gave people an understanding what it was that they were up against. It was punishment politics.

During this whole event, seeing as the minister and the Government were not interested in being out in front of the issue and advising people on what was taking place, since January, I have done 12 000 direct mail pieces, not including franking pieces, into the area.

There was great concern over this whole issue with the punishment politics. I think it has been laid out, and there is a good letter by Kenneth Edie that was actually sent to the Member for Transcona (Mr. Reid). I would like

to put a part of it on the record. The suggestion made that it was pay-back time, and this is a quote, for Springfield's disregard of environmental concerns is serious. Griffin Wheel works has been piling slag west of Border Chemical. Also, they are giving away or selling slag to auto wreckers to be used in building hard roads or to the cars being salvaged.

The geography of that area is that Griffin Wheel works is actually in Transcona. Border Chemical and some auto wreckers are in Springfield, so the Member for Transcona actually had it wrong. It is actually in his constituency that Griffin Wheel works was presented. In fact, that whole industrial, car crushing, salvage area that tends to be in Springfield, which is a little bit east of 59, Springfield Road, heading east, was actually set up by the City of Winnipeg because, at one point in time, the City of Winnipeg did the planning for that area. The City of Winnipeg dumped all their dirty industry into that section of the city because you had the floodway, the Perimeter Highway was coming in, and it seemed to be a suitable place for the city to dump a lot of their dirty industry.

For members to stand here and suggest it was actually Springfield dumping its waste into the city of Winnipeg, it does get into petty politics. Then, to say that you are getting your just deserts really is a sad comment on the whole debate. It really goes away from what we are talking about here. It is the children's education.

Since then, we have had a lot of discussions with the minister, a lot of debates. The minister did finally come to his senses on one issue and reversed himself on the moving of the industrial base out of Springfield into the city. He left Springfield intact. Probably that had more to do with the by-election that took place in Lac du Bonnet, because he realized that Agassiz would see that also as part of the punishment to them, having lost 20 percent of the tax base. I guess, in that sense, there was a little silver lining in this cloud.

\* (14:50)

Over time, we have had the opportunity to lay out a lot of arguments. When one goes through Hansard, certainly, Bill 14 has had

extensive debate right from day one. What is interesting is the vested interest groups came out to committee. What I found interesting was that even those individuals that might be seen as supportive of the Government indicated, and some of the teachers' associations indicated, that the amalgamation that was being proposed was not in the best interests of the students.

Probably the most telling came from the parents that presented at committee. I would like to quote from Maria Kantyluk who gave just a brilliant, brilliant presentation. I quote from her presentation: "I grew up believing that the voice of many would always be heard. But, in fact, the voices of parents were not. We are now being further silenced by Bill 14."

Bill 14 has less to do with amalgamation, as we pointed out the last couple of days, and has much more to do with the power grab. It is an insecurity, a socialist insecurity, the need to have to control absolutely every element of what is being done. Amalgamation could have been done without Bill 14. It could have gone through, but there are a whole bunch of things in the bill that they felt they had to include.

As of today, the Springfield parents are filing an appeal in the courts that is supposed to be filed sometime today. They plan on appealing the decision. I guess, in the end, whether it was Karen Carey or Gladys Williams or Maria Kantyluk, Layna Penner, and the list goes on and on, the parents came out, made their case—oh yes, Doraine Wachniak, the cousin to the honourable Member for Burrows (Mr. Martindale). Unfortunately, we could not get him to come to his senses, even though we got his family onside. We will still have to work on the Member for Burrows. The vote has not been held yet on third reading, so maybe we can still get him to reconsider his wrong ways and come our way.

But the parents certainly made the case. I think when history is written, they will be the ones who will be discussed, the clear case that they made, the straightforward presentations that they made begging the Government and, in particular, the minister to reverse the decisions he was making.

I think the citizens, the parents of Springfield are to be commended for the fight that they put forward, the kind of campaign that they undertook. They did it with integrity. They did it with a degree of emotion, certainly, and even though they were not successful in all regards, I think they were successful in a lot of areas.

I know, for instance, also, that the school trustees are feeling that this is a hardship that is being imposed upon them. The rules were never clearly laid out. It has been a difficult process. In fact, I know that the Member for Rossmere (Mr. Schellenberg) has cast about in a lot of different ways, indicating anyone who opposes him is the next Tory candidate, instead of going out and actually speaking to his citizens, which is something that I would encourage. He has certainly been here longer than I have, and you would have thought he would know this. I would encourage members to go out and canvass a couple of your constituents. It does not take you long to find out where people stand.

Rod Giesbrecht even took on the Member for Rossmere and indicated to him that it was the wrong decision to be supporting Bill 14. I actually would like to read a letter from one of the school trustees. I think it lays it out very clearly, the issues that a lot of the trustees have. It is unfortunate that the Member for Rossmere did attack personally individuals outside of this Chamber.

I would just like to put a letter on the record, if I may, Mr. Speaker. It says, Dear Mister—and it is the Member for Rossmere. It came as a surprise to me this afternoon when the Secretary-Treasurer of River East School Division notified me that I had been nominated as the Conservative candidate in Rossmere for the coming election—July 12, 2002, when this claim was made. At first, I thought it to be a jest, but after reviewing Hansard, I found it to be true. I do have some reservations with your nomination. First, I am not aware that I am at this time a member of the Conservative Party. This may be problematic. Second, I believe you are not a member of the Conservative Party either, unless there is something I missed, and, therefore, not in a position to make nominations. Third, it is customary to inquire if a candidate wishes to have their name stand. I have no memory of you making such a request of me; and, finally, I

would not allow my name to stand even with the nomination from such a distinguished person as yourself. I serve faithfully as a trustee in River East and will continue to do so in the coming term.

As chairman of finance and business administration during the past two years, I have taken it upon myself to inform and solicit the perspective of the public. Amalgamation, as proposed, will cause costs to increase and will sabotage the history of years of keen financial management on the part of the trustees of River East, having resulted in the lowest cost per pupil in the Winnipeg urban region.

As for other statements made in the Hansard, it is true the Member for River Heights (Mr. Gerrard) did speak with me regarding becoming a candidate for his party. In the last election, I did canvass with Betty Ann Watts. I believe him to be an honourable man and respect him.

As for me having friends in the Conservative Party, I make no apologies. In the same way, I have friends in the NDP party for which I make no apology, people such as Chris Pawley, who, I have been lead to believe, organized some of your previous campaigns.

It is also an interesting fact that the only party to receive direct election campaign funding for myself last election was your own through the gift provided by my union, UFCW. The only exception to this might be that I have attended every political breakfast I have ever been invited to. I consider it my responsibility as a trustee to keep lines of communication open with all political stripes.

So I continue in this vein and send to you and others that might be confused by the dialogue in the House this letter to clarify any misunderstandings. Thank you for the nomination, but I respectfully decline. Sincerely, Rod Giesbrecht.

Just for interest's sake, who did you have lined up to second your nomination?

Mr. Speaker, there were a lot of things that have been said. Amalgamation was supposed to

be in the best interests of students. The debate has proven case by case. The French immersion program in Dugald, the French immersion program in Transcona-Springfield will be harmed by this. There are arguments that were made that more money would be put into the classroom, for instance, reducing the amount of administration. I hope the Minister of Education (Mr. Caldwell) listens to this part. There is supposed to be a cap of 4 percent on administration. The new River East Transcona School Division, combined with all of its administration, will only have 3.83 percent of its budget administrative costs.

So, without losing a job, they are still under the 4 percent cap with no savings of money, and River East Transcona will be 20 percent of all the divisions amalgamated as per their student population base. If there are no savings in Transcona-Springfield, where are these savings, these \$3 million or \$4 million in savings? At the rate that the minister was going at, there would be a hundred school trustees that were going to lose their jobs for a savings. The way it calculates out is that every trustee would have to earn \$26,000 to even come close to achieving the kind of savings that you would need getting rid of these trustees. There are no trustees, I believe, not even those in Winnipeg No. 1, that currently earn \$26,000.

\* (15:00)

The arguments went on and on, none of them making a case. Nowhere could it be quantified that it would save money. To date, no hard evidence has ever been presented by the minister or by the Government. This was a poorly conceived plan. This has been a poorly laid-out program. It would have been far better if the Government would have decided to have done this in a proper fashion, where the interests first and foremost of the children would have been considered, and not the fortunes of the NDP party.

So it is with great sadness that I wrap up my part of the debate. I want to congratulate the citizens of Springfield and of East St. Paul and those who participated in the River East School Division challenging the Government. They fought gallantly. They did not succeed in all respects, but I think all of us have improved the

democratic system. I think it is important for citizens to get involved and to challenge their governments. Even when that right is being taken away, it is still important to be there and challenge your decision makers.

I give credit to Mia Kathan, to Karen Carey, to Gladys Williams and the rest of the team. You did a great job. You challenged the Government. You did it with credibility. You did it with facts. You earned a lot of respect from the community and, I know, from this Chamber.

We will go on. We will go on and make the best that we can out of this whole amalgamation, but we will also make the NDP government, the Gary Doer government, accountable for what they have done. We will do that in every way possible and at any time possible. It is important for the Government to know that as taxes go up, as taxes rise, and as the hardships are dealt with, and it will be painful, that all fingers point to where it should go, and that is at the Government who came out with this wrong, this poorly planned, ill-conceived decision.

Mr. Speaker, I rest my argument, and, again, we would hope one more time that the minister would come to his senses and in the last dying hours of this bill would pull the bill and do the right thing. With that I conclude my comments.

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**Mr. Marcel Laurendeau (Official Opposition House Leader):** I wonder if you might canvass the House to see if there is a willingness to allow us to remove our jackets in the House.

**Mr. Speaker:** Is there leave of the House to remove the jackets? *[Agreed]*

\* \* \*

**Mr. Frank Pitura (Morris):** Mr. Speaker, this is, I guess, our final chance to put a few comments on the record with respect to Bill 14, and although it seems that anything that we have said thus far has fallen on deaf ears, we will make our comments known. Hopefully, people will be able to read them and know that we were right with respect to our plan of attack on this piece of legislation.

It is kind of interesting, Mr. Speaker, that Bill 14 was first tabled in this House on May 2 of this year, and more interesting is the fact that Regulation 61/2002 was registered on April 16, a full 16 days ahead of the bill being tabled in the House, which tends to really raise a lot of suspicion with regard to the Government's intention with this piece of legislation.

One of the things that the NDP government has always told us is the fact that, you know, they need to have this piece of legislation passed by July 1, otherwise, there are going to be additional costs to school divisions with respect to their ability to run the school divisions. If they cannot be amalgamated on July 1 or have the interim board in place on July 1, then they are going to undergo extra costs.

But, Mr. Speaker, when I mentioned the fact that this bill was only brought to this House on May 2, and you have a government that is wanting desperately to have it passed and in place by July 1, and they made that very much of a known statement to everybody, you have to wonder why, if that was the case, and the announcement for amalgamation was brought out in November, why the Government waited until April 22 to call the House back in. If this bill was that important to this Government, which they have certainly demonstrated during this last couple of months in this House, then why did they not bring the House back earlier in the spring? If they would have brought the House back a month earlier, this debate would have been long over.

Mr. Speaker, the height of the whole exercise with the fact that the Government wanted July 1 to have this bill passed is brought when the minister brings in his own amendment, not in June, not in May, but rather, July 8. Seven days after the Government wants this legislation passed, the minister decides, himself, to bring in an amendment, which just does not make any sense that a government that has been ranting and raving about having the legislation passed by July 1, putting out their spin doctors to spin it out in there in the public domain that the Opposition is holding up this piece of legislation, and then along comes the minister and brings in a ministerial amendment on July 8, well after the committee has already met.

Mr. Speaker, it really begs the question as to just exactly if the Government even knew, this NDP Doer government had any knowledge about what it was even doing with regard to this piece of legislation.

*Mr. Conrad Santos, Deputy Speaker, in the Chair*

So it really raises our suspicions with respect to the fact as to, well, Bill 14 probably was not even a necessary piece of legislation to bring about amalgamation, because the amalgamation process was already present in The Public Schools Act. The Minister of Education (Mr. Caldwell) could have readily used that process to bring about amalgamation. He could have started that way back in November when he made the announcement. Why he did not do it we will never know. You can only think that Bill 14, they had some other alternate plan there as to why they brought in Bill 14.

But you take a look at Bill 14 and you say, well, why would they have brought in this piece of legislation? You know that it is not for the amalgamation process itself, because it is already in The Public Schools Act. That could have been easily started in November.

So you take a look at some of the areas. First, it gives the Minister of Education a lot of power, a lot more power, power in the way that the budgets for the school divisions are brought forward. They have to be brought to the minister for approval. The minister has complete control over the budget, can take exception to it, can increase it, decrease it, change it around, move it around, anything that the minister wants to do with that budget. He can even probably invoke an increase in taxation on the local taxpayers of a school division if he chooses to do so by this power over the budget.

This power that the minister has also results in taking away the powers of the trustees, because the trustees will no longer have the power to establish the local taxation levels that they need to collect, which is the special levy that they need to bring from their taxpayers each and every year if the minister has that ability to be able to invoke taxation on the special levy.

Another thing that this piece of legislation does, Mr. Deputy Speaker, is that it takes away

the Board of Reference. The Board of Reference is really the only, only mechanism that is in The Public Schools Act and in legislation, the education area, where citizens who think that the Government has not made the right decision can approach the Board of Reference and have their hearing, their concerns heard, to which the Board of Reference would then make a decision whether it was in favour of the taxpayers who brought their issues forward or whether it was in favour of the Minister of Education who maintained that their department was doing the right thing.

\* (15:10)

What this piece of legislation does is eliminate that process. Taxpayers have no ability, parents have no ability to take their issues to any kind of Board of Reference for a hearing. They have been silenced.

The other part of this legislation that really puts into question is the fact that the minister has put into place a clause which allows that any actions by the minister before this piece of legislation is passed and pursuant to the legislation passed will be deemed to be considered lawful. I really take question on that, because, when you have a government that does things and then after the fact passes the legislation to make everything that they do legal, it really puts into question whether this Government, any government like that, could be trusted to be a government for very long.

Another part of this piece of legislation that the minister has often talked about was the fact that there were going to be huge, huge savings as a result of amalgamation, \$10 million in savings. Everything that we have heard thus far from every school division that is looking at amalgamation is the fact that all of their costs are going to increase. River East Transcona amalgamation, the costs alone there will be something in the neighbourhood of \$2 million a year for the future. Assiniboine South and Fort Garry School Division are encountering the same thing.

It just is very logical reasoning here, with respect to the cost. If you take a look at the collective agreements between the existing school division and their staff, whether it be the

teachers, the transportation staff or the custodial staff, when those two divisions are amalgamated together, those collective agreements have to be harmonized. Those agreements will be harmonized at the highest level of the two. They will not be brought down. So, therefore, that is automatically going to result in an increase in cost to these school divisions that are amalgamating.

Mr. Deputy Speaker, many things that are so typical of this Government so far is the fact that, when this Government decides to do something, they do not plan. They do not plan for what is going to happen. They have done this in so many areas, and I will just give you an example of a few areas that they have done things retroactively or after the fact.

For example, you have the Minister of Education (Mr. Caldwell). The Auditor General, in fact, chastised the Minister of Education for attempting to take action in the area of the teachers' retirement fund with respect to the COLA clause. The minister went ahead and put it in place. He did not even have the legislation allowing him to do that. He ended up not doing it, and the Auditor General took him to task on that saying, you cannot do things like that. You cannot be arrogant like that to assume that you can just go ahead and do it and then, after the fact, bring in the legislation, and it will all be okay. It just does not work that way.

Another area is the fact that the regulations for this bill were registered April 16, 2002, 16 days before this piece of legislation was tabled in this House. They are making an assumption that, well, it is okay. This legislation, we will just bring it in the House, and we have the majority. We will just pass it, and it will go through. Well, it does not work quite that way, Mr. Deputy Speaker. There has to be the proper process. There has to be the proper debate that takes place with respect to the legislation, and there has to be public input into the legislation.

We are proud, as a province of Manitoba, that we are probably the only province in Canada that seeks public input after second reading of the bill when it goes to committee. We are the only province in Canada that has that privilege. I think that is an important part of our heritage, and we should maintain it. It is our

prerogative, and it is our responsibility to listen to the public make their presentations at committee, Mr. Deputy Speaker.

Another area where this Government has done just exactly things backwards without planning: All of a sudden, September 11, 2001, we have a terrorist attack. In the fall session of this House, this Government brings in a security bill, tables it, in response to the terrorist attack. There is not even legislation tabled yet in Parliament in Canada before this Government has a bill in front of this House. You have to ask the question, well, why would we not wait to see what the federal government is adopting with regard to security, anti-terrorist legislation, and then what we can do is, if there is a need of just gaps in Manitoba, let us fill those gaps with legislation, but let us not just run off and do the legislation, and we will think about what the federal government is going to do after. It needs some planning, Mr. Deputy Speaker. It needs planning for all of this to take place.

The epitome of this Government's arrogance with respect to being able to think that, well, we are doing it now, and we will just pass legislation to make it legal, is with Manitoba Hydro. The Manitoba Hydro Act specifically states that monies generated by Manitoba Hydro cannot be transferred to general revenue of the Province of Manitoba. This NDP government, this Doer government, is now bringing in legislation that will allow the transfer of money from Manitoba Hydro into general revenue of the Province of Manitoba, bringing in legislation that will make it legal. They have already announced in the Budget on April 22 that it is going to happen. The legislation was just tabled here a number of days ago, Mr. Deputy Speaker. Now it is going to be debated, and it will eventually pass. We may be able to create some questioning on the government side of the House in terms of the upper benches, for them to ask questions of their Cabinet colleagues as to just exactly what the background is with respect to the transfer of money from Manitoba Hydro.

But these are the kinds of things that this Doer government is doing with a number of pieces of legislation. It really makes me suspect as to whether they actually know what they are doing, where they are going or what kind of long-term objectives they have in place. It tends

to make me think that they are a knee-jerk, response-type government that will respond to the issues of the day.

The Premier stood up today in the House and said, well, we did not take any money out of the Fiscal Stabilization Fund, saying it with a great deal of pride. Well, no, you do not have to take money out of the Fiscal Stabilization Fund if you take it from other areas where you are not supposed to take it from, and you are creating—

\* (15:20)

**An Honourable Member:** Frank, which bill are you talking about?

**Mr. Pitura:** Well, I am on this bill. He is talking about the fact of putting in legislation to be able to make it legal that the money transfers across.

So, Mr. Deputy Speaker, this whole thing that I am talking about is the fact that there is a lack of process that this Government has adopted, just no regard for it.

So amalgamating school divisions, well, you force them into it. The Premier (Mr. Doer) was on record more than a year ago at the Manitoba Association of School Trustees, saying that forced amalgamations, it is not the Manitoba way and we will not do it, and here we are, we are doing it. The Government is doing it.

So there is a lack of process, and it shows me, Mr. Deputy Speaker, that this Government has a great deal of arrogance, and if it does not work the way they want it to work, then they will pass or create legislation that will allow them to make it work to their satisfaction.

They do not care about the fact that many of these pieces of legislation have withstood the test of time and have been in effect for tens of years, decades in this province without having to be amended. All of a sudden, you have this NDP government in power, and they are going to amend all this legislation in order to be able to satisfy their whims for spending money. So it is really a case of, like, we are in power; we have the majority; we are going to do what we like, and we do not really care what the Opposition or the public think.



They are making the amalgamation proceed, Mr. Deputy Speaker, between the school division of Morris-Macdonald and Red River School Division. This is really an area that I take great exception to, is the fact that the minister has continued to push the amalgamation between these two school divisions because, on the one hand, the Red River School Division has an elected board of trustees to represent its interests. The Morris-Macdonald School Division, on the other hand, has a trustee appointed by the Minister of Education (Mr. Caldwell) to represent the interests of whom? Certainly not the taxpayers because the taxpayers did not place the official trustee there.

Is he representing the interests of the parents? Well, no, not really, because the parents did not have anything to do with the official trustee being appointed there either. But the official trustee does represent the interests of the Minister of Education. So you have the Minister of Education sitting on one side of the table negotiating with six trustees on the other side of the table bringing about an amalgamation between two school divisions.

I ask the question: What is the rush? Could this amalgamation not have taken place at a later time, rather than now? You have to remember, Mr. Deputy Speaker, that these two school divisions had been talking for a number of years and had entered into operating agreements with respect to working together, that amalgamation between the two was inevitable. It would have happened whether the minister wanted them to do it or not. It would have gone that way.

So, why would the minister not just wait for a year, until next year, for them to amalgamate, so they can get everything settled up, but no, got to go ahead now. There is this great, great haste to have it done now. We have got to force it. We have got to force it. We have got to force it because the minister needs his power, his Government needs the authority that it needs with this piece of legislation to control the financial matters of these school divisions. So it was a rush-rush thing to get this through.

So the final result of Bill 14, and I think that a number of us have already put this on record, is the fact that, No. 1, there is going to be an increased tax burden on the parents and the

taxpayers within the school divisions that are going to amalgamate. There will not be the dollar savings that the minister is talking about.

Secondly, the quality of education that our children will receive in these amalgamated school divisions is also up for question as to whether indeed there will be an increased quality. We are told by the parents within the Springfield School Division that their quality of education for their children is actually going to decrease because their children will not after three years have the option of being able to attend any of the schools within the River East Transcona School Division. They will have to find alternate places to have their children educated. If you have a child that is in French immersion, which is a kindergarten to Grade 12 program, and all of a sudden that program is eliminated, the ability to be able to send the student to a French immersion school, then what do those parents have to do? What alternatives do they have facing them? You cannot tell me that that is an increase in the quality of education. That is not. That is a decrease in the quality of education. There are less courses, less options for the children to take part in.

So, Mr. Deputy Speaker, Bill 14 is a bad, bad piece of legislation. It should not really see the light of day out of this Legislative Assembly. However, I have resigned myself to the fact that more than likely it is going to pass and become law. Unfortunately, everything that we have said thus far has fallen on the deaf ears of the NDP government.

We will, as I think my colleague from Springfield pointed out, hold this Doer government accountable for its actions and its decisions with respect to education in Manitoba.

With those few words, Mr. Deputy Speaker, I will be voting against this piece of legislation. Thank you.

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**Hon. Gord Mackintosh (Government House Leader):** Mr. Deputy Speaker, would you canvass the House to see if there is leave to revert to Tabling of Reports with regard to supplementary spending Estimates?

**Mr. Deputy Speaker:** Is there leave to revert to the Tabling of Reports with respect to tabling of Estimates? *[Agreed]*

### TABLING OF REPORTS

**Hon. Dave Chomiak (Minister of Health):** Mr. Deputy Speaker, I would just like to table the Supplementary Information for Legislative Review 2002-2003 Expenditure Estimates for Manitoba Health.

### THIRD READINGS (Continued)

#### Bill 14—The Public Schools Modernization Act (Public Schools Act Amended)

**Mr. Deputy Speaker:** Continuing on the third reading of Bill 14, the honourable Member for Arthur-Virden.

**Mr. Larry Maguire (Arthur-Virden):** As this is third reading on Bill 14, I would like to rise to put a few more comments on the record in regard to the impertinence of this bill and the lack of necessity of this legislation in the House. First of all, I would like to comment on the fact that, with this legislation going forward, our critic and others have put forth some very responsible amendments to this particular piece of legislation. I would like it put on the record that the Government has killed all of these amendments, that it has not even looked at any of the areas of concern that are in this bill that have come forward in the heavy numbers of people that showed up in committee as well as the discussion that has gone on in this House for some couple of months on this bill.

As my colleagues have said, but I would like to state as well, concur with them, this bill, having been brought in as late as it was, I guess, it was discussed publicly back in November when the minister indicated that we would have forced amalgamations of school divisions in Manitoba, and that the Government stayed out till April 22 before they would bring the House back to order with a Budget and then said that it was very important to deal with this bill. I think it is unfortunate that they have played games trying to decide who was holding this up when there were very serious issues to discuss.

This is not just about forced amalgamation of school divisions. It is about the heavy hand of government and their hidden agenda in regard to what they are doing with school divisions in Manitoba and how they are forcing school trustees and school boards in Manitoba to be very much divided, I guess, if I have to use those terms.

\* (15:30)

This was a bill that the Government, even though they did not come back till April 22, indicated that there was a great need, a very big hurry, absolute necessity, to get it in place and through by the first of July. If we do not, it will cost school boards tremendous amounts of money even though there is nothing, as I have stated earlier, in the bill to really require them to do anything by the first of July. I think that is somewhat of a shame in regard to where this bill was at. It is a bit of a slap in the face to the minister's own government that he would mislead them in that manner and state that there was such an expense going to incur. We know that there will be an expense incurred in many of the amalgamations that this minister has forced upon the citizens of Manitoba in the areas where they have to amalgamate. That will also be borne by some of the divisions that were not forced into this amalgamation process because, of course, settlements for staff and others are going to be made at higher levels, as has been talked about in this House. Those are obviously concerns that all of us have around the lack of process in regard to school division amalgamation and the lack of consultation that this Government did not have with the citizens of Manitoba.

Some of the major concerns with this bill, apart from the lack of consultation, that this ill-conceived, heavy-handed piece of legislation has brought upon Manitoba is, of course, the area of school divisions having to decrease the number of trustees that they have, only in amalgamated divisions in Manitoba. Most of them have complied with that. In the discussions I have had with many of them, in my area particularly, where Antler River and Souris Valley were forced to amalgamate, and I will get into that in a moment, they know that there will be costs.

I want to put on the record that these two regions are all in the same southwest region, and it would make sense to have some kind of amalgamation, if it was going to be done, in those areas. It could very well have been done with carrots instead of sticks. For the most part, these divisions have complied and done a very good job of coming together and trying to take care of the divisions and concerns that were concerns at the initial outset from the minister's discussion on this. But even though they did go to an arbitration process to determine what kind of boundaries they would have for a ward system in the future, they have complied with reducing the number of trustees and they will comply with, I believe, the budget control that the minister has put in place.

But I would like to say that this particular piece of legislation, to show you the kind of dissension that it has supplied in Manitoba, has precipitated at least two court actions related to amalgamation by the citizens of school divisions in Manitoba against this Minister of Education (Mr. Caldwell) and his Government.

Now, of course, we know in the one ruling on the Transcona-Springfield situation that the judge indicated that the citizens could not prevent this bill from going through the procedures in the Legislature here, in the House. But in his ruling he also indicated that this bill was not required or needed to go ahead with the amalgamation of school divisions in Manitoba. I find that very disconcerting, Mr. Deputy Speaker, that the minister would go to the great lengths of heavy-handed tactics that have been used in this bill to force amalgamation on people when he did not even need to do it.

He could have done it under the legislation, The Schools Act, that was presently there. I think that that is quite a concern to the citizens of Manitoba, particularly when there was only a handful of the school divisions that were forced to amalgamate in this province and, in fact, when the smallest school division in Manitoba was not asked to do anything.

Some of his own criteria, one of them, in particular, that impacts regions of this province was that the minister put a level of 2000 students to be in each of the combined divisions. Well, I

have stated it earlier in debate on this bill that that number of 2000 was not even maintained as a criterion under the minister's own decisions. In my area, as I have said earlier, we will only have about 1700 students in the combined division. Other divisions, if he was really looking at the Norrie report in regard to what was being done in following those rules, he would have looked at Fort La Bosse and Turtle Mountain, as well, and made a regional board that could have taken in most of that region and further exacerbated the concerns of the citizens of that region.

I am not saying that they wanted to do that. I am saying that the minister did not even follow his own criteria by doing what he did and arbitrarily making the decision without going out and asking those four divisions, would you like to all get together or should I split you up irrespective of your views, and, in fact, he just chose arbitrarily to do the latter and combined the region from Wawanesa all the way to Lyleton in southwest Manitoba.

I think that that shows the lack of understanding or maybe just the lack of willingness of this minister to consult with people and seek their views, and then, of course, not having the will or desire to address them publicly at the school trustees' convention after bringing in such heavy-handed legislation I think is really a slap in the face to the school trustees of Manitoba. I think all of them felt that, regardless of whether they were in the areas to be combined or not, Mr. Deputy Speaker.

I just want to say that with this lack of consultation on this issue, as I said earlier, it is not the amalgamation. It is not the reduction of school trustees, although that was done in a heavy-handed manner. The biggest concern that some of these regions have on this whole issue is that the minister forced amalgamations, and he put one section in this bill that states that any of his decisions in regard to this particular issue were, quote, lawfully done.

The biggest concern we have with the bill itself is one section that states that everything that Minister Caldwell has done in regard to forced amalgamations was, quote, lawfully done. Well, Mr. Deputy Speaker, why did he put this

statement in this bill? Why would you put a statement in there that says that everything needs to be lawfully done?

Of course, we know and take for granted that the acts of Manitoba would be following the law. But to put that in a bill that Manitobans—I mean, they should have the confidence that everything that any of their elected representatives do on their behalf is lawfully done, as I have stated.

I do not think that this bill protects students. It does not protect parents; it does not protect teachers, and I do not believe it certainly protects administrations. It protects the minister and his Government from any court action.

So, Mr. Deputy Speaker, that essentially gives this Government immunity to any kinds of activities or actions that have taken place. Of course, the Transcona-Springfield situation was just one of those areas and, of course, any decisions that the citizens of the fine communities around the Morris-Macdonald region would fall into that area as well.

I would also like to just put on the record that it is completely abominable the way this minister has treated the citizens of these regions, and the different ways that he has treated school divisions, never mind the citizens, students and administrations in those areas, but the way he has treated school divisions in different parts of different sectors of Manitoba makes it very irritable to voters and citizens that are watching this process more than attentively. The rest of the province watches it with interest but the citizens and parents in the divisions that are forced to amalgamate, I would say, are watching it intently and those who have had court actions forced against them or forced to use no other means than courts to make known their circumstances, I find it completely abominable, as I have indicated.

So, you know, to have a public schools modernization act, it seems a bit hypocritical to me to say that if we are going to have a modernization act that maybe we should have asked those school divisions what kinds of modernization routes they wanted to go, what kinds of circumstances would they have voluntarily come together and amalgamated, and over

a couple of years? I mean, Mr. Deputy Speaker, this minister has indicated that, oh well, we are going to force this upon you, but we are not going to close any schools for three years. Well, is that the hidden agenda? I will come back to that in a minute.

\* (15:40)

Mr. Deputy Speaker, if he had three years before he wanted to take further action, of course, that would get him perhaps past the next election, we would not have to worry about it because he would not be the minister any more. But, of course, is that his hidden agenda? Is he going to then force school boards to make decisions to close more schools in their own areas? I mean, he is very well within his powers to do that. He just forced them to reduce the numbers of trustees that they have, or will he just cut off the funding to them to say that, you know, you have to make decisions to amalgamate your schools.

Mr. Deputy Speaker, my point is earlier that if the minister had three years before he is going to take further action in this area, then why did he not use that three years as a period of time to work with school boards, to work with parent advisory councils and trustees in the province of Manitoba, to try to put forward a plan of co-operation and partnership that would have provided an opportunity to seek better education for our students in this province in a consultative manner that would not have cost school boards more funds.

I guess I only refer to that because every school division that has indicated to me that they have been put under this forced amalgamation has indicated that this process is going to cost them money. It is going to increase their budgets in regard to the taxation they are going to have to gather from the local citizens because this Government is funding the lowest percentages of any government in Manitoba's history in regard to educational funding of divisions in Manitoba, at under 60 percent, 59 point some percent. I think if they are going to continue down that road, it is a very tough decision then to go ahead and force this extra expense upon these divisions when there was a process that could have used a two- or a three-year time frame to get things in

place around working co-operatively to determine what kind of a process we were going to put in place.

I referred to no consultation as a process in this discussion in this paper at one point, and I would like to say that even though they just dusted off the old Norrie report that had been done some eight or nine years ago by this Government, which, by the way, obviously indicated that there were very little, if any, savings to be made through these kinds of forced amalgamations, that my previous predecessors decided to go ahead and allow school boards to amalgamate voluntarily. Maybe some had some concerns that was not moving fast enough. But, you know, when your funds are limited, as we were in the late eighties, early nineties from extreme deficits led by debt increased and deficits left by this Government's predecessors in the province of Manitoba, you have to be very cautious in how you move forward. I think that being cautious and looking at voluntary amalgamations was a good route to go at that time, and some areas did take them up on that.

I think that, if we are going to use that as a process, then it is no wonder that the NDP are just following the lead of Conservative governments in the past in trying to provide some of this fiscal responsibility, trying to put on airs, at least, that they are trying to be fiscally responsible when they are, of course, spending the increased income and public increased taxation that they are receiving in Manitoba faster than they can actually raise the money. Obviously, taking \$288 million out of Hydro this year to cover last year's deficit, \$150 million is only a part of that.

Mr. Deputy Speaker, they could have used a wider broad-based consultation process is my point, through a period of years, to have provided more opportunities for amalgamation than what they have. There was such a hurry, and I will go back to that, to get this through by July 1. Of course, it has been stated that, if there was such a thing, then why did the minister wait until the week after that to bring forward his own amendment that dealt with the Transcona-Springfield issue in that area where there had been many citizens come in committee and court proceedings and make some changes there. Certainly, without the good work of our member

from Springfield and our critic in Education from Minnedosa, this particular concern in that division and those divisions would not have been changed by this minister. He finally saw the light and tried to make some changes in that whole area. But, as I said earlier, he did not need this bill to amalgamate school divisions in the first place.

I only want to take a few more minutes. This ill-conceived kind of legislation, where you were going to put a cap on administration, that has been referred to earlier, I know it is one of the concerns that was raised by even some of the divisions to me who are not in the amalgamation process as well as those who are, saying, you know, all school divisions in Manitoba now are under that 4% cap. Many of them thought that they would be there because they have been fiscally responsible and prudent in the last number of years until they suddenly woke up and realized that the minister had changed the rules of what would fall under administration in those areas and, of course, no doubt, did not tell them until after the fact that he was including travel administration as part of that basic 4% cap. Many divisions who thought they were able to comply found themselves not able to comply in that area, and I just wanted to put that on the record.

*Mr. Speaker in the Chair*

Well, I think it is important, as I said earlier, that I just speak for a few moments on the circumstances in Arthur-Virden and Souris Valley, an amalgamation of those divisions in my region. I have referred to the fact that a larger amalgamation such as this Government also heavy-handedly did on our regional health authority situation, where they took an area from everything south of Riding Mountain all the way to the U.S. border, in a line east of Neepawa and Gladstone all the way south, and turned it into one big region but left out the core of that whole region in Brandon, left it separate by itself. Maybe they feel strongly that their two sitting members will take care of the situation in that area and that they do not need to worry about the rural area outside of Brandon, the same as this Government does not worry about the rural areas outside the Perimeter Highway in Manitoba. But I guess I have a great deal of concern in bringing

that analogy. It is sort of the same thing as the way the government in Ottawa today looks at the citizens east of the Manitoba-Ontario border, west, pardon me, of the Manitoba-Alberta border, Manitoba-Saskatchewan border, Manitoba-Ontario border—west of Ontario. We are west of Ontario.

Well, Mr. Deputy Speaker, or Mr. Speaker now, I acknowledge you in the Chair, it is easy to make that mistake, but it is a very difficult thing to forget that we are the highest taxed west of Québec, and that is a shame that this Government would continue to use the heavy hand of amalgamation to remind the citizens of Manitoba how intransigent the federal government has been in Ottawa by just duplicating exactly what the federal government is doing to western Canada outside of the core areas here in Winnipeg by treating the rest of us with a double standard in many of those areas.

I call upon the Government, today, to say, you know, if you really have to put a clause like lawfully done in a bill to force amalgamation, then what should Manitobans be concerned about? Why should they put that there? I think the citizens need to ask that question of this Government every time they get the opportunity to do so. Why would a government need protection from judicially being scrutinized in its own manner?

You know, Mr. Speaker, when a government begins limiting the fundamental rights of individual citizens, cutting off those legal avenues and ruling by decree, as they have done in this particular circumstance, it becomes a very tough decision that citizens will have to make. I believe that more citizens are concerned about this issue than just those who have called me and brought this issue to my attention.

Mr. Speaker, I think that there are a number of issues that have been spoken here in regard to the hidden agenda that I have outlined, a number of issues in this area. I would like to go back to this business of no closures for three years. If this is just a result of this bill and something that the minister is hoping the rest of us will forget about, then I have to put on the record that we will not forget about it. We will be watching closely the rest of his term, because, as I said

earlier, hopefully after the next election he will not be there, the Government will change, and we will end up having to deal, as we have done before on this side of the House, with the mismanagement of the NDP in regard to Manitoba. This would be just one area that they were famous for.

\* (15:50)

I would say that if it is the minister's decision that he is going to determine, as he did, he said that, you know, we will have a school board of so many trustees, you are going to have to cut them in half across this province, and that these closures are going to be there, I have arbitrarily made that decision, so you must comply, then I think it is incumbent upon us to look very hard and wide as to the kinds of numbers of schools that this minister will put in place.

Where are we at in regards to the issue of classroom size and compliance in the province of Manitoba? The minister has not brought competition in this area, compliance around this bill in regard to the classroom size. The issue of classroom size is a big concern out in my area. We have a number of schools that are trying to operate in rural areas that are very spread out. There is a great deal of distance between some of these communities.

I am not to say that some of these regional schools have not worked in some areas where they are in a more close-knit proximity distance-wise or that the Government would not have some feeling that if they can actually save \$10 million by amalgamating some of these school divisions that they could not save \$100 million by saying that they could close some schools down. I guess that is where I have a big deal of concern. Certainly, the citizens in my area are concerned. I hear from them regularly on this issue.

I think that obviously, without naming names, there are schools out there that are doing everything that they can to operate today, to try and maintain the opportunity of their students going to school in their own locales if they can, to keep not only the high schools but the elementaries open in some of their areas. They

are very, very concerned that this minister is going to make decisions once he gets this bill forced through that will affect citizens even more aggressively, if you will, and disdainfully than what this bill does.

I guess I refer back to the "modernization" word that this minister has used to discuss this bill. I would really feel that it is an antiquated way of going about the process that this minister has done. I refer to the fact that carrots are always better than sticks in regard to these kinds of things. I know that the minister does not mind stirring up the fire and using sticks to do that by his quick quips and quotes in the House and answers to Question Period on this issue that have been taking place since last November and his disdain for the public process that the citizens of Manitoba had input into this bill.

He is also looking at forgoing the use of carrots. I make the analogy between sticks and carrots. I have just said sticks are fine if you want to start a fire, but last time I checked, carrots were for digestion.

Mr. Speaker, I think there is a bit of an analogy here. Without getting too close to a farm analogy, I would say that digestion is a process that takes some time to look at things. It gives you time to maybe regurgitate the odd decision that was made by this Government. I think that the minister should have taken a few more carrots and some time to digest this issue with the citizens of Manitoba that he was looking at forcing it upon and that we could have had a better, more modern, more up-to-date, at least, discussion process with the citizens of Manitoba. I know that he has only impacted one or two divisions in seats that are held by the NDP today in Manitoba. I would continue to say that, if that is the case, they have made this a very political statement, a very political decision. I think that is a great concern to all of those who are being forced into this kind of amalgamation process in Manitoba today.

Mr. Speaker, I want to just say that the fine trustees of Antler River and Souris Valley have come together and formed a new school division. It is called Southwest Horizons. They have agreed to approve just about every issue that this Government has forced them to agree

upon or to put in place. They are having some discussions and concern. As I said, they did it through arbitration to find the new ward system that they have.

They are almost ready to go with the new division. There is some concern about the particular location and the number of jobs that will be in some of the communities that are out there today and around, in particular, the issue of school division offices and the number of positions in each of those communities.

I think that these are certainly, certainly some of the issues that this minister could have dealt with in regard to having had some time to say that I will go out and meet with each of these regions that I am going to force amalgamation upon. If he had complied with each of these areas and had discussions with them, my view of this, Mr. Speaker, is that he would have actually had more compliance and a greater amalgamation of school divisions. Maybe they would have gotten together and drawn a few new boundaries across the province of Manitoba and would have had a lot more co-operation and partnerships in developing this process than the heavy-handed, ill-conceived type of legislation that this minister put in place.

Therefore, Mr. Speaker, while I have no doubts that some of the process was valuable in going forward, I just want to put on the record that I believe it could have been done by a completely different process, one with a lot greater co-operation and one where the students—let us be fair that this is supposed to be about students—would have had a much better educational process out of this, that we actually would have been able to target some of those savings at them.

One of the biggest concerns that the two divisions that have amalgamated in southwest Manitoba have is that the minister has the responsibility now of forcing them to either approve or disapprove their budgets. He is doing this to say that I am also going to force compliance upon you to make sure we save the \$10 million. Approving or disapproving that budget on the minister's desk, Mr. Speaker, is certainly overmanaging and micromanaging the trust of citizens of Manitoba in regard to the

whole effort of The Public Schools Modernization Act in Bill 14 that has been brought forward by this minister.

Thank you very much, Mr. Speaker.

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**Hon. Tim Sale (Minister of Family Services and Housing):** Mr. Speaker, I wonder if you would canvass the House to see if there is leave for me to table some Supplementary Estimates.

**Mr. Speaker:** Is there leave for the honourable member to table Supplementary Estimates?  
*[Agreed]*

### TABLING OF REPORTS

**Hon. Tim Sale (Minister of Family Services and Housing):** Thank you, Mr. Speaker. I am pleased to table the Departmental Expenditure Estimates for Healthy Child Manitoba, Supplementary Information for Legislative Review, and the Supplementary Information for Legislative Review of the Department of Family Services and Housing.

### THIRD READINGS (Continued)

#### Bill 14—The Public Schools Modernization Act (Public Schools Act Amended)

**Mr. Speaker:** The honourable Member for Arthur-Virden (Mr. Maguire).

**An Honourable Member:** He is finished.

**Mr. Speaker:** He is finished. He is completed. Okay.

**Mr. David Faurshou (Portage la Prairie):** Mr. Speaker, once again I have the opportunity to address Bill 14, and I would like once again to state that I do not support the bill as it stands at the present time.

We have seen in the House numerous amendments come forward that would have addressed a lot of the concerns that have been raised in the public regarding Bill 14, and each and every one of those recommendations that

have been put forward through amendment have been voted down, voted down by the Doer government in error, I believe, Mr. Speaker, because the bill as it stands before us at the present time is fraught with error that the public of Manitoba does not want to see put into legislation.

I know that the heavy hand of the minister is the only way that we have seen co-operation from the school boards and from parent councils. What we have seen is compliance through fear, and that is not the way to govern. One must recall a period in time across the Atlantic where this type of practice were commonplace, and we all know what transpired there.

Mr. Speaker, Bill 14 is erroneously titled The Public Schools Modernization Act (Public Schools Act Amended). A lot of the clauses in this act are really and truly redundant insofar as the ability to amalgamate which has been the rationale behind Bill 14 which is entirely unnecessary. I say that because there are examples in the history of school divisions here in the province of Manitoba that have gone through the amalgamation process and have gone through the process very successfully.

\* (16:00)

I want to, once again, congratulate the board of trustees of the Norwood School Division who successfully negotiated an agreement with the St. Boniface School Division to amalgamate, and that amalgamation was, as we have all seen, a very positive experience for all concerned.

Mr. Speaker, I also want to, once again, take this opportunity to recognize and this time congratulate those who were involved with the amalgamation between the Pembina and Tiger Hills school divisions to form an amalgamated school division known as Prairie Spirit. Those individuals who were involved worked long and hard to make certain that the amalgamation between these two school divisions was a positive one for all concerned. Those who are receiving their education, the students, the future of Manitoba, benefited, as well as the parents and the ratepayers of those affected areas, as well as those who have the responsibility for delivering the educational system here in the



province. The teachers, the administrators, support staff all benefited from the amalgamation of these two school divisions.

Now, Mr. Speaker, there is talk that this particular bill is going to be one that saves the ratepayers, taxpayers of Manitoba money, but we have asked on many occasions here in the Chamber for the speaker to table some documentation that effectively backs up what he has stated here in the House. I do not think that that is too much to ask. In fact, it should be readily available. Any individual who makes a statement in this House should be prepared to back it up with resource and factual information.

So, Mr. Speaker, we wonder on this side of the House whether or not this amalgamation, this legislation, is going to, in fact, save the ratepayers any money because the minister is not forthcoming. I wonder whether or not he has made that statement without the resources material, the factual material available to back him up.

As we are all human, we do make mistakes, but I would like the minister to admit that this piece of legislation is a mistake. We do not need the legislation, and in fact when persons have to work hard to achieve something that is worthwhile, we take a great deal of pride in that accomplishment. When we are ordered to do something, there is not that pride of accomplishment because we are being forced into an activity that we would not normally have done.

That is, Mr. Speaker, what this legislation does. It forces people into doing something that they would not have normally done, because there is legislation already available for school boards to amalgamate to initiate that process and effectively evaluate whether it is in the best interests of the students, of the ratepayers and those that are responsible for the delivery of the education system.

Without examining and being totally understanding that this is going to be a positive effort, then one should not progress. Now we ask about whether or not there has been adequate research, adequate consultation to determine whether or not the contents of Bill 14 are valid. Well, Mr. Speaker, they say that a study does

exist that is the basis for this legislation, but I have stated prior to this that the report, the Norrie report, which is cited on numerous occasions as being the basis for this legislation, had errors and that is what consultation is all about: when one is able to examine and understand different perspectives that we are able to make legislation into better legislation. That is what this Government has failed to do. They have failed to consult.

Mr. Speaker, one of the items within Bill 14 in fact mandates that school boards hold public consultations in regard to their annual budgets. This is a legislative requirement to hold public consultations. Why would the Government ask of another body what they are unwilling to do themselves? I wonder why. Are they afraid of what they might hear from the public should the public be given the opportunity to voice and be heard?

Mr. Speaker, we on this side of the House understand that there are parties that are challenging this legislation or the minister in his efforts to force them to amalgamate. This legislation will no doubt, after its passage, negate those efforts and all of their efforts will be one of futility.

So, Mr. Speaker, I have a great deal of reservation in seeing this legislation go forth. I know that it will be forced through the House by the majority of the New Democratic Party. It is regrettable that that is going to take place because, if the Government was listening to the debate that has taken place over the weeks regarding Bill 14, many of the amendments would have passed, but the amendments were systematically voted down, and so we are the lesser for it.

These recommendations, the amendments that were brought forward were well thought out. They were based upon the public consultation process which our legislative activity provides for, that being public input. So these recommendations were brought forward.

I am very disappointed to see that the Government has taken the position not to listen to the public. I know that they will make great light of the fact that they did bring forward an

amendment to Bill 14, an amendment that is supposed to alleviate the fears and concerns of those in the Transcona-Springfield area, but I believe that there is much more to the concerns than will be addressed by the amendment that was passed by this House.

It is with a heavy heart that I see this legislation go forward, because I believe that if one is challenged to accomplish something that is worthwhile, everyone benefits. This is contrary to all of that, contrary because it is an order, an order that is complied with through the element of fear. When a government dictates and mandates a particular course that is achieved through fear of prosecution, we are a lesser people.

I know that members on the government side of the House do have second thoughts. I know that this is not unanimously supported. However, by the party rule that we have seen evolve here in Manitoba, the whip is out, and all members, when it comes to a vote, will in fact stand in order on parade as told by those that are in power as to what they should do and when they should do it.

\* (16:10)

I hope that the people of Manitoba, when it comes that time to examine the performance of the members of this Legislative Assembly, look at the record and evaluate as to whether those members are truly deserving of continued support, because I personally do not believe that that will be the case. I think that there will be changes. I do not believe that the current minister will be the sitting minister in the very near future. I believe that we in this House will see that even the members of the New Democratic Party will come to their understanding that this minister has brought forward a piece of legislation that is not in the best interests of any of the three parties, that being the students, the parents, and those in the teaching, administrative delivery of the education system.

So, Mr. Speaker, once again I want to reiterate that I do not support Bill 14 as it is being presented to us for third reading. I believe that there are many, many areas that this bill is deficient. It does not accomplish what it is

intended to accomplish. As the title is so erroneously named, the modernization of The Public Schools Act, I fear that that is the furthest thing from the truth.

So I yield to a colleague on this side of the House for further debate, but I will not be supporting this piece of Legislation. Thank you.

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**Hon. Gord Mackintosh (Government House Leader):** Is there leave of the House to waive private members' hour today, Mr. Speaker?

**Mr. Speaker:** Is there leave of the House to waive private members' hour? *[Agreed]* We will revert back now to third reading of Bill 14.

\* \* \*

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I rise to speak at third reading of Bill 14.

I am positively disposed to school division amalgamations where there is a clear benefit in terms of improved quality for students and for teachers, but I am opposed to Bill 14, which includes a variety of undesirable measures.

When done well, amalgamation of school divisions, where there are small numbers of students in particular, has the potential to improve the quality of education for students and the environment for teachers, in particular where one moves to larger school divisions where there is the potential for greater diversity in programming for students and to better provide for special needs children. Amalgamations can also provide the potential for better in-service training opportunities for teachers and the potential for improved quality and support for educators.

At the same time, I have several objections to Bill 14 and the way in which the present Minister of Education (Mr. Caldwell) has proceeded to rearrange school division boundaries. I have seven objections which I will list briefly and then discuss in more detail.

First, I object to the fact that this bill enshrines into law the ability of the Minister of

Education to arbitrarily cut and splice school divisions as he has done with Transcona-Springfield.

I object to the fact that the minister has not shown fiscal accountability in providing to this House a breakdown of the \$10-million savings and including in this bill the provisions which would mean that ministers in the future must provide this sort of information when they engage in arbitrary rearrangement of school divisions.

Third, I object to the fact that, when there are public consultations, we were unable to put into this legislation, at the specific request of the Manitoba teachers' association, the requirement that the budget be provided by school divisions to the public in the FRAME format.

Fourth, I object to the fact that the legitimate appeal process for arbitrary ministerial decisions has been removed and that, as a result of the actions of the present NDP government, some of the normal democratic processes have been removed and tampered with in such a way that they will give citizens less ability and fewer rights to appeal decisions which have made by the central government of the province.

Fifth, I object to the fact that the bill does not include a guarantee or something along those lines that students will at least have the same quality of services, after the rearrangement of school boundaries, as they had before.

Sixth, I object to the fact that, in looking at this legislation, the NDP government has deviated from good governance practices, that they do not understand the employment of principles of subsidiarity that government should occur and decisions made where they can be most effective and most cost-effectively delivered.

Seventh, I object to the fact that the school division boundaries, being very different from the Norrie report, were not provided with adequate justification and without a clear process, not only as to how they were arrived at, but for making sure that adjustments could be made as this process continued in a reasonable way. We saw clearly, in the case of the school divisions in the Duck Mountain area, that the local NDP

MLAs were involved in steering the process, and this kind of process should not require government MLAs to be involved in micromanaging the changes that occur, and they should be able to proceed in a reasonable fashion in areas where there are not government MLAs. That clearly has been part of the problem here.

I will now discuss these objections in some more detail.

The fundamental problem with the decision to cut and slice and splice Transcona-Springfield is that we have a situation for people in Springfield where they are potentially and probably worse off for their children, whereas we have heard we have low teacher morale and teachers leaving, where parents are concerned that they are going to get access. I approve the modest change to guarantee access for three years, but students attend school for much more than three years. Many people in Springfield now have one- and two-year-olds.

The Member for Lakeside is correct. One would certainly hope that students attend school for more than three years. Maybe the NDP are only planning on people attending for three years.

I think that clearly when you look at the situation in the new rearrangements, the people in Springfield may not have access to some of the high-quality technical, musical, language programs, particularly at a high school level, that they had before. Even though those may be guaranteed for three years, this really is not enough. It would have been better to provide in some more formal way a guarantee or some certainty that there would not be people who are worse off as a result of the arbitrary ministerial decisions.

The issue of fiscal accountability, which is my second objection, derives from the fact that from the very beginning the minister has indicated that one of the major reasons for his bringing in this bill was to be able to cut \$10 million of administrative costs out of the current system that could be provided for the classrooms.

\* (16:20)

Clearly, the minister should have provided that kind of a breakdown in a legitimate fashion so that members of this Legislature would have had access to that. We would have had a more credible number of \$10 million that had credibility if the minister actually has some legitimate breakdown which he has not provided.

Clearly, that kind of fiscal responsibility is important for any government. It is a sad testament to the shortcomings of the Minister of Education that he was not able to provide to this Legislature. It was, I would suggest, a feeling by the minister that he did not have to provide those kinds of details to this Legislature. Well, Mr. Speaker, the minister will have reason to regret that he did not provide that kind of information to members of this Legislature, because he certainly should have done so.

My third objection dealt with the fact that the Manitoba teachers' association has specifically recommended that when public consultations were held by school divisions that it be in a standard format, FRAME format, which was easy to compare from school division to school division and easy for the public to learn and to understand. This was a very welcome and positive suggestion by teachers and the Manitoba teachers' association. I regret that the Minister of Education and the NDP government decided that they did not need this amendment and that they would not have a standardized process for public consultations in a way that would allow easy comparisons from one division to another.

My fourth objection, and it is a significant one, deals with the lack of an appeal process in the current Bill 14. Indeed, the Minister of Education (Mr. Caldwell) and the NDP government have removed the existing appeal process without replacing it with a substantive and reasonable alternative. It is much to be regretted that the NDP government has decided that, in government, they no longer prefer any level of responsiveness to citizens, that they would prefer to be the arbitrary decision makers imposing regulations and decisions on people of this province.

One could ask why on earth the Minister of Education and the NDP government might decide to remove the normal appeal process.

Perhaps one can sense that they were concerned that there was a lot of citizen opposition to the kinds of changes they were imposing on people in Springfield, that perhaps the Minister of Education was concerned that not everybody would agree with some of the decisions that he was making in relationship to Morris-Macdonald School Division and that people in Morris-Macdonald who have felt very unfairly treated by the current minister have not had recourse to an appeal process in a reasonable fashion with the passage of Bill 14.

Clearly, Mr. Speaker, we need to have some democratic appeal process so that citizens can bring forward legitimate objections in an effective way, where a minister makes arbitrary decisions in relationship to school divisions, affecting everything from where students go to school to the level of taxes in their school divisions and so on. It is sad that this Government has decided to take away the normal democratic process in this instant. I believe that citizens around this province will regret and object to this removal of the normal democratic process, and they will voice their concerns and their desire to restore this when it comes to the next election.

My fifth concern relates to the quality of education for students. The quality of the education for students should be the foundation of decisions made in the educational system, and to make sure that decisions by whatever level are not made to undermine the quality of education for students. A provision in this bill, as was proposed by the Member for Minnedosa (Mr. Gilleshammer), would have been a positive step and should have been considered and included in Bill 14 to make sure that parents and students would know that they have a guarantee that they are not going to suffer in the quality of education as a result of the arbitrary decisions made by the minister.

My sixth concern with this legislation deals with the fact that some of the changes which have been made in Bill 14, or which are being proposed in Bill 14, deal with an approach to government which emphasizes central control and central micromanagement of what happens within school divisions. This kind of NDP approach to central control of government and

micromanagement of the ordinary citizens' affairs is, I believe, a step backwards. This type of approach, where the provincial government engages in local micromanagement in the affairs of school divisions and takes a central control, is a fall back to the kinds of approaches that were taken in countries like the Soviet Union, where there was a lot of centralized planning. We know that the socialist NDP had their origins in approaches which emphasized central planning, centralized government, central control.

Clearly, what we see is a party and a government which, in fact, is looking back, perhaps, at its roots in how it organizes and micromanages affairs for citizens in this province rather than recognizing that an increasingly educated citizenry will have the capacity to make strong and good decisions and that citizens and school boards do not need to have their lives micromanaged by the Minister of Education.

My seventh and last concern deals with—

**An Honourable Member:** Seven deadly sins.

\* (16:30)

**Mr. Gerrard:** That is right. The member of Lakeside has mentioned the NDP's seven deadly sins. Well, not all of these may be deadly, but they are unfortunate.

The school division boundary changes differ in a very substantive way from the Norrie report. I do not necessarily object to major changes from the Norrie report, but I do believe that the people of this province and the people of this Legislature should have had in each case a clear justification, a clear rationale for the changes being made, why these are going to improve the quality of education as well as the budget, all right, the spending parameters, the savings that the Minister of Education (Mr. Caldwell) is proposing.

There was and could have been a clear—let me restate that. I would say there could have been a clear process for looking at the rationale and for individuals and citizens and taxpayers to have the ability to make some modifications to the original suggestions of the minister in a reasonable fashion. To some extent this seems to

have happened in areas where there was NDP representation in the Dauphin-Duck Mountain area, where the changes that were initially proposed by the minister were objected to by a number of the citizens. The NDP MLAs locally were able to use their ability in caucus to influence the minister to get changes. No, that sort of ability was not available to members in the opposition benches, but there needs to be in all areas of this province a legitimate and reasonable approach to modify these suggestions and proposals made initially in an arbitrary fashion by the minister.

There were, I acknowledge, some changes in the Transcona-Springfield area as a result of a lot of political pressure because of the apparent politicization of the initial decision making by the Minister of Education, but there needs to be a more responsible and reasonable approach to input suggestions and the potential for change. That is why an appeal process or a process something along those lines is so important. It is sad that it has not been incorporated into the present legislation.

I will conclude my remarks. I think that there is a reasonable basis for suggesting that there may be some benefits for amalgamations in a number of instances. We have seen this in voluntary amalgamations in the past. This benefit appears to be particular when there are divisions with small numbers of students. On the other hand, we should be very wary about implying, as the minister has done, that there are going to be some huge cost savings in the kinds of rearrangements and amalgamations which he is proposing. Experience in the past suggests that, in fact, the school division amalgamations may be much more costly than anticipated, and will result in increased taxes to taxpayers in areas where there are at least some of these amalgamations we expect.

The minister should have been more honest in providing an understanding of the financial impact of these changes to citizens throughout Manitoba. This bill has now been considered carefully in the Legislature for part of May, for June and for part of July. I think that the time that we have taken in looking at this bill has provided important insights which, if not used by the present government, can be used by

governments in the future to address the kinds of shortcomings that clearly are present in this bill.

I see that the time has been productive. The minister, on a number of occasions, has suggested that we should have passed it earlier. There would have been plenty of time to do so had the NDP started the Legislature at a more normal time in March instead of starting it six weeks, more than six weeks after the average beginning of the legislative session in the year. So the NDP, in terms of complaining about a delay, have really no one to blame but themselves. The protests and attempts to blame others can be seen as poor and rather more reflective of inadequacies on their own part than defects in the way that this bill was in fact considered. There has been, with the time we have taken, a sufficient consideration even for the minister to bring forward his own amendment well into July after his initial deadline. I think that we should all acknowledge that the minister should be given the time, adequate time to bring forward amendments and to make sure that the words of people at committee have been adequately heard. This should be seen as a positive instead of a negative.

I and others in this Legislature regret if inconvenience in the delay and the passage may have occurred to people in some school divisions, but, as I have said, I believe that clearly the fault lies with the NDP in the way that this was handled. The NDP indeed have shown themselves at not very good at managing the whole series of files. We have seen this with how they have handled the Sophonow file. We have seen this with how they have handled the sandwich factory file. We have seen this with how the NDP have handled the cardiac surgery file and on and on. *[interjection]*

That is right. The dam where the water flowed underneath. Yes, that was a rather poorly handled file that cost taxpayers of this province \$250,000 more than it should have. So the poor management of the NDP is apparent, not only in this file, but in a variety of others. It is to be regretted that this poor management has resulted in some delays, but I think, at the end, we have at least had the opportunity to listen to citizens and to do the best that we could in opposition to make sure that the possibilities and the

appropriate changes that should have been made to this legislation were presented and discussed, and if those changes are not incorporated this time around, then, hopefully, they will at some point in the future. Thank you, Mr. Speaker.

**Mr. Leonard Derkach (Russell):** Once again, I rise to put some remarks on the record on behalf of the people of my area, the constituents of Russell, but also on behalf of many other school trustees, parents and students throughout the province who have, I think, expressed their concerns through many members of this Legislature as relates to this piece of legislation.

Listening to some of the comments that have been put on record, I can only echo those of my colleagues who have expressed time and again the shortcomings of this legislation and the shortcomings that this Government is, I guess, foisting on the people of the province. This legislation is not only going to change the landscape of education, but I think it is going to have many potential trustees question whether they want to be involved in the process of education because of the powers that the minister is taking onto himself as the Minister of Education. We know that the Minister of Education is not going to be there forever. Another minister will take over, but it is the attitude that this Government displays towards the people in the province. It is not a good attitude. It is an attitude of high-handedness, an attitude where the Government, through its legislation, says it knows better than the general public, than the people at the grassroots. It is going to dictate to the people of the province how education is going to be conducted from this point forward.

\* (16:40)

I have said on the record time and again that our party is not opposed to amalgamation. As a matter of fact, the Norrie report was commissioned under our government. It was this party that led the charge on looking at how divisions might be restructured in the future. I think as legislators we have a responsibility to look at the overall impact that a bill like this may have on the population and on the students of the province. I think we have to be very careful how we exercise our responsibilities and our powers

as ministers and as government. We have to be conscious of the fact that individuals, young people, young Manitobans are going to be affected by the way in which we legislate. Our responsibility in this House is to raise objections, to raise concerns. We have done that through the various stages of this bill.

As we approach the third reading or as we are in the third reading stage, we once again have to raise not only our objection but our concern for the people of Manitoba and for those people who have expressed very outwardly their concern about the high-handed approach that this Government has taken.

It is not often that we see individuals sue a government on behalf of its ratepayers. We see this Minister of Education and this Government being taken to task by two jurisdictions in this province now, the Morris-Macdonald School Division and the Springfield school division, who, on behalf of their ratepayers and their taxpayers, are taking this Government to task through the court system. Now this Government, because of the way that it has written this bill, is going to absolve itself of any responsibilities and any accountability in that respect.

It is not often, I do not know of any time that I have ever witnessed a bill which says that anything the minister has done beforehand is going to be deemed to be legal now. If the minister and the Government did not have a guilty conscience about the way they exercised their jurisdiction, they would not need that clause in the bill. It is an admission on behalf of the minister and on behalf of the Government that, indeed, they acted in bad faith to begin with, they acted against the law in the second case. Now they are asking, by the passage of this legislation, that anything that they have done in the past should be deemed legal. Even if a court overturns the decision, this minister says that decision will not have any validity because of the passage of this bill.

We will continue to speak out about this legislation. Even though it passes, we will continue to discuss with Manitobans the negative impact this bill has had, will have. We will make sure that Manitobans understand exactly the intentions of this Government when it passed

this legislation. They were not good intentions. They were intentions that were less than forthright, less than honest. I hate to say that, but, unfortunately, that is.

You know, the minister could have done himself very proud by simply bringing in an amalgamation bill that dealt specifically with the amalgamation, dealt with the issues and then moved on, but, instead, he convoluted the legislation, for what reason I do not know. But, Mr. Speaker, obviously there was a broader agenda than simply the amalgamation of school divisions in Manitoba.

Mr. Speaker, we see this occurring time and time again with this Government. This is not the only piece of legislation where they have attempted to sort of thwart the voice of Manitobans and thwart the speaking out of people against the actions that this Government takes. It is unfortunate.

I have spoken before about the fact that the Minister of Intergovernmental Affairs has forced public hearings on the amalgamation of two municipalities, but this minister, through the amalgamation process in school divisions, does not think that is a worthy step to take. So, Mr. Speaker, I leave it at that, and I am sure that Manitobans, down the road, will let him know how they feel about this legislation.

So, Mr. Speaker, with those few words, I conclude my remarks on this bill. Thank you.

**Mr. Harold Gilleshammer (Minnedosa):** Mr. Speaker, it is my privilege to again say a few words on this piece of legislation and try my best to bring some new information to bear on members opposite. I think the member from Wolseley is starting to reflect on those many things that she said back in 1995 and '96 and may change her vote on this.

I do believe that this legislation will probably be used as a case study by future governments and by political science students and professors in political science and history because this will be a case study of how not to do things, that you start by having a premier say that we will have no forced amalgamations. It is not the Manitoba way. You have a minister who

probably did not realize within his own legislation that he could make these changes to boundaries by simply going to Cabinet with a plan and having that plan and the regulations changed as long as there was some sort of process that proceeded that. I think it is also probably a good case study in how a government reverses its field.

We have seen the Government reverse many decisions in the last while. They have reversed their decision on how they treat chiropractors. We did see the Minister of Labour (Ms. Barrett) reverse a decision on promising money to universities from the MPIC file, which, at that time, she was responsible for. Of course, that file has been passed on to someone else at this time, but I think again that future students of politics and future students of political science will use this as a case study. I think future premiers will use this when they talk to ministers about how to bring legislation in and show them the pitfalls that one falls into when you have not done your homework.

I think that this Government itself, even though it did bring in some amendments at the committee stage, a few days ago the minister was revising his own legislation, usually a sign that there has been some weakness in the legislation, but I am pleased that there was a recognition across the way that there were problems here.

We started by having a government that said that they believed in voluntary amalgamations. We talked about this in Estimates committee not too long ago. We did have one day of Estimates so far on Tuesday, June 25, when we talked, the minister and I talked about amalgamation. That seems like a long time ago, but, at that time, the minister admitted in his testimony at Estimates that the decision on forced amalgamations was not made until October of last year. So, in October, they make a decision to force the amalgamation, and a couple of weeks later, they announce the new boundaries that they are going to impose.

This probably explains why it was so poorly done, that there was no prior consultation. There was not a lot of thinking that went on. The minister took it to Cabinet in October and said to

his Cabinet colleagues that we are going to proceed with forced amalgamations and somebody in my department will come up with a map—whether it was his deputy, whether it was the minister himself, whether it was a committee. It probably was a committee. I mean that is the old adage of being asked to come up with a horse, and a committee comes up with a camel. This is sort of what this map of school division boundaries looks like. So the process was not good from the beginning, and the fact of the matter is that a week or two or three weeks before the boundary map was put out was when the decision was made to go into forced amalgamations.

The other instructive thing that the minister indicated in the committee stage is in response to questions about what his deputy told him. The deputy, of course, was on record as saying he was very much opposed to school division boundary changes, and there were no savings there, and in committee, the minister says that I basically agree with my deputy. So here you have a minister in committee saying that I agree with my deputy, who says there are no savings there. I agree with my deputy who is saying that bigger is not necessarily better. Yet, at the same time, he goes ahead with forced amalgamations. So one might conclude from that, that he is perhaps not too clear in his thinking about what he really wanted. So the process was flawed from the beginning.

\* (16:50)

One of the questions we had asked a number of times without getting a very clear answer is the criteria that were used. This was a question asked by many school trustees, a question asked by the trustees association: Can you detail for us the criteria that you used in crafting these boundaries? At no time has the minister been able to come up with a document or a clear and concise road map that he used to draw these boundaries. In fact, the criteria appear to have been for the most part political criteria. There were not criteria that were based on population number or on changes in the demographics out there, on the mill rate. The criteria appear to be purely political. How else could you explain a map that was produced that looks like this where the minister and his Cabinet and his committee



seem to have cherry-picked certain areas that he was going to amalgamate?

If the Minister of Industry (Ms. Mihychuk) is really interested, we can arrange for her to have one of these coloured maps so that she would get a better understanding of it.

It is incredible that the minister selected certain divisions to amalgamate, and completely passed over others. Again, I would use the example of Turtle River, a school division with barely 700 students, and one where municipal officials asked that the school division be amalgamated. Yet, in whatever process and whatever criteria the minister used, he ignored the Turtle River School Division. In other cases, changes were made to the map after they were officially announced, because some of his colleagues were running into some flak from certain school divisions and they went out there and negotiated changes to the boundaries. So the process, the criteria certainly were not very clear.

Now in the last few days, letters are arriving, articles are arriving, and there is a letter from Mary Kay Hudyma, someone who I think may be known to some members of the House, and she details some of her concerns with this. She has a major concern about the loss of authority of the Board of Reference. The Board of Reference was seen as an impartial tribunal which could be used to change boundaries where there would be local input. She indicates that many had reassured that this process was free of political intervention.

What we have seen with this process and with these boundaries is that political intervention, which crafted these boundaries in a way that the Government wanted them to be done—the other concern that Mary Kay Hudyma mentions is the Minister of Education (Mr. Caldwell) being involved in the budget approval process. The budget approval process is somewhat sacred to school divisions. I know the member from Wolseley will understand that because she was quite involved with school divisions, and they take great pride in local decision making. She spoke many times about this, that the local decision making by duly elected trustees was very, very important and fundamental to school divisions across this province.

Now these school divisions, these school trustees who are going to be elected next October, are going to come cap in hand to the minister and say, please, Mr. Minister, would you approve this. And in a very short time frame, he is either going to approve it or take his pen out and make those changes, send it back and force them to adopt his view of how their budget should be represented.

So this person, who is the chairperson of the Dauphin-Ochre School Division board, has major, major concerns. This chairperson urges the minister in this letter to modify the legislation to reflect the details that she has indicated above.

I am surprised the member from Dauphin did not work a little harder to have the chair of the board heard, and have these changes brought to the legislation.

Similarly, there is an article in the *Winkler Times* and it says: Is Bill 14 just another government powergrab. And the editorial goes on to talk about how governments, from time to time, are somewhat heavy-handed with the populace and detail again how this is the case with Bill 14, where the minister is taking control of school divisions and not allowing them to make their own decision making, and where he is going to intervene.

We also had a letter come in from someone from the school division of River East, and quotes the member from Rossmere, who has sat in this House, and I am sorry that he is not here at the moment, but that the people of River East love amalgamation and want it.

The people of River East love amalgamation and want it. These are his words, and I think he is finding that there are people in River East that are not that excited about amalgamation, and are starting to see the down sides of it; that there is a projected increase in the budget of \$2 million in River East. Part of this is to pay for out of division students who will be attending there through Schools of Choice and through other arrangements that have been made by the minister as he tries to salvage this legislation and make it more palatable to the people of that area.

But this is going to cost the citizens of River East and the constituency of Rossmere additional dollars that are going to be part of their

special levy. We are seeing that the special levy in the last couple of years has risen throughout the province where the Province is contributing less and less to the operating costs of school divisions, and special levies are rising. In Dauphin, I think it is 46 percent. In Winnipeg 1, it was 44 percent. I am not sure what it is in River East, but we are going to see that special levy go up as the additional costs are brought to bear because of the forced amalgamation.

So there have been many issues as far as the process is concerned, as far as the criteria are concerned, and the product that the minister has come up with only weeks after deciding that he was going to force amalgamation.

I would like to just spend a minute on the costs. The minister has consistently said that there is going to be \$10-million worth of savings as we move forward with amalgamation. That is not possible. Chair after chair of boards, other officials with school divisions have indicated that that simply is not possible; and, even though the minister has given himself extraordinary powers to intervene in school divisions, he is not going to be able to wring that \$10-million savings out of those school divisions.

In fact, school division boards are telling us there are going to be additional costs even prior to the harmonization of contracts. They are saying more and more that these costs are going to continue to rise. We are not talking about small change; we are talking about millions of dollars in River East Transcona, in Springfield and Agassiz, in St. Vital and St. Boniface, in Fort Garry and Assinboine South. All of these areas are saying the costs are being driven up. In fact, I read an article recently where the chair of the board for Antler River and Souris Valley—Souris Valley, I believe, Mr. Cowan is saying that there may be costs 10 years down the road, but he certainly did not see any in the immediate future.

\* (17:00)

So the cost of this amalgamation is of a grave concern, and I would certainly predict that the special levy is going to continue to go up. We are going to see it on our tax notices. I know in my community of Minnedosa many of the

local tax bills are up over \$300 as they are being received and paid in the next few weeks and months. So this is going to continue to escalate as the Government plays a smaller and smaller financial role in supporting these school divisions, Mr. Speaker.

So there are still letters and articles that are coming in regarding the amalgamation. There are very, very few people that are impressed with it or happy with it, and, as a result, we are going to see additional costs and additional problems in the future.

I want to say a few words about the Norrie report. The Norrie report was an extremely thorough document, and the minister has said many, many times that he has taken the Norrie report and used it for his own instruction and his own edification as far as these boundaries are concerned. One of the things the Norrie report said is that this is a major, major undertaking and that these changes should be rolled out over a three-year period. The Government, obviously, could not wait. The Government had a political agenda that they wanted to satisfy, and, as a result, they pushed forward with implementation before the legislation. In fact, the regulations were passed before the bill was introduced into the House.

There is a very, very compressed time period here whereby this amalgamation is being forced upon these school divisions. So that was one of the things that the minister should have noted from the Norrie report. Roll it out over a longer period of time. Do it systematically. Do it by getting people onside. Get the regulations passed. Amalgamate perhaps the urban ones, then the rural ones. Take the time to do it right. Instead, the minister has put artificial deadlines in there, a deadline he himself could not meet, and this goes back to when the House was called back on April 22. This is legislation that could have been put forward in the fall. After all, it only took a couple of weeks after the decision was made to have the forced amalgamation, to have the map out. The legislation could have been tabled then, and we would have had considerable time to have a debate on it. Instead, the legislation is not brought in until May, and right from the first day that the legislation was tabled in early May, we had a minister who said

hurry up and pass this. I have to have this. I need this. Yet, in the second week of July, the minister is bringing in changes to his own legislation.

So it is, again, something that he should have taken from the Norrie report. Norrie very clearly states that you are not going to find a lot of savings, if any and, again, the minister should have found that in the Norrie report and not gone out on a limb. In fact, Norrie says some of the integrations could end up costing more money.

So, again, I am just going to finish with a few comments on the process. I think, again, that students of history, students of government, professors who study politics and political science will use this as a way of not to do things. I am hoping that, throughout this process, the minister and other ministers will have learned something about the creating of legislation. Mr. Speaker, I can tell you that I, as a member of this Legislature, and members on this side will not be voting in favour of it. We think this is bad legislation; that it goes much, much further than the minister needed to go. It is something that we simply cannot support.

So, Mr. Speaker, I thank you for giving me the opportunity to say a few words as we move towards third reading.

**Mr. Speaker:** Is the House ready for the question?

**Some Honourable Members:** No.

**Mr. Speaker:** No.

The Honourable Minister of Education, Training and Youth to—he has already spoken? No.

**An Honourable Member:** I guess he is trying to close debate.

**Hon. Drew Caldwell (Minister of Education, Training and Youth):** I am pleased to have the opportunity to speak to the House on the third and final reading of Bill 14, The Public Schools Modernization Act. This is historic legislation and follows the tradition of developing public schools governance in Manitoba. Last undertaken in the 1950s as amalgamation and in earlier decades as consolidation, The Public

Schools Modernization Act will go a long way towards streamlining the administration of Manitoba's public education system.

Bill 14 is designed to enhance educational opportunities for students in Manitoba far into the future. Bill 14 provides for a modern configuration of strong, viable school divisions and allows for the efficient and effective use of education resources. A modern configuration of strong, viable school divisions allows for the enhancement and expansion of educational programs of excellence.

Bill 14 also provides for accountability and transparency in the use of public dollars throughout the modernization process. The number of school divisions in Manitoba will be reduced from 54 to 38, and the number of trustees from 445 to 311 as a result of this process. Throughout Manitoba, the cost of administering school divisions will be kept at 4 percent for urban divisions, 4.5 percent for rural divisions and 5 percent for northern divisions. It is anticipated that up to \$10 million will be directed from the boardroom to the classroom as a result of this exercise.

Ensuring this strong, viable education system throughout our province is good for children and something that is supported by Manitobans. Although I have been disappointed by my personal vilification, as put into Hansard, and encouraged by members opposite, as well as the recent obstructionism of the Liberal member, I wish to conclude with the giving of thanks.

When Bill Norrie, Manson Moir, Brenda Leslie, Joan Wright and Ian Restall, supported by Earl Backman, first undertook the Manitoba School Divisions/Districts Boundaries Review Commission in 1993-1994, little could they have known that it would take nearly a decade and a change of government for their work to bear any fruit.

It is appropriate, then, that I first thank the Norrie Commission and those countless citizens throughout Manitoba who took part in that commission's hearings. Their participation and work laid the foundation for this discussion in Manitoba. It is also appropriate that I thank my NDP colleagues who constructively criticized

the Norrie report when in opposition, and constructively helped develop this legislation when in government. The former government tabled an approach that would have directly impacted every single school division in Manitoba and reconfigured the province into 22 new school divisions with concomitant of collective bargaining upheaval, program disruption and community uncertainty.

Mr. Speaker, we have taken a balanced and modern approach in reducing school divisions by one-third of the province. We have worked diligently on every educational file which has come before us since coming into office. We have always placed the public interest first.

So I thank my colleagues in government for their insight and advice. I wish to particularly thank Premier Gary Doer and the Honourable Jean Friesen for their assistance.

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

**Mr. Speaker:** Order. I would like to remind all honourable members when making reference to other members, it is by constituency, or ministers, by the portfolio they hold. I ask the cooperation of all honourable members.

#### Point of Order

**Mr. Speaker:** The honourable Member for Minnedosa, on a point of order.

**Mr. Gilleshammer:** On a point of order. I would like the minister to indicate whether the Member for Wolseley (Ms. Friesen) stayed with her principles and her thoughts on school amalgamation when she gave her advice, or has she had a change of heart on it?

**Mr. Speaker:** The honourable Minister of Education, Training and Youth, on the same point of order?

**Mr. Caldwell:** There is no point of order, Mr. Speaker.

\* (17:10)

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

**Mr. Speaker:** Order. When I recognize members for their input on points of order, it is for their input. I will be the judge if there is a point of order or not. I ask for the input on whether it is a point of order or not a point of order.

The honourable Member for Turtle Mountain, on the same point of order?

**Mr. Mervin Tweed (Turtle Mountain):** On the same point of order, Mr. Speaker. I am wondering if the Minister of Education is prepared to introduce new legislation to take over your authority.

**Mr. Speaker:** On the point of order raised by the honourable member, he does not have a point of order. It is a dispute over the facts.

\* \* \*

**Mr. Marcel Laurendeau (Official Opposition House Leader):** Regrettably, Mr. Speaker, I must challenge that ruling.

**Mr. Speaker:** The ruling of the Chair has been challenged.

#### Voice Vote

**Mr. Speaker:** All those in support of sustaining the ruling, say yea.

**Some Honourable Members:** Yea.

**Mr. Speaker:** All those opposed to sustaining the ruling, say nay.

**Some Honourable Members:** Nay.

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

#### Formal Vote

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

**Mr. Speaker:** A recorded vote having been requested, call in the members.

The question before the House is shall the ruling of the Chair be sustained.

### Division

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

### Yeas

*Aglugub, Allan, Ashton, Asper, Barrett, Caldwell, Cerilli, Chomiak, Dewar, Doer, Friesen, Jennissen, Lathlin, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Reid, Robinson, Rondeau, Sale, Santos, Schellenberg, Selinger, Struthers, Wowchuk.*

**Mr. Speaker:** Before I call the next part of the vote, I would like the co-operation of all honourable members when the page is calling the vote to please be silent because it is a tough enough job. They do a wonderful job at it.

### Nays

*Cummings, Dacquay, Derkach, Driedger, Dyck, Enns, Faurschou, Gerrard, Gilleshammer, Hawranik, Helwer, Laurendeau, Loewen, Maguire, Murray, Pitura, Rocan, Schuler, Smith (Fort Garry), Stefanson, Tweed.*

**Madam Clerk (Patricia Chaychuk):** Yeas 27, Nays 21.

**Mr. Speaker:** The ruling of the Chair has been sustained.

\* \* \*

**Mr. Speaker:** When this matter is again before the House, the honourable Minister of Education (Mr. Caldwell) will have 34 minutes remaining.

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

# LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, July 16, 2002

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