



Second Session - Thirty-Sixth Legislature

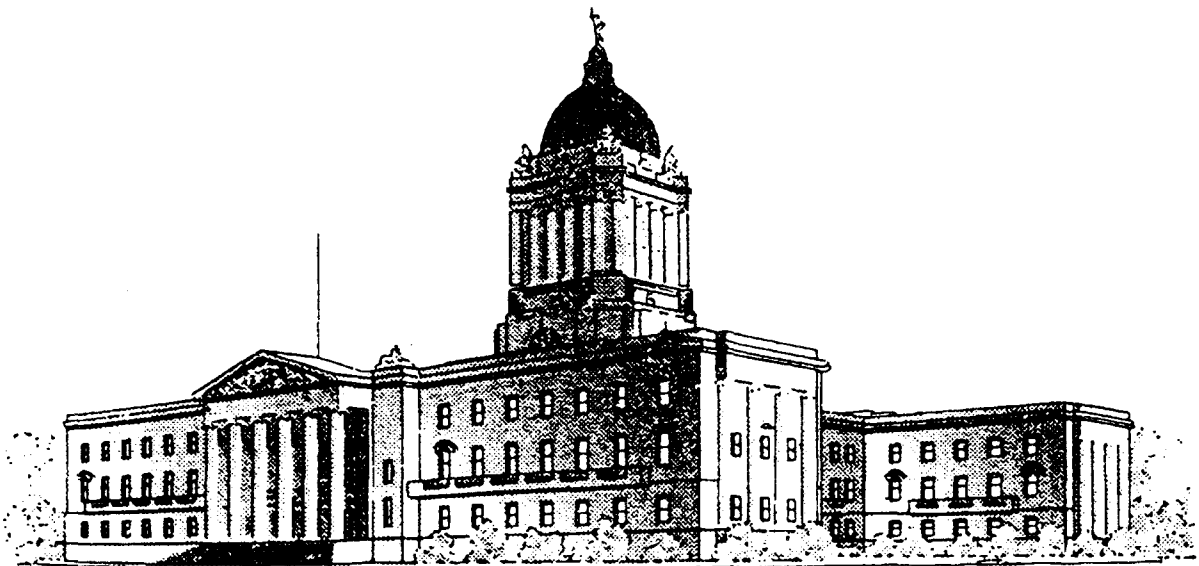
of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

(Hansard)

*Published under the
authority of
The Honourable Louise M. Dacquay
Speaker*



MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Sixth Legislature

Members, Constituencies and Political Affiliation

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, October 30, 1996

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Guaranteed Annual Income

Mr. Doug Martindale (Burrows): Madam Speaker, I beg to present the petition of Helen Reimer, Rob Krezanski, Alfred Cornies and others requesting that the Legislative Assembly urge the Minister of Family Services (Mrs. Mitchelson) to consider withdrawing Bill 36 and replacing it with improved legislation which provides for a guaranteed annual income that allows people to have adequate food, clothing, housing, child care and health care, and that this annual income increase as prices increase and that this new legislation also provide for the creation of real jobs with the goal of creating full employment so that individuals on social assistance can find safe, meaningful work of their own choosing that allows them to meet their needs and the needs of their families.

Rural Stress Line

Ms. Rosann Wowchuk (Swan River): I beg to present the petition of Ruby Anderson, Karen Gordon, Erna Bures and others praying that this Legislative Assembly of Manitoba request that the Minister of Health (Mr. McCrae) consider continuing funding the farm and rural stress line on a yearly basis.

READING AND RECEIVING PETITIONS

Guaranteed Annual Income

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

An Honourable Member: No.

Madam Speaker: Dispense.

THAT in 1976 Canada signed the United Nations Covenant on Economic, Social and Cultural Rights which recognized the right of everyone to make a living by work which is freely chosen, recognized the right of everyone to an adequate standard of living, including adequate food, clothing and housing, recognized the right of everyone to enjoy a high standard of physical and mental health, and provided for the widest possible protection and assistance to the family; and

THAT poor children and adults in Canada continue to die at a higher rate and earlier age than people with adequate incomes; and

THAT Bill 36, The Social Allowances Amendment Act, will create even greater poverty among the poor in Manitoba by eliminating government responsibility to ensure that everyone who lacks adequate food, clothing, housing and health care has these needs met; and

THAT the bill proposes to punish people by cutting them off from social assistance or reducing their benefits if they fail to meet employment expectations; and

WHEREFORE YOUR PETITIONERS HUMBLY PRAY that the Legislative Assembly of Manitoba urge the Minister of Family Services to consider withdrawing Bill 36 and replacing it with improved legislation which provides for a guaranteed annual income that allows people to have adequate food, clothing, housing, child care and health care and that this annual income increases as prices increase and that this new legislation also provides for the creation of real jobs with the goal of creating full employment so that individuals on social assistance can find safe, meaningful work of their own choosing that allows them to meet their needs and the needs their families.

**PRESENTING REPORTS BY
STANDING AND SPECIAL COMMITTEES**

**Standing Committee on Agriculture
Second Report**

Mr. Jack Penner (Chairperson of the Standing Committee on Agriculture): I beg to present the

Second Report of the Standing Committee on Agriculture.

Madam Speaker: Dispense.

Your Standing Committee on Agriculture presents the following as its Second Report.

Your committee met on Tuesday, October 29, 1996, at 9 a.m. in Room 255 of the Legislative Building to consider bills referred.

At that meeting, your committee elected Mr. Helwer as its Vice-Chairperson.

Your committee agreed, on a voice vote, to establish a time limit of 10 minutes for presentations and five minutes for questions and answers.

Your committee heard representation on bills as follows:

Bill 51—The Civil Service Superannuation Amendment, Public Servants Insurance Amendment and Teachers' Pensions Amendment Act; Loi modifiant la Loi sur la pension de la fonction publique, la Loi sur l'assurance des employés du gouvernement et la Loi sur la pension de retraite des enseignants

Ken Pearce - Manitoba Teachers' Society

Bill 68—The Farm Lands Ownership Amendment, Real Property Amendment and Registry Amendment Act; Loi modifiant la Loi sur la propriété agricole, la Loi sur les biens réels et la Loi sur l'enregistrement foncier

Eduard Hiebert - Private Citizen

Bill 70—The Animal Care Act; Loi sur le soin des animaux

Dale Langille - Private Citizen

Vicki Burns and John Youngman - Winnipeg Humane Society

Debbie Wall - Manitoba Animal Alliance

Susan Boutet Nazare - Private Citizen

Donna Youngdahl - Manitoba Farm Animal Council

James Pearson - People Acting for Animal Liberation

Bill 77—The Natural Products Marketing Amendment Act; Loi modifiant la Loi sur la commercialisation des produits naturels

Neil van Ryssel - Manitoba Milk Producers

Your committee has considered:

Bill 18—The Payment of Wages Amendment Act; Loi modifiant la Loi sur le paiement des salaires

Bill 40—The Pension Benefits Amendment Act; Loi modifiant la Loi sur les prestations de pension

Bill 77—The Natural Products Marketing Amendment Act; Loi modifiant la Loi sur la commercialisation des produits naturels

and has agreed to report the same without amendment.

Your committee has also considered:

Bill 51—The Civil Service Superannuation Amendment, Public Servants Insurance Amendment and Teachers' Pensions Amendment Act; Loi modifiant la Loi sur la pension de la fonction publique, la Loi sur l'assurance des employés du gouvernement et la Loi sur la pension de retraite des enseignants

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

MOTION:

That section 5 of the Bill be struck out and the following substituted:

5 Subsection 5(5) is repealed and the following is substituted:

Election of employee representatives

5(5) The Lieutenant Governor in Council may make regulations

(a) providing for the election by employees of four members of the board to represent employees or groups of employees and prescribing procedures for those elections;

(b) respecting the eligibility of persons to nominate candidates for employee representative, to vote, to be elected as employee representative and to continue to hold office as an employee representative;

(c) respecting vacancies arising during the term of office of an elected employee representative which, unless earlier terminated in accordance with the regulations, shall be for three years beginning on September 1 of the year in which the employee is elected.

MOTION:

That the proposed section 21.5, as set out in section 9 of the Bill, be struck out and the following substituted:

Former employees not eligible

21.5 Subsections 21.1(1) and (3), 21.2(1) and (3) and 21.3(1) do not apply to former employees.

MOTION:

That section 10 of the Bill be struck out and the following substituted:

10 The following is added after subsection 22(10):

Payments for employees of more than one agency

22(11) Except as otherwise provided in this Act, where the board pays or transfers an amount from the fund in respect of an individual who ceases to be an employee on or after the day this subsection comes into force, it shall recover from the government or government agencies that employed the individual, other than an employer that made matching contributions in respect of the individual, on a pro rata basis in accordance with the records of the board, ½ of the portion of the amount paid or transferred to the employee in respect of which no employer matching contributions were made.

MOTION:

THAT the following be added after subsection 42(2) of the Bill:

42(2.1) Section 10 comes into force on a day fixed by proclamation.

MOTION:

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

Your committee has also considered:

Bill 68—The Farm Lands Ownership Amendment, Real Property Amendment and Registry Amendment Act; Loi modifiant la Loi sur la propriété agricole, la Loi sur les biens réels et la Loi sur l'enregistrement foncier

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

MOTION:

THAT the proposed subsection 3(7) of **The Farm Lands Ownership Act**, as set out in subsection 4(4) of the Bill, be amended by striking out "10" and substituting "40."

MOTION:

THAT subsection 4(7) of the Bill be struck out and the following substituted:

4(7) Subsection 3(14) is amended by striking out "a retired farmer, the spouse of a retired farmer or a person or the spouse of a person who has prior to the conveyance been a farmer for at least 10 years" and substituting "an eligible individual who has prior to the conveyance farmed the farm land for at least 10 years, or the spouse of an eligible individual who has farmed the farm land for at least 10 years,".

MOTION:

THAT the proposed clause 17(f) of **The Farm Lands Ownership Act**, as set out in section 7 of the Bill, be struck out.

AND THAT the proposed clauses 17(g) to 17(i) of **The Farm Lands Ownership Act**, as set out in section 7 of the Bill, be renumbered as clauses 17(f) to 17(h) respectively.

Your committee has also considered:

Bill 70—The Animal Care Act; Loi sur le soin des animaux

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

MOTION:

THAT section 3 be amended

(a) in subsection (1), by striking out “mental distress” and substituting “distress”; and

(b) in subsection (2), by striking out “, or mental distress”, and substituting “or distress”.

MOTION:

THAT subclause 6(1)(f)(v) be amended by striking out “and mental distress” and substituting “or distress”.

MOTION:

THAT section 8 be amended

(a) in subsection (2), by striking out “subsection (1)” and substituting “this section”;

(b) by striking out subsection (4) and substituting the following:

Animal in dwelling to be produced

8(4) An animal protection officer may, at any reasonable time and where reasonably required to determine compliance with this Act,

(a) enter onto the land on which a dwelling place is located;

(b) require any person in the dwelling place to produce any animal in that dwelling place for examination; and

(c) once the animal is produced, conduct such examination of the animal as may be required to determine compliance with this Act.

(c) in the part of subsection 8(7) that follows clause (b), by adding “for the animal” after “search the dwelling place” and “in relation to the animal” after “action”.

MOTION:

That subsection 24(1) be amended by adding “for costs of care” after “liable”.

MOTION:

THAT section 32 be amended by adding “or” at the end of clause (b), by striking out clause (c), and by renumbering clause (d) as clause (c).

MOTION:

THAT subsection 34(1) be amended by striking out “for a second offence occurring within two years of the first offence” and substituting “for a subsequent offence”.

MOTION:

THAT clause 35(1)(a) be amended by striking out “for a second offence occurring within two years of the first offence” and substituting “for a subsequent offence”.

MOTION:

THAT subclause 39(f)(iii) be amended by adding “in premises operated as a commercial breeding premises, hobby breeding premises or kennel” after “cats”.

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

Motion agreed to.

READING AND RECEIVING PETITIONS

Madam Speaker: With the House's indulgence, I will revert to Reading and Receiving Petitions.

Manitoba Telephone System

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

An Honourable Member: Yes.

Madam Speaker: The Clerk will read.

Mr. Clerk (William Remnant): The petition of the undersigned citizens of the province of Manitoba humbly sheweth:

THAT the Manitoba Telephone System has served this province well for over 80 years providing province-wide service, some of the lowest local rates in North America and thousands of jobs and keeping profits in Manitoba; and

THAT MTS contributes \$450 million annually to the Manitoba economy and is a major sponsor of community events throughout the province; and

THAT MTS, with nearly 4,000 employees, including more than 1,000 in rural and northern Manitoba, is one of Manitoba's largest firms, headquartered in Manitoba and is committed to Manitoba; and

THAT the provincial government has no mandate to sell MTS and said before and during the 1995 election that MTS was not for sale.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba request that the Premier (Mr. Filmon) withdraw Bill 67 and not sell the Manitoba Telephone System to private interests.

TABLING OF REPORTS

Hon. Glen Cummings (Minister of Environment): Madam Speaker, I would like to table the 1995-96 Annual Report of the Clean Environment Commission.

Madam Speaker: I am pleased to table the 1995 report of the Provincial Ombudsman.

Introduction of Guests

Madam Speaker: Prior to Oral Questions, I would like to draw the attention of all honourable members to the public gallery, where we have this afternoon forty-six Grade 5 students from the O.V. Jewitt Elementary School under the direction of Mrs. Laura Veitch. This school is located in the constituency of the honourable member for The Maples (Mr. Kowalski).

On behalf of all honourable members, I welcome you this afternoon.

* (1335)

ORAL QUESTION PERIOD

Manitoba Telephone System Privatization

Mr. Gary Doer (Leader of the Opposition): Madam Speaker, in the last provincial election, this Premier and his caucus promised that they would not sell the Manitoba Telephone System. Last night an overwhelming number of people, including the Manitoba Union of Municipalities that represents 160 municipalities in rural and northern Manitoba and Manitoba seniors and others, spoke against the government's break of its election promise to sell the Manitoba Telephone System. It is rather ironic that today the brokers in Toronto are doing the Hallelujah Chorus about the Premier's broken promise, but people on Main Street, Manitoba, are absolutely opposed to this government breaking its promise and selling off our telephone system.

Will the Premier now do the correct thing, take the correct practice and keep his promise and do not sell the Manitoba Telephone System, as you promised in the election campaign?

Hon. Gary Filmon (Premier): Madam Speaker, the New Democrats must be running out of material for Question Period. I think that is probably the 46th time that the Leader of the Opposition has asked the same question. The New Democrats are proud of the fact that they have no new ideas and that is why they remain in opposition.

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please.

The honourable First Minister, to complete his response.

Mr. Filmon: Madam Speaker, as I have said before when asked the question leading up to the election campaign and during the election campaign, I said we

had no plans to sell the Manitoba Telephone System, and I talked about its monopoly position and various other things. I have said over and over again about the fact that the telephone system has over 70 percent of its revenues in competition, the fact that it is in the area of the most rapidly changing technology in the world, that it has decisions to make that will require injections in the near term of hundreds of millions of dollars, that the taxpayer already has \$800 million at risk through its guarantee of the debt, that it has the highest debt-equity ratio of any telco in Canada, and on all those counts it is our judgment that in the long-term interests of protecting the taxpayer and indeed the interests of the people of Manitoba, we have made the decision to proceed with the commercialization of Manitoba Telephone System.

Indeed, we have committee underway, and, indeed, there are presentations being made. I know that many of them are being orchestrated. The junior Choices and junior New Democrats are out there handing out slips and organizing people to come before committee, so under all those circumstances, we believe that we are pursuing the best course for the Manitoba Telephone System and for the people of Manitoba.

* (1340)

Mr. Doer: Madam Speaker, maybe it is an old idea or a new idea but the idea to keep your word from an election promise to when you are in government is an idea that we will support. Perhaps, the Premier will—[interjection] I asked the question directly, from the UMM, and the Premier, of course, chose to ignore it and debate some other issues, but the rural municipalities have said that the Manitoba Telephone System has been a benefit for rural and northern communities. They have pointed out that the debt that is guaranteed by the province has never meant that the taxpayers have put any money into that organization, as the Premier knows. The Premier knows the asset is worth more than the debt. He knows that, but he does not tell Manitobans that. The rural municipalities go on to say that a private profit company would deal with only profits, and a publicly owned corporation would be concerned about rates and capital investment in rural and northern Manitoba.

Madam Speaker, they are asking this government to listen to rural and northern Manitobans that took their government on its word that they would not sell the

telephone system; they are asking them now to keep their word and keep Manitoba Telephone System owned by Manitobans. Will the Premier listen to the UMM, as their brief was presented today?

Mr. Filmon: Madam Speaker, the Manitoba Telephone System will continue to operate in Manitoba with the head office in Manitoba, with services available to Manitobans throughout the province and with efficient and effective services as has been the history and the tradition of the Manitoba Telephone System, and it will certainly carry on under private ownership.

Privatization—Plebiscite

Mr. Gary Doer (Leader of the Opposition): Yesterday the Premier criticized the member for Inkster (Mr. Lamoureux) about CN. Well, CN is now 64 percent owned by Americans. Of course, the federal Liberals said the same thing about the Canadian National Railway, a point that the Premier raised yesterday to the member for Inkster.

The Manitoba seniors' organization has studied all the arguments of the Premier. They talk about return on investment; they talk about capital investment; they talk about the higher requirements of return from a privately owned company. They ask the government to reconsider the position they will take on behalf of rural Manitobans, on behalf of northern Manitobans who will have to pay higher rates and on behalf of lower income Manitobans, often who are senior citizens. These are people speaking out for seniors here in Manitoba.

Madam Speaker, if the Premier could not keep his word from the election campaign and if he will not listen to people at the public hearings who overwhelmingly oppose his position, will he have a democratic plebiscite across Manitoba so all shareholders can vote on this rather than just 31 people who have broken their word to the people of Manitoba after the election campaign?

Hon. Gary Filmon (Premier): Madam Speaker, this government was democratically elected by the people of Manitoba to exercise our best judgment on behalf of Manitobans to ensure that we were looking at the long-term interests of the people of Manitoba and their requirements for telecommunication services, their assurances that we will be able to provide for their needs

at reasonable cost. We believe that in the best interests of those people in Manitoba, the long-term interests of our province will be better served by the commercialization of the Manitoba Telephone System.

* (1345)

Manitoba Telephone System Privatization—Rural Public Hearings

Mr. Steve Ashton (Thompson): The Premier once again refuses to let the people of Manitoba decide over the future of their phone system. In fact, yesterday at the committee hearings his government caucus voted down even having rural and northern hearings.

I would like to ask a question to the Premier—and by the way, for the Premier's edification, the UMM represents 166 municipalities in Manitoba. It came to the committee and said, we are here today to state our opposition to Bill 67 and the privatization of the Manitoba Telephone System.

I would like to ask the Premier when he will do the right thing and authorize this Legislature to have hearings throughout rural and northern Manitoba, so we can hear directly from many rural residents and northern residents who are saying exactly the same thing as the UMM, that this government does not have any right to sell off their telephone system.

Hon. Gary Filmon (Premier): Madam Speaker, we are hearing from rural and northern Manitobans. I understand that some 51 of the presentations to be made at committee are from people outside the city of Winnipeg. I know, as well, that senior officials of Manitoba Telephone System have gone throughout the province. They have met with municipal governments. They have met with chambers of commerce. They have met with local community groups who have requested their presence, and they have indeed provided a great deal of information to those who were interested in that information.

Mr. Ashton: Madam Speaker, when will the Premier start telling the truth to Manitobans, that in the election in 1995 it was his strategy to deceive the people of Manitoba and, right now, that this government is willing to do anything to ram through the sale of MTS? It does

not matter what role that northern Manitobans or any Manitobans say, this Premier is dictating to the province what is going to happen with the Manitoba Telephone System.

Mr. Filmon: Madam Speaker, I spend time as much as I possibly can listening to people from all over the province. I try and travel to all areas of the province as I have—

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please.

Mr. Filmon: Even within the past two weeks, I have been to places such as Morden, Winkler, The Pas, Neepawa and various—

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please.

Mr. Filmon: My cabinet colleagues and I, Madam Speaker, even within the past weeks since we have been in session, have held cabinet tours throughout much of Winnipeg, various different areas of the city. In all cases, we attempt to do what we are elected to do, which is to listen, to consult and to ultimately use our best judgment, which is the reason we were elected to office.

Manitoba Telephone System Privatization—Impact on Seniors

Mr. Conrad Santos (Broadway): Madam Speaker, King Solomon once said, when you make a vow, do not delay fulfilling it, for the Lord has no pleasure in fools. It is better not to vow at all and not fulfill it.

My question is directed to the Premier. What does his government intend to do to help seniors who, because they are on fixed pensions and fixed incomes, can no longer afford the increased rate that is likely, as proven by the Alberta experience of privatization?

* (1350)

Hon. Gary Filmon (Premier): Madam Speaker, despite the phone call that the member for Broadway received from King Solomon, I tend to think that the member for

Broadway nor his colleagues possess all of the wisdom in the world. They are stuck philosophically in a time 80 and 90 years ago. They cling to the past as though it were a life raft when the whole world is changing.

Madam Speaker, I repeat for the member opposite: There have been increases granted to both publicly owned and privately owned telephone systems throughout Canada. There have been massive increases in various rate categories in Saskatchewan, a publicly owned telephone company, even in the past year.

The members opposite see this in pure philosophical terms, and there is obviously nothing that I could say that would change their minds.

Privatization

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

Mr. Conrad Santos (Broadway): Given that the Premier has still time to fulfill his promise, why can he not consider other alternatives such as amalgamation with SaskTel or by issuing government bonds comparable to the HydroBonds?

Hon. Gary Filmon (Premier): Madam Speaker, bonds that are guaranteed by the government are exactly the same as the current debt scenario. It is guaranteed by the government. It does not help us to borrow more money. What does help us is to get equity investment put into the telephone system to relieve the burden of the debt off the taxpayer of Manitoba. That is the only relief that will come to the taxpayer. That is why we are privatizing the Manitoba Telephone System.

Manitoba Telephone System Privatization

Mr. Stan Struthers (Dauphin): Madam Speaker, I have in my hand the unanimous resolution passed by the Town Council of Grandview, Manitoba, asking this government to do public hearings in rural Manitoba and asking that a vote of the shareholders be taken before they sell off our company. The people of Grandview feel absolutely betrayed by this government. This government has no mandate to do what it is doing, and it has no

moral right to sell this telephone system on these folks in Grandview.

My question to the Premier is this: Why do you not have the courage to face the people of Grandview and be accountable?

* (1355)

Hon. Gary Filmon (Premier): Madam Speaker, I would expect that over the course of the next while, I will be able to face the people of Grandview as I have faced people everywhere in this province. In case the members opposite have not noticed, I am held accountable every day that I am in office, and I expect that I will continue to be held accountable for a long, long time.

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

Mr. Struthers: In the election, you told the people of Grandview you were not going to sell the MTS—

Madam Speaker: Order, please. I would remind the honourable member for Dauphin that there is to be no postamble and no preamble on a supplementary question. Would the honourable member please put his question now.

Mr. Struthers: Can the Premier explain how he has the right to sell MTS with no rural public hearings and no vote of the MTS shareholders?

Mr. Filmon: Madam Speaker, we have public hearings underway at the present time. That is the basis on which discussions are taking place at committee—[interjection]

Madam Speaker: Order, please. The honourable First Minister, to complete his response.

Mr. Filmon: —and that is the basis upon which many Manitobans are being heard, and, indeed, the presentations that are being quoted from today are as a result of the fact that this Legislature, unique to Legislatures throughout North America, holds public hearings on all bills that are brought into this Legislature. As a result, we do have the public being represented, and indeed when the votes take place in this Legislature with respect to this bill, all Manitobans will be represented.

National Firearms Registry Government Support

Mr. Gary Kowalski (The Maples): Madam Speaker, my question is for the Minister of Justice. In this House we have two political parties which like to believe that they are tough on crime, yet both these parties refuse to listen to the chief of the Winnipeg Police Services and the chief of the Brandon Police service who are responsible for the protection of the 65 percent of Manitobans who live in large urban centres. The police chiefs, on a daily basis, make professional decisions on how best to combat crime, and they support a national firearms registry as a useful tool to combat crime.

Why does the Minister of Justice claim to follow the best advice of the Corrections department when dealing with the Headingley riot but refuses to listen to the experts and the chiefs in law enforcement that support a national firearms registry?

Hon. Rosemary Vodrey (Minister of Justice and Attorney General): Madam Speaker, as the member very well knows, our government supports all matters that have been put forward in the interests of crime control, in the interests of prevention and the interests of public safety, but there has been absolutely no information put forward to this government or to any other government across this country which indicates that the registration of firearms will in fact reduce criminal activity. There are also a number of opinions held by police officers within police ranks. We will continue to support any plan which in fact will assist us in the area of public safety, but this administrative scheme which is very, very expensive, we believe that money is better spent in the proven areas of crime control in the interests of public safety for the people of Manitoba.

Mr. Kowalski: Can the minister table any evidence that the national firearms registry will not improve the effectiveness of law enforcement in Manitoba?

* (1400)

Mrs. Vodrey: The member well knows that this is an administrative scheme put forward by the federal Liberal government. The responsibility rests with the federal Liberal government to put forward information that will explain to the people of Canada, specifically to the

people of Manitoba, why in fact firearms registration will improve their public safety.

Now, we have put forward to the federal Liberal government a number of initiatives which in fact will improve public safety, particularly in the interests of women, and we have had no reply. We have asked that the section of the Criminal Code dealing with penalties be enlarged so that where there is a weapon used, rather than just a firearm, there be significant and additional penalties. We have asked for the repeal of Section 745 of the Criminal Code. We have put forward a number of initiatives which the federal Liberal government has chosen to ignore. Instead, they put forward an administrative scheme with no evidence whatsoever that it will be of any assistance in the interests of public safety.

Mr. Kowalski: Does the minister believe that the chiefs of police of the two largest urban police forces in Manitoba would advocate a national firearms registry if it wasted their resources?

Mrs. Vodrey: Madam Speaker, it is fact that the issue of resources is one of great concern to our whole province. Now, of course, we know the Liberals tend to only focus on the city of Winnipeg, that the provincial Liberals have no sense of the fact that our responsibility is to deal with the whole province. We are dealing with resources not only in the city of Winnipeg, we are dealing with resource issues across our whole province.

Madam Speaker, we are well aware of the fact that resources that are required in the interests of public safety to be available to respond to the people of Manitoba will be tied up in an administrative scheme. Those police officers will be removed from the street. Crown attorneys would be tied up. So our government has chosen to do two things. We, No. 1, have said we challenge the jurisdiction of the federal government in court, and we are participating with other provinces as well. We will not be administering this scheme. It will be up to the federal government to administer that scheme and pay for it.

Manitoba Telephone System Privatization—Rural Public Hearings

Mr. Gerard Jennissen (Flin Flon): My questions are for the Premier. Will the Premier cancel the \$400,000

advertising campaign promoting the sale of MTS and use some of those tax dollars to hold public hearings on the sale of MTS in rural and northern Manitoba?

Hon. Gary Filmon (Premier): Madam Speaker, the Manitoba Telephone System makes decisions about spending money on advertising—

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please.

Mr. Filmon: Madam Speaker, the Manitoba Telephone System makes decisions about spending dollars on advertising to ensure that it informs its ratepayers, informs its customers about its services and about the various issues that pertain to the Manitoba Telephone System. Quite evidently, the Manitoba Telephone System needs to ensure that the public is well informed about the issues surrounding the telephone system and its activities because they certainly do not get accurate information from members opposite.

Madam Speaker: The honourable member for Flin Flon, with a supplementary question.

Mr. Jennissen: To the Premier again: Is the real reason that this government refuses to hold hearings outside the Legislative Building the fact that the private owners of MTS will want full cost recovery, thus increasing the cost of basic monthly telephone service to \$50 per month for subscribers in some northern communities?

Mr. Filmon: Madam Speaker, the Manitoba Telephone System now and in the future, under public or private ownership, will be regulated by the CRTC, and all those kinds of judgments about rate setting, rate rebalancing and all of the rate-related aspects of operations of the telephone system will be made by the objective third-party review of the CRTC. That will continue regardless of, as I say, public or private ownership today or in the future.

Manitoba Telephone System Privatization—Rural Public Hearings

Mr. Steve Ashton (Thompson): Madam Speaker, once again, the Premier is not telling the truth to Manitobans because Albertans are paying \$6 a month—

Madam Speaker: Order, please. The honourable member for Thompson, to pose a question.

Mr. Ashton: Madam Speaker, I was on my preamble to my first question and pointing out once again that the Premier was not telling the truth to Manitobans about the impact of privatization.

I want to focus again on the issue of public hearings outside of this building. Yesterday, we had indication from many people from rural Manitoba who were on the list who said they would only be able to make presentations if the committee went to other areas of the province. We have had hearings on the municipal assessment. This government has approved hearings now for the Child Advocate bill. They send their backbenchers around the province having task forces.

Why will the Premier not let the people of rural and northern Manitoba have direct contact with the members of the Legislature by holding hearings in rural and northern Manitoba on Bill 67?

Hon. Gary Filmon (Premier): Madam Speaker, the only strangers to the truth in this House sit in the New Democratic caucus.

With respect to the rest of the question, it has already been answered.

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

Mr. Ashton: Madam Speaker, given the extraordinary circumstances, we in the New Democratic Party are willing to adjourn this House, if it takes having hearings, and that is why I would move, seconded by the member for Swan River (Ms. Wowchuk), that this House do now adjourn.

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please. The honourable member for Thompson (Mr. Ashton) has moved a motion that is entirely out of order according to our Rule 30(2). A motion to adjourn the House shall not be made until the Orders of the Day have been entered upon.

* (1410)

Mr. Ashton: Given the extraordinary circumstances we are faced with, with the Manitoba Telephone System, I challenge your ruling, Madam Speaker.

Voice Vote

Madam Speaker: Order, please. The ruling of the Chair has been challenged. All those in favour of sustaining the ruling of the Chair, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

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

Formal Vote

Mr. Ashton: Yeas and Nays, Madam Speaker.

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

Order, please. The ruling of the Chair having been challenged, 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

Cummings, Derkach, Downey, Driedger, Dyck, Enns, Ernst, Filmon, Findlay, Gaudry, Gilleshammer, Helwer, Lamoureux, Laurendeau, McAlpine, McCrae, McIntosh, Mitchelson, Newman, Pallister, Penner, Pitura, Praznik, Radcliffe, Reimer, Render, Rocan, Stefanson, Sveinson, Toews, Tweed, Vodrey.

Nays

Ashton, Barrett, Cerilli, Chomiak, Dewar, Doer, Evans (Brandon East), Evans (Interlake), Friesen, Hickes, Jennissen, Lathlin, Mackintosh, Maloway, Martindale,

McGifford, Mihychuk, Reid, Robinson, Sale, Santos, Struthers, Wowchuk.

Mr. Clerk (William Remnant): Yeas 32, Nays 23.

Madam Speaker: The ruling of the Chair is accordingly sustained.

* (1510)

Introduction of Guests

Madam Speaker: I would like to draw the attention of all honourable members to the loge to my left, where we have with us this afternoon Councillor John Angus, who was the member for St. Norbert from 1988 to 1990.

On behalf of all honourable members, I welcome you this afternoon.

* * *

Madam Speaker: Prior to recommencing Question Period, I would like to remind all honourable members that, according to Beauchesne Citations 501 and 502, exhibits are prohibited to be used in the Chamber.

ORAL QUESTION PERIOD (continued)

Madam Speaker: There are four minutes remaining for Question Period.

Manitoba Hydro Privatization

Mr. Kevin Lamoureux (Inkster): Madam Speaker, my question is for the Premier, and it is to follow-up yesterday's Question Period where I posed a question to try to get assurances from the First Minister with respect to Manitoba Hydro. Today, I would ask the Premier to make it as simple as possible in terms of what his government's intentions are for the future of Manitoba Hydro. Is the government giving today any consideration whatsoever to the privatization of Manitoba Hydro?

Hon. Gary Filmon (Premier): Madam Speaker, I think I responded to that yesterday in saying, no, we are not at the present time giving any consideration to the

privatization of Manitoba Hydro. I told him that I could not anticipate what might happen, as in the case of the article in the newspaper where the former chairman of Manitoba Hydro, Mr. Len Bateman, speculated about the major shift and change that deregulation would have on the operations of Hydro and how he felt that obviously we would have to give it serious consideration. So I cannot start to speculate about circumstances that would cause us to change our position, but at the moment there is absolutely no thought being given to it.

Privatization—Consultations

Mr. Kevin Lamoureux (Inkster): Will the Premier then give a commitment that he is prepared to consult Manitobans before he makes any sort of a decision that might ultimately end in the privatization of Manitoba Hydro?

Hon. Gary Filmon (Premier): Madam Speaker, this government has continued to listen to and consult with Manitobans as long as it has been in office. In fact, I would argue that it is probably one of the reasons why we were re-elected for a third term.

Madam Speaker, we consistently go on cabinet tours throughout the province. We hold public forums and opportunities to gain feedback. We listen to people in all areas of the province, in all sectors of the economy. I speak to chambers of commerce, service clubs. We go throughout the province and listen and consult at all times, and so I would give him the assurance that we will carry on with that kind of approach to government, listening and consulting. We believe it is a hallmark of our government. We believe it is the right way to—

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please.

Mr. Filmon: We believe it is important to any democratic government.

Mr. Lamoureux: Would the Premier acknowledge that Manitobans as a whole do not feel that the government consulted them or had permission with respect to MTS, and how is he going to be able to ensure or at least assure Manitobans that Manitoba Hydro will be treated in a

different fashion, where in fact Manitobans will feel, not only perceive, but will feel that they have been consulted prior to this government making any decision on the privatization of it?

Mr. Filmon: Madam Speaker, Manitobans, as a whole, believe that their government ought to always exercise its best judgment when it makes decisions on behalf of Manitobans. I believe that we are elected, first and foremost, to be exercising our judgment on a whole range of issues no matter what may come forward. People can never anticipate what things may face a government that requires it to do its analysis, to as much as possible listen and consult and then ultimately to make decisions. Governments elect us to make decisions on any and all things that come before us. That is a fundamental responsibility.

I know that particularly members of the New Democratic Party speak on all sides of an issue. They speak out of all sides of their mouths. They go and have the luxury of being able to say anything and everything on any forum and—

Madam Speaker: Order, please.

Point of Order

Mr. Steve Ashton (Opposition House Leader): On a point of order, Madam Speaker, Beauchesne is very clear that answers to questions should be brief, relate to the matter raised and not provoke debate. This First Minister should lecture no one in this House. He should lecture no one in this province about being two-faced, as he is the one who said he would not sell off MTS and is now selling off our birthright, the Manitoba Telephone System.

Madam Speaker: Order, please. On the point of order raised by the honourable member for Thompson, I would remind the honourable First Minister to keep his answers as brief as possible and speak to the question asked and not provoke debate.

* * *

Madam Speaker: The honourable First Minister, to quickly complete his response.

Mr. Filmon: To be brief, I will reiterate that we will make decisions and use our best judgment on all the issues that come before us now and in the future.

Madam Speaker: Time for Oral Questions has expired.

MEMBERS' STATEMENTS

Social Assistance Caseload

Mr. Mike Radcliffe (River Heights): Good afternoon, Madam Speaker. It is a pleasure for me to draw some very good news to the attention of the Chamber this afternoon. The provincial welfare caseload has declined, and hundreds of welfare clients are in training or have found employment. This comes only five months after changes were announced to the welfare program by the Minister of Family Services (Mrs. Mitchelson).

Welfare recipients told our government that they do not want to depend on social assistance payments anymore. They want the confidence and security that comes with holding a job and being productive members of Manitoba's society. They want to create a better life for themselves and their families, but they need some help to make the transition into the workforce.

The changes to the program announced by the minister did just that. Through programs such as Opportunities for Employment, conducted in partnership with the Mennonite Central Committee, and Taking Charge!, we are providing people with the skills and encouragement they need to build a new life for themselves.

Madam Speaker: Order, please. I am experiencing difficulty hearing the honourable member for River Heights.

Mr. Radcliffe: The welfare caseload declined by 617 cases between April and September of this year compared to an increase of 135 cases last year. Clearly, Manitobans are gaining their independence from social assistance in record numbers through innovative changes to the way social assistance is provided.

* (1520)

I would ask all honourable members to join me in congratulating the Minister of Family Services for her

success to change the social assistance that has given to Manitobans the confidence and the power to exercise more control in their own lives. Thank you, Madam Speaker.

Manitoba Telephone System

Mr. Clif Evans (Interlake): Madam Speaker, rural Manitobans have the most to lose with the privatization of the Manitoba Telephone System, and it is undoubtedly for this reason that the provincial government refuses to hold public hearings in rural communities.

This past June, the provincial government ordered MTS to request rural residential rate hikes as much as 80 percent by 1998. Needless to say, this request is not featured in any of the \$400,000 television, radio and newsprint advertising campaign promoting the sale of MTS and paid for by our taxpayers. The actions of the Filmon government in betraying Manitobans by selling MTS when they said they would not and then refusing to allow public input are bad enough, but when the same government wastes nearly half a million dollars on propaganda, it is not surprising that rural Manitobans are very angry over this issue.

Virtually none of the legislation the government is currently forcing through the Legislature was even hinted at during the election year. Instead, the Filmon government is using their majority of seats to implement changes that they know the public opposes. It is the mark of an arrogant government interested only in their financial backers that they would bring forward such a negative agenda.

As the Union of Manitoba Municipalities stated in their brief on the privatization of MTS, MTS has spent over \$620 million in the past six years upgrading rural phone service while private telephone companies in B.C., Ontario and Quebec have not extended individual line service to all areas of those provinces. The loss of low phone rates not only hurts consumers, it hurts our competitive advantage. Businesses in rural areas will find their costs much higher due to this privatization that they did not ask for and did not want. Manitobans deserve better. This Premier (Mr. Filmon) and his government have no mandate to sell MTS or Manitoba Hydro. Thank you.

Trainex Centre

Mr. Peter Dyck (Pembina): Madam Speaker, earlier today in the community of Winkler, the Trainex Centre held an open house for the public. The Trainex Centre was established in 1982. Its original mandate was and continues to be to provide 50 noncompetitive workspaces for community members with psychiatric illness experience. During the last four years, Trainex programs have focused on assisting a wide range of employment-disadvantaged people, the majority being on some form of social assistance.

Trainex believes the dignity and respect self-sufficiency brings to a family member gainfully employed is the key to an entire generation of contributing society members. Consequently their programs focus on assessment, academic and social upgrading, language and numeracy, literacy, employability, attitudes, aptitudes and skills, workplace experience, work coaching and permanent placement with up to 36 months of follow-up for anyone capable of partial or full-time employment. The Trainex Centre also has a three-year experience with an off-campus computer-assisted academic program. It is cross-registered with Garden Valley Collegiate, thereby allowing school-aged youth who do not want to, cannot or are not encouraged to attend regular classes to acquire Senior 1 and 2 credits while getting specific work-related insight and experiences. The integrated age, working and learning environment at Trainex provides a safe, multifaceted, motivational incentive to become employable.

Trainex is an excellent example of Manitobans helping Manitobans, designing and distributing programs that are in the best interests of a healthy and vital community. I would like to congratulate them for the work they have done and continue to do. Thank you.

Manitoba Telephone System

Mr. Stan Struthers (Dauphin): Madam Speaker, today in Question Period I referenced a resolution that was put forward by the Town of Grandview. The Town of Grandview wants this government to come out to rural Manitoba and conduct public hearings on the sale of the MTS. The Town of Grandview wants this government to have a vote of the shareholders before it sells the MTS

because in this election this government did not tell the people of Grandview that they were going to sell the MTS, and now here we are, they are selling it.

The Chamber of Commerce in Dauphin has put forth a resolution, as well, telling you not to sell the Manitoba Telephone System. Towns and R.M.s all over this province have been telling you, the government, that you betrayed them, and now you are telling them that you are too scared to face Manitobans in public hearings. You do not have the courage to come out and debate people, and I am now challenging the Premier (Mr. Filmon) of this province to come out to my riding or anyplace else in this province. I challenge the Premier to come out to any part of rural Manitoba and defend this decision. Not only that, Madam Speaker, if the Premier does not have the guts to come out and do it—anybody from the government side to come to Dauphin and take this on.

Madam Speaker: Order, please. I would ask that the honourable member for Dauphin pick and choose his words carefully. The words “has the guts” have been ruled unparliamentary on several occasions.

An Honourable Member: What words?

Madam Speaker: Has the guts.

An Honourable Member: Is that unparliamentary?

Madam Speaker: Yes. It has been ruled unparliamentary previously by other Speakers.

The honourable member for Dauphin, to continue.

Mr. Struthers: Madam Speaker, I also challenge anybody else across that way to come out to my area and debate me on this issue. Send anybody you like—Jules Benson, Barb Biggar—send somebody. [interjection] Mike Bessey, how about Mike Bessey?

Madam Speaker: this is the time for this government to be accountable, and I am giving you that chance to do so. [interjection] We could debate in Roblin, if you like.

Madam Speaker: Order, please.

Mr. Struthers: To complete?

Madam Speaker: Time has expired.

Rural Stress Line

Ms. Rosann Wowchuk (Swan River): Madam Speaker, I would like to take this opportunity to bring to the government's attention the importance of the farm and rural stress line that they have ceased to fund and for them to recognize that it is truly unfortunate that they do not recognize the importance of this service. Despite the fact that farm organizations, farm businesses have offered their financial support to ensure that the line continues to operate, this government has refused to put funding in place. The Canadian Mental Health Association and the committee working to save the line have put forward other proposals but, again, the government will not recognize the importance of this service.

This government is prepared to spend \$400,000 to promote their own propaganda on the sale of MTS but will not spend \$80,000 on the rural stress line, which is a health and safety issue for rural Manitobans. This despite the fact, as I said, that many volunteers are working to have this line in place, giving of their time, and the government will not recognize the importance of it.

We have to remember that this government is also prepared to continue to fund services similar to this in Winnipeg, but they are abandoning rural Manitobans. This decision to eliminate the funding for the rural stress line will create a two-tier system and is completely unfair to rural Manitobans, but I guess one of the reasons they do not want to fund this line is because, when Manitoba Telephone System is privatized, they know that the costs are going to be much higher, and they do not want to be part of it.

* (1530)

So, Madam Speaker, this is a disgrace, on the part of this government and the backbenchers of this government who represent rural Manitobans, that they will not stand up for rural Manitobans and ensure that we have services and we have access to services equal to the people in Winnipeg. It is absolutely unfair and disgraceful on the part of this government.

MATTER OF URGENT PUBLIC IMPORTANCE

Manitoba Telephone System

Mr. Steve Ashton (Opposition House Leader): I rise on a matter of urgent public importance, Madam Speaker.

I move, seconded by the member for Swan River (Ms. Wowchuk), that under Rule 31(1) the ordinary business of the House be set aside to discuss a matter of public importance, namely, the refusal of the Minister responsible for the Manitoba Telephone System (Mr. Findlay) to allow hearings in rural and northern Manitoba on Bill 67, The Manitoba Telephone System Reorganization and Consequential Amendments Act.

Motion presented.

Madam Speaker: Prior to recognizing the honourable member for Thompson, I would remind those members wishing to speak to the matter of urgent public importance that they should speak to the urgency of debating this today.

Mr. Ashton: Madam Speaker, I can think of nothing more urgent than debating this matter today. The fate of the Manitoba Telephone System hangs in the balance. Yesterday, in committee, we moved a motion urging the government to hold hearings throughout rural and northern Manitoba on the issue of MTS, Bill 67 in particular. That motion was defeated by the government majority on that committee.

Madam Speaker, I cannot think of an issue that is more important to rural and northern Manitobans today than the future of our telephone system, and I want to say on the record that many Manitobans that we have talked to in rural and northern Manitoba—and, by the way, we are the only party in this Legislature that has taken the time to hold public meetings throughout the province. At every single meeting that we have held, we have had people say that they wished to have their voice heard. They wish to have a vote on the future of MTS, but, a bare minimum, they are asking one basic thing, and that is to have public hearings held in their own community.

Yesterday, Madam Speaker, on the list that the Premier referenced in Question Period, there were many people from out of town who were registered. I can state for the

record that there were a number from my own constituency who registered on the basis that they wished to have hearings held in Thompson. This may be news to members opposite, but Thompson is an eight-hour drive from the city of Winnipeg. People cannot simply drive in for the public hearings. We have to make it available to people in communities such as Thompson.

We were in Portage la Prairie. The response was very much the same in that community, people saying they wish to have public hearings in Portage la Prairie, in Brandon on the weekend, in Neepawa, in Minnedosa, in Roblin, in Virden, in Lac du Bonnet, in Beausejour, and we will be into other communities next week, including Morden, Teulon, Gimli and Arborg.

Everywhere we have gone, people have said, this cannot be happening. They cannot be selling off our phone company when in the election they said they were not going to sell it off. They are asking for one basic thing, Madam Speaker, the opportunity to have their say and, at a bare minimum, to appear before a public committee of the Manitoba Legislature.

Let there be no doubt why the government voted down the motion yesterday. When the Union of Manitoba Municipalities, representing 166 municipalities across Manitoba, puts in a brief that states very clearly they are opposed to the privatization of MTS, we know this is a major issue in rural and northern Manitoba, and if we do not deal with this matter now, I believe we will not have the opportunity in any way, shape or form to be able to do it.

This is our last chance to have a clear statement from the Legislature and try and persuade the government to have those rural and northern hearings. They voted it down yesterday, but that was before they received the brief from the Union of Manitoba Municipalities, from the Manitoba Society of Seniors, from many people from their own communities, people from Steinbach, people from the Springfield constituency, people from Erickson, people from Brandon—yes, the few that could make it in. And every rural presenter we spoke to said that people would attend hearings if there were hearings held in their own community. We had one individual present 43 names from Lundar, in the constituency of Lakeside, represented by the Minister of Agriculture (Mr. Enns), saying that they wish to have public hearings.

All we are asking in this matter of urgent public importance is to give us the opportunity to debate this, to try one more time to get the government to listen to us. This government, if it refuses to have hearings on this issue—as has been done in the past with issues such as municipal assessment, as will be done on the Child Advocate bill that has already been agreed to, as they do with their backbenchers who have travelled throughout Manitoba at public expense dealing with issues, which are important issues but not as final and as drastic in their impact as the sale of MTS.

Madam Speaker, we are asking one thing today. Let the people of rural and northern Manitoba have the opportunity to have their say in their community. Do not make a mockery of the committee process by not allowing rural and northern Manitobans the full opportunity to participate. That is why I urge you to give us the opportunity to debate this today and try one more time before it is too late to change the government's mind to listen to rural and northern Manitobans.

Hon. Jim Ernst (Government House Leader): I submit in the first instance that the whole question raised by the member for Thompson is out of order.

The announcement of the sale of MTS was, I believe, somewhere toward the end of April. Legislation was introduced in the House either at the end of May or certainly before the 6th of June, so in terms of urgency, I do not think he can claim a sense of urgency at all. That issue has been before the House. We have had first reading, second reading of the bill.

We have debated the bill in this House through a number of speakers over the past several weeks, and now, at the eleventh hour, because of some grandstanding by the member for Thompson before the standing committee is hearing the public on this bill, he now wants to have hearings all over the province of Manitoba.

Historically, that has not occurred with respect to individual bills that are presented to the House and then heard by committee after second reading stage. The other items that he refers to are in fact consultation processes or are other processes such as the resolution on the constitutional amendment, things of that nature. They were not second reading public hearing process on bills.

Now, in terms of not wanting to hear the public, I think the member is wrong.

* (1540)

Madam Speaker, I, as the House leader, called a public hearing last night, called it again for tonight, called it again for tomorrow morning, called it again for tomorrow night, called it again for Friday all day and, if necessary, will call it again on Saturday, Sunday and Monday until those people who wish to be heard are heard. Now, in terms of people from outside the city of Winnipeg who want to make presentations, we heard 24 presentations last evening, of which, I believe, approximately 20 were from out of Winnipeg. There is ample time; in fact, we even agreed to hear them first before anybody else, despite whether they were in the room or not, in order to give ample opportunity for that public hearing process to occur.

So I submit there is an adequate process in place. There is no urgency for debate, because this matter has been before the House for several months, and it should be ruled out of order.

Mr. Kevin Lamoureux (Inkster): Madam Speaker, I just wanted to, if I may with leave of the House, to—

Madam Speaker: Is there leave?

Some Honourable Members: Leave.

Madam Speaker: Leave has been granted.

Mr. Lamoureux: I appreciate the opportunity to be able to put a few words on the record with respect to this very important motion that the official opposition has put forward. I can understand, and we in the Liberal caucus appreciate the fact that the public have a vested interest in this particular issue and do want to be able to have a direct input into the whole process, Madam Speaker, and parliamentary tradition—at least in the province of Manitoba—has been that during second reading members of the public can come down to the Manitoba Legislature and voice their concerns. Now, over the last eight years, I have had the opportunity to see some exceptions to that, and at least one that comes to mind in which it was believed the Meech Lake Accord as an issue was

important to Manitobans enough that we had to do more than just have hearings inside the Legislature. I think there was merit to that.

If we take a look at the Manitoba Telephone System and the corporation and its history in the province over the past nine decades, there is some valid argument to be made that people in northern Manitoba and in rural Manitoba should be provided a better opportunity to give input. Had the government been more forceful in trying to get opinions from rural Manitoba, I do not think it would be as important an issue today in terms of us having to go out.

What we have seen is a government prior to the election saying no to the sale of MTS, and we really have not provided the forum for Manitobans, given the importance of the Manitoba Telephone System. We have not provided them enough opportunity to be able to say what it is that they feel is important. One of the suggestions that we brought forward to the government of the day back in June was to have that mail-in ballot, if you like, going out to the subscribers of MTS to get some sort of input. The government refused to do that. The government has not done anything to try to get legitimate feedback in terms of the future of MTS and the direction that this government is taking it, and that is, in essence, the concern that we have within the Liberal Party, that there had to have been some sort of public consultation.

I was listening to the member for Thompson (Mr. Ashton), and he made reference that the New Democrats were the only party inside the Chamber that went out. Well, I can assure the member—[interjection] Yes. From the Liberal Party's perspective, I can assure you that we have been out in rural Manitoba over the last number of months. We have been talking to a lot of rural Manitobans, and this is an issue that was brought up constantly. It is an issue which Manitobans hold very closely to their hearts in terms of the importance of MTS. We ultimately believe that they are entitled to have direct input. And because the government has been negligent in terms of soliciting that input, I believe then it allows us to look at maybe going outside of the traditions of this Chamber and have some sort of public meetings. It does not have to be the formal standing committee meetings. Nothing prevents over the weekend having two or three MLAs, a representative from each party including the Liberal Party going to Thompson, going to Dauphin,

going to Brandon and just sitting down listening to what Manitobans have to say.

Nothing prevents the government from saying, okay, we are prepared to accept that. It can be done in somewhat of an informal fashion to a certain degree. We do not have to send out Hansard. MLAs are all honourable individuals, and we trust that they are not going to misquote things that are being said. But there still is time to do something to ensure that those Manitobans are provided the opportunity to have input and rural Manitobans, because of the impact of this sale, are going to be significantly affected and deserve the right and the opportunity to have that direct input.

With those few words, Madam Speaker, we are prepared to have the vote.

Madam Speaker: The honourable member for Thompson (Mr. Ashton) has complied with the notice requirement for a matter of urgent public importance set out in our rules. I wish to thank honourable members for their advice as to whether or not the honourable member's motion should be debated today.

According to Rule 31 of the Provisional Rules and Beauchesne Citations 389 and 390, there are two conditions which must be met for a matter of urgent public importance to be proceeded with. First, the subject matter must be so pressing that the ordinary opportunities for debate will not allow it to be brought on early enough, and, second, it must be shown that the public interest will suffer if the matter is not given immediate attention.

The subject matter that is proposed for debate is the refusal of the Minister responsible for MTS (Mr. Findlay) to allow hearings on Bill 67 in rural and northern Manitoba.

I have not been convinced, based on the arguments that have been made today, that the public interest demands that the business of the House be set aside to discuss this matter today. I acknowledge there are very few other opportunities for the House to debate the matter; however, the member could use his grievance to raise this issue. I am therefore ruling it out of order as a matter of urgent public importance.

ORDERS OF THE DAY

Committee Changes

Madam Speaker: The honourable member for Gimli (Mr. Helwer), with committee changes.

Mr. Edward Helwer (Gimli): Madam Speaker, I move, seconded by the member for Sturgeon Creek (Mr. McAlpine), that the composition of the Standing Committee on Public Utilities and Natural Resources for Wednesday at 6:30 p.m., October 30, be amended as follows: the member for LaVerendrye (Mr. Sveinson) for the member for Ste. Rose (Mr. Cummings); the member for St. Norbert (Mr. Laurendeau) for the member for Charleswood (Mr. Ernst); the member for Emerson (Mr. Penner) for the member for River East (Mrs. Mitchelson).

I move, seconded by the member for Morris (Mr. Pitura), that the composition of the Standing Committee on Public Utilities and Natural Resources for 9 a.m., Thursday, October 31, 1996, be amended as follows: the member for Steinbach (Mr. Driedger) for the member for Springfield (Mr. Findlay); the member for Lac du Bonnet (Mr. Praznik) for the member for St. Norbert (Mr. Laurendeau); the member for Ste. Rose (Mr. Cummings) for the member for Turtle Mountain (Mr. Tweed).

I move, seconded by the member for River Heights (Mr. Radcliffe), that the composition of the Standing Committee on Law Amendments for Wednesday, October 30 at 6:30 p.m., be amended as follows: the member for Minnedosa (Mr. Gilleshammer) for the member for Portage la Prairie (Mr. Pallister).

I move, seconded by the member for Pembina (Mr. Dyck), that the composition of the Standing Committee on Economic Development for Thursday, October 31 at 10 a.m., be amended as follows: the member for Kirkfield Park (Mr. Stefanson) for the member for Lac du Bonnet (Mr. Praznik); the member for Gimli (Mr. Helwer) for the member for Turtle Mountain (Mr. Tweed); the member for River Heights (Mr. Radcliffe) for the member for La Verendrye (Mr. Sveinson); the member for Portage la Prairie (Mr. Pallister) for the member for Morris (Mr. Pitura).

Motions agreed to.

Mr. George Hickes (Point Douglas): Madam Speaker, I move, seconded by the member for Broadway (Mr. Santos), that the composition of the Standing Committee on Public Utilities and Natural Resources be amended as follows: Swan River (Ms. Wowchuk) for Selkirk (Mr. Dewar) for Wednesday, October 30, 1996, for 6:30 p.m.

I move, seconded by the member for Broadway (Mr. Santos), that the composition of the Standing Committee on Economic Development be amended as follows: Selkirk (Mr. Dewar) for Flin Flon (Mr. Jennissen); Radisson (Ms. Cerilli) for The Pas (Mr. Lathlin); Osborne (Ms. McGifford) for Dauphin (Mr. Struthers) for Thursday, October 31, 1996, for 10 a.m.

Motions agreed to.

* (1550)

Hon. Jim Ernst (Government House Leader): Madam Speaker, would you please call Report Stage for Bill 54.

REPORT STAGE

Bill 54—The Municipal and Various Acts Amendment Act

Hon. Leonard Derkach (Minister of Rural Development): Madam Speaker, I do have several amendments to this bill that I would like to introduce at this time. First of all, I move, seconded by the Minister of Culture, Heritage and Citizenship (Mr. Gilleshammer), and I move this in both English and French

THAT Bill 54 be amended by striking out clause 418(1)(f).

[French version]

Il est proposé que le projet de loi 54 soit amendé par suppression de l'alinéa 418(1)f).

Motion agreed to.

Mr. Derkach: Madam Speaker, I move, seconded by the Minister of Urban Affairs (Mr. Reimer),

THAT Bill 54 be amended by striking out the French version of subsection 431(3) and substituting the following:

Application de l'alinéa 91d) et du paragraphe 92(7)
431(3) L'alinéa 91d) et le paragraphe 92(7) ne s'appliquent pas aux employés d'une municipalité qui sont membres du conseil de la municipalité ou du comité d'un district urbain local situé dans la municipalité au moment de l'entrée en vigueur de la présente loi tant que le mandat pour lequel ils ont été élus n'est pas terminé ou tant qu'ils demeurent conseillers ou membres du comité.

[French version]

Il est proposé que le projet de loi 54 soit amendé par substitution, au paragraphe 431(3) de la version française, de ce qui suit:

Application de l'alinéa 91d) et du paragraphe 92(7)
431(3) L'alinéa 91d) et le paragraphe 92(7) ne s'appliquent pas aux employés d'une municipalité qui sont membres du conseil de la municipalité ou du comité d'un district urbain local situé dans la municipalité au moment de l'entrée en vigueur de la présente loi tant que le mandat pour lequel ils ont été élus n'est pas terminé ou tant qu'ils demeurent conseillers ou membres du comité.

Motion agreed to.

Mr. Derkach: I move, seconded by the Minister of Family Services (Mrs. Mitchelson),

THAT Bill 54 be amended by striking out subsection 477(9) and substituting the following:

477(9) Subsection 212(5) is amended by striking out "at the same rate as is provided for in this section as a penalty" and substituting " , from the date they were paid, at the rate prescribed by regulation under clause 343(1)(c) of The Municipal Act".

[French version]

Il est proposé que le projet de loi 54 soit amendé par substitution, au paragraphe 477(9), de ce qui suit:

477(9) Le paragraphe 212(5) est modifié par substitution, à " au même taux que celui qui est prévu au

présent article pour la pénalité”, de “ à compter de la date du paiement de l'excédent, au taux d'intérêt fixé par règlement pris en vertu de l'alinéa 341(1)c) de la Loi sur les municipalités ”.

In both official languages.

Motion agreed to.

Mr. Derkach: Madam Speaker, one final amendment. I would like to move, seconded by the Minister of Education and Training (Mrs. McIntosh),

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

[French version]

Il est proposé que le conseiller législatif soit autorisé à modifier les numéros d'article et les renvois internes de façon à donner effet aux amendements adoptés par l'Assemblée législative.

I move that in both official languages.

Motion agreed to.

Mr. Derkach: Madam Speaker, I now move, seconded by the Minister of Urban Affairs (Mr. Reimer), that Bill 54, The Municipal and Various Acts Amendment Act (Loi concernant les municipalités et modifiant diverses dispositions législatives), as amended and reported from the Standing Committee on Municipal Affairs, be concurred in.

Motion agreed to.

* (1600)

House Business

Hon. Jim Ernst (Government House Leader): Madam Speaker, the Standing Committee on Economic Development which is scheduled to meet tomorrow morning to consider the report of the Manitoba Lotteries Corporation is cancelled and will be rescheduled to another time.

I believe that there may be a willingness of the House to waive half of private members' hour today. So there

may be a willingness of the House not to see the clock at 4:30 p.m. until all matters to be called subsequently are dealt with but that, in fact, 5:30 p.m. will be 5:30 p.m.

Madam Speaker: First of all, announcement concerning the Standing Committee on Economic Development scheduled for Thursday at 10 a.m., October 31, to consider the Manitoba Lotteries, the meeting has been cancelled and to be rescheduled at a later date.

Is there leave of the House not to see the clock at 4:30 p.m. to deal with the matters raised but that the House will adjourn at its scheduled hour of 5:30 p.m.? Agreed? [agreed]

The honourable member for Point Douglas, with additional committee changes.

Committee Changes

Mr. George Hickes (Point Douglas): I move, seconded by the member for Broadway (Mr. Santos), that the composition of the Standing Committee on Law Amendments be amended as follows: Dauphin (Mr. Struthers) for Radisson (Ms. Cerilli); Wellington (Ms. Barrett) for St. James (Ms. Mihychuk); Broadway (Mr. Santos) for Osborne (Ms. McGifford), for Wednesday, October 30, 1996, for 6:30 p.m. Thank you.

Motion agreed to.

Mr. Ernst: Madam Speaker, would you please call for debate on second reading Bills 50, 41, 17 and 63. I erred. Once again, please call bills for second reading, 50, 17, 41, 63.

DEBATE ON SECOND READINGS

Bill 50—The Remembrance Day Amendment Act

Madam Speaker: To resume second reading debate on the proposed motion of the honourable Minister of Labour (Mr. Toews), Bill 50, The Remembrance Day Amendment Act, Loi modifiant la Loi sur le jour du souvenir, standing in the name of the honourable member for Swan River (Ms. Wowchuk).

Is there leave to permit the bill to remain standing?

An Honourable Member: No.

Madam Speaker: No. Leave has been denied.

Mr. Daryl Reid (Transcona): Madam Speaker, I am pleased to rise to add a few comments on Bill 50, The Remembrance Day Amendment Act. This bill I have read over several times and had the opportunity to consult with members that belong to the legion, the Royal Canadian Legion, Branch No. 7 in Transcona, about this piece of legislation, and my comments to follow will encompass or incorporate the comments that members of that legion have given to me.

First off, I want to start in talking about the principles of this bill and what it is intended to do and that I find myself with some mixed emotions about Bill 50 in that it will do several things, some of which I support and some of which cause me great concern.

The first portion is dealing with the preamble. The amendment that is in Bill 50 will allow for the adding of and recognition of those forces, those people that served in the armed forces, during the Korean War conflict, the Gulf War, and for those members of our Canadian Forces that served in international peacekeeping activities. They will be added to and joined to recognition for those who served in the two World Wars. Now, I support the addition of recognition of those who served in the Korean War and the Gulf War and also the continuing activities of our peacekeepers around the world. I think it is important to recognize the ongoing contribution of our peacekeeping forces and the very fine work that they do to bring about and keep the peace; and, on the odd occasion, they are put into positions where they are actually asked to start a process that will encourage factions that are in hostilities to break away from those hostilities and then our peacekeepers would then step in.

I am quite fortunate in that I have a member of my own family who is currently in the forces and has served in peacekeeping duties throughout the world. We have had numerous conversations on the role of peacekeepers, Canadian peacekeeping forces, around the world. I know, in talking first-hand with that particular member of my family, that peacekeeping is no easy task when you are in the middle of conflict where you have both sides potentially able at any time to start hostilities for which our peacekeeping forces may be caught in the middle.

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

So we recognize the very good and fine services that the peacekeeping forces in our Canadian Armed Forces provide for Canada and the recognition they provide for us around the world. So the particular clause where the Minister of Labour (Mr. Toews) and the government have added to the preamble the recognition for Korean War veterans, the Gulf War veterans and the international peacekeeping personnel, I think, is a good move, and it is one which I can support.

I think it is only fitting that we are debating this bill, The Remembrance Day Amendment Act, here today since we are only a week away from remembrance services throughout the world. I know that I have had the opportunity as the MLA for Transcona, since being elected, to represent the community at the Remembrance Day services over the last six or seven years, and once again this year I have been asked to participate and, quite willingly, to represent the community. It has been an honour for me to represent the residents of Transcona. I have had the opportunity to lay wreaths not only on Remembrance Day in November of every year but also on Decoration Day in June of every year in recognition of our armed forces personnel and the sacrifices they have made for myself, my family and the residents of our community and, in fact, our whole country.

One of the difficulties I have, Mr. Deputy Speaker—and I remember back a couple of years ago when I had the opportunity to participate in Remembrance Day services in my community. One of the things that struck me just prior to going to participate in those services was a flyer that I had received in the mailbox, and it was a flyer that came to my home, as it did, I am sure, to every other home in my community, telling people to come out and shop on a holiday. I got the sense from the flyer that was put out—and this was put out by an American firm, I might add, inviting Canadians to come down and shop in the United States on the November holiday.

Now, that left me with the impression that there are some in the business community, at least in the United States, who think of November 11 as being a holiday for shopping purposes and not a holiday to remember and to reflect on the sacrifices that were made. Now I reference that in the opportunity to—when I spoke with the members

of the Royal Canadian Branch 7 in Transcona at that time, and I found that they were just as distressed as I was to find that some in the business community, at least in the U.S., would take a position and think of Remembrance Day as being a shopping holiday not a day of remembrance.

I know, in consultation, Mr. Deputy Speaker, with the members of the Legion Branch 7, there is a split in the opinions of the members of that Branch 7. I find that the veterans, those that served in wars and came back to us, view this in a very, very strong and very emotional and passionate way when they relate their experiences in the service of our country. One of the things that they state very clearly is they did not go and fight a war just to have a holiday and that they are quite distressed; these veterans are quite distressed to see that our society is, in a sense, degrading the day and moving towards the opportunity for more shopping, and that there needs to be some way to address that issue, to draw to the attention of Manitobans and to Canadians the importance of November 11, Remembrance Day.

* (1610)

I know, from what I am told, in Ontario, for example, the province of Ontario has two minutes of silence, but then if you know what that would bring about if there are people that are working on that day, of course, those workplaces would stop on November 11, at the 11th hour, and have two minutes silence. Of course, that would not occur in the larger part of society that may be travelling about, that opportunity would not be there, and I think that the issue itself, the ability to remember would be lost by having only two minutes of silence. While I know and have participated in that activity in my former employment where we have had two minutes of silence prior to the coming into force of November 11 as a day of recognition for those who served, I believe that November 11 is a day to allow members of our community the opportunity to be with their loved ones, with their family members and the opportunity to go to church, for example, and to reflect on what November 11 means to each and every one of us.

I believe that November 11, Remembrance Day, should be a family day, one where the family can gather, where parents can, where there are young children involved, relate to our children and to our grandchildren why we

have the recognition of November 11 as Remembrance Day. I believe the majority of legionnaire members in Branch 7 want to see that November 11 remain as a family day. From what they relate to me, there is no need to have an expansion of shopping time or shopping activity time given by what this bill is intended to do. Because this bill itself will allow for the expansion of that particular time in that retail business, now under one of the clauses in Bill 50, will prohibit certain business, retail operations from being open between the hours of 9 a.m. and 1 p.m. on November 11, but after that time, of course, retail businesses will be free to open.

Now I know there are difficulties that have been encountered in the past and that the police forces of our city and our province have had to go out and enforce this act, and it has been very, very difficult for the police officers to go and try and enforce. We find that there are certain retail operations in our city and in our province that feel that they are above the law and, of course, the police then are forced to take the necessary actions. I recognize it is difficult for the police in those circumstances, but nevertheless I think it is important that those that are continuing to break the law of the province are charged and prosecuted under the laws of this province with respect to The Remembrance Day Act.

One of the things that the legionnaires at Branch 7 reference is that they see another erosion to Remembrance Day and what it is intended to do and what the purpose of Remembrance Day is—and these are their words that I relate to the members of this House—that there appears to be greed driving this, and that only those that are interested in having retail business activities are the ones that are driving this change.

Well, I know that the business and labour community and the central command of the Royal Canadian Legion had the opportunity to sit down and to review The Remembrance Day Act, and they came up with a recommendation that was sent, I believe, to the Minister of Labour (Mr. Toews) and for which I believe the minister has incorporated into Bill 50. I believe that there was a consensus on the part of those three parties, but I can tell the minister and members of the House that not all members of the legions of our province, including Branch 7 in my own community, support the central command in allowing for the expansion of retail business opportunities in the afternoon of Remembrance Day. So

while Central Command may have agreed with this legislation, or at least the provisions in it for which the minister has tabled here, there are other legion members in the province that do not support this position.

I find myself in agreement with those legion members that on those parts do not support the further expansion of the shopping opportunities. If there is any day outside of Good Friday and Christmas, to me Remembrance Day is a day that we as a society should set aside as one of extreme importance and significance to recognize the sacrifice that has been made by those that went and served and put their lives on the line on behalf of our country, so that we might be able to sit here today and to be able to be with our families living in a safe and secure society, which I am sure we all want for our families.

I think it is important to recognize and to keep Remembrance Day the way it is. While there are some provisions in Bill 50 that allow for the expansion and recognition of those who continue to act in peacekeeping duties and the recognition of the Gulf War and the Korean War veterans, which I think is a good part to this bill, I am concerned that there is once again an erosion of the opportunities to reflect on the sacrifices that have been made by degrading the day of November 11 and turning part of it into a shopping day which it will become. Much the same way we saw when the government tabled its Sunday shopping legislation here, I believe that this is going to create just a further erosion of what November 11 is supposed to be all about.

So with those few words, Mr. Deputy Speaker, I am prepared to let other members of the House have the opportunity to add their comments to Bill 50, and I look forward to this bill proceeding to committee for any members of the public that may be interested in coming forward and adding their thoughts to the government's Bill 50 and to the comments that I know that I have heard from members at Branch 7 in Transcona.

So with those few words, I yield the floor to other members who may wish to add their comments.

Mr. Gord Mackintosh (St. Johns): Mr. Deputy Speaker, the dominant purpose of this bill is to allow for wide-open shopping after one o'clock on Remembrance Day. There are several people in this Chamber that have been wearing poppies. I thought, after I spoke to the wife

of a vet today, that those individuals should remove those poppies as they move towards passing this bill.

This bill is disrespectful. That is what that individual said to me. It is disrespectful of those who have sacrificed their lives for peace. This is not a labour-management issue; this is a community issue. We are not, as human beings, just workers; we are not just consumers; we are not just entrepreneurs; we are not just investors; we are fathers and we are mothers; we are brothers and sisters and grandparents. We are mentors, we are pals, we are artists, we are musicians. Some are social activists. We cherish recreation, entertainment. We are hobbyists, and we are creators. Mr. Deputy Speaker, we are mourners, we are pursuers of peace.

How better to express what we are by time out from the marketplace? How many times do we as human beings have to get out of the way of business?

We have grave concerns about the shop-till-you-drop mindset. In our view, shop-till-you-drop and Remembrance Day do not mix.

Remembrance Day is not a religious day, but it is a spiritual day, one that crosses cultural and religious lines. It has been a day off that unites us and brings us together, even unlike many religious holidays which are not recognized to the same extent today as they once were, and for good reason. It is because of the cultural and religious diversity of our communities.

* (1620)

Why must the marketplace dominate each and every day, as someone said, even till 9:30? Personal salvation cannot be found at Garden City Shopping Centre. More likely it will be lost.

Commercialization to the extent that it dominates our lives today is, I believe, having a negative effect on families. It skews our time that is available for others, rather than things. It skews our human values. Buying things, things, many of which are not needed, things that we are told we need, though, by advertising, by peer pressure and a commercial culture does not need to be facilitated to an even greater extent. It is time that we assert community values. It is time to assert family values. This is not a time to further abandon those values for those incessant demands of the marketplace.

The president of one of the Legions in my community told me, and I cannot repeat this word for word, but he expressed what I believe is the firm understanding of many Manitobans, and he said, *gol dern, greedy, bloody business. Commercialization, where will it end?* he asked.

So out of respect for those lives that were sacrificed, that were lost, out of respect for the pain and the loss of families and loved ones, out of respect for peace, out of respect for our community and families, out of respect for our hopes and aspirations as beings, beings who cherish more than what the marketplace can offer.

We vote to maintain Remembrance Day, and we vote against what is the dominant purpose of this legislation.

Mr. Kevin Lamoureux (Inkster): Mr. Deputy Speaker, I too wanted to put a few words on the record with respect to this particular bill.

I listened very closely to what the member for St. Johns was saying, and, to a certain degree, I think that if there is an argument to be made about having a free vote, I would suggest to you that this is in fact a piece of legislation in which there should be some sort of a free vote inside the Chamber.

I listened to the member for Osborne (Ms. McGifford) articulate just to as why it is that she felt it was important to oppose this particular bill. I listened to the Minister of Agriculture (Mr. Enns) talk yesterday in terms of why it is that this bill should in fact be passed.

I guess ultimately what I would advocate for is that there should be some sort of a free, open discussion and allow individual MLAs the opportunity to vote in the way in which they feel somewhat fit.

Mind you, in listening to the member for St. Johns (Mr. Mackintosh), he tries to give the impression that one should be shameful if, in fact, you are going to vote for this particular bill. I do not necessarily agree with that. I do not believe necessarily that an individual should feel any disgrace or should be discredited in any fashion whatsoever because they want to be able to allow for commercial shopping on a portion of November 11.

An Honourable Member: Shame.

Mr. Lamoureux: The member says, shame, from his seat. I would suggest that if anyone should be feeling shameful, possibly the member for St. Johns, because what he is doing, Mr. Deputy Speaker, is that you have to take a look at where this came from. Where did the recommendations come from? Is he then implying the same motives for those individuals who made this recommendation? I would anticipate that that is what he is doing, because the bill, in essence, which the member is referring to is based on a recommendation from a group of individuals.

Let me just read the exact recommendation. The committee recommends wide-open retail and recreational activities be allowed prior to 9 a.m. and after 1 p.m. on Remembrance Day to achieve a better focus, so on and so on.

Who are the people who actually said this? Well, Bill Neil past national president of The War Amputations of Canada, chairman of Joint Veterans Association; John Gillis [phonetic], president of Korea Veterans Association, Manitoba Branch; Army, Navy and Air Force Veterans Association; Manitoba and Northwestern Ontario Command; Candace Bishoff, Winnipeg Chamber of Commerce; Dave Hillis, command president, Manitoba-Northwestern Ontario Command of the Royal Canadian Legion—and I would suggest that he take a note of this one—Harry Mesman, Manitoba Federation of Labour; Jim Forestell, First Vice-President of Manitoba Chamber of Commerce; and Judge John Enns as the Chair. That is where the recommendations actually come from.

This is something which should not be based on political parties. Rather, Mr. Deputy Speaker, it should be based on what one feels morally or ethically as an MLA after consulting with their constituents in terms of how they should be voting on such an important issue. I would argue to those who would say that this is a bad bill that if you consult and talk to people who are around it, what are their biggest concerns? Well, to me the biggest concern is recognizing and never forgetting those who have put their lives on the line, and many have lost their lives, and those who return, not to ever forget what they went through and to appreciate and value that in the best way in which we can.

Well, I would argue that setting aside time is one of the ways in which we can address that issue, but that in itself

does not have to be the end or be it all end it all. If the member for St. Johns, for example, wants to be able to have a special riding report within his schools and then go through it and award certain prizes for individuals who write the best stories about the war vets, there are literally hundreds of ideas that are out there if the member wanted to talk to some of the war vets.

I went through boot camp prior to going into the military, and one of the things they say is the best thing you can do for your country is put your life on the line and the type of things in which they tell you that you should be prepared for when you get into the forces. I have marched on Remembrance Day in the past and have participated on Remembrance Day. What is important is not the entire day, what is important is the symbol of having a very strong sentiment that is left for all Canadians to be able to spend some time and deal with what has happened.

What we are saying or what the bill is recommending, of course, is between nine o'clock and one o'clock, where there is no commercial shopping, that it still allows for the time to put the wreaths, which is so very, very important. But to a certain degree, sure it is sad whenever we see a full day shrunk down to a half day, and many would say, well, now is that half day going to be shrunk down to no day? I think that is a valid argument and a valid concern, but I would suggest to you that there were many commercial businesses and companies that violated the current act. Not only did they violate it in the last year—

An Honourable Member: Enforce it.

* (1630)

Mr. Lamoureux: And the member for St. Johns (Mr. Mackintosh) says, enforce it. When Howard Pawley was the Premier of the province, he did not enforce it.

An Honourable Member: Start now.

Mr. Lamoureux: Start now. Well, you know something, we have to be realistic to a certain degree. We have to open our minds and find out what it is that are fair expectations.

One could ultimately argue, why not have a full week? It is a worthy cause. No one would deny the fact that

remembrance of our war vets is not worth a week of celebration or memory or whatever it is that one might want to classify it. To what degree is it that you want to designate time? I would suggest to you that it is important to have time designated. I see that this bill is still respecting that time designation. If I felt that the government did not go out and consult, because that is something in which I have stood up on so many bills, and, yes, the governments do, is go out and consult, it would appear that they have consulted on this particular piece of legislation.

What is more important to me at this point in time is that we do what we can as legislators to ensure that there might be other vehicles in which we can ensure that people are not going to forget, because I take a great deal of pride and do spend time on November 11, as the member for Osborne (Ms. McGifford) talked about her family day and how she reflects on November 11. What is important is that we as community leaders allow for individual constituents, and whether it is through educational programs, whether it is through the laying of a wreath as an MLA or whatever it might be, the promotion of that, and not to necessarily be caught up in terms of eight hours versus three hours or four hours or 12 hours, whatever it might be.

I believe to a certain degree that the government in this area, and trust me there are very few bills that this government actually does any consulting on, but it would appear as if they have done their homework on this particular piece of legislation. So what is important from my perspective is given the moral issue of this particular bill, is that why not allow MLAs to vote with their conscience on it? If that was the case, I would tell you that I would be voting for it. The reason why I would be voting for this legislation is because I believe that this piece of legislation will be easier for the government law agencies, if you like, to ensure that the public is adhering to and the commercial businesses and so forth. I believe that it is going to be an easier piece of legislation and to me that is important. When I was first elected, I remember a speech from the Minister of Agriculture talking about scofflaws, and how far too often laws are somewhat ignored.

Well, it is important from my perspective, if we are designating some time, that that time be respected in its entirety and I believe that because you are talking about

a set time frame of nine o'clock till one o'clock that we will be able to achieve the obligations of following this line no matter what sort of commercial business that you are in. That is important to me. The idea of still being able to recognize our war dead, in particular those who have lost their lives in defending our great country, is something that is important not only to me, it is important to everyone inside this Chamber. I think each and every one of us would have ideas on how we can ensure that those who have lost their lives had some meaning to it.

Much like when I visited the House of Commons, they turn the pages of the war dead, and what we do here in Room 200 in recognition of those Manitobans who have lost their life. There are many different things that we can do as legislators to ensure that future generations never forget the cost of war. I do not take great offence to the same degree obviously as the member for St. Johns (Mr. Mackintosh), but I do resent to a certain degree how the member for St. Johns tries to imply that I should feel shame because I feel this is a responsible way of doing it. I believe that if you take a random group—and I would put the challenge to the member for St. Johns—of individuals and we sat them down, even constituents that he represents, a random group, not a select group, and we can talk about how a random group can be drawn and sit down and explain to them the pros and the cons and other alternatives, that this is a bill that would get their support, because it is not like the government decided, well, jeez, we are going to reduce these hours.

When you take a look at some of the names that are on here and trusting that these individuals are not speaking a personal opinion, that they are reflecting the wishes at least in most part of a majority of people which they claim to represent—the member for Osborne (Ms. McGifford) yesterday talked about her particular legion. I was not there, nor were other people there and we do not know in terms of what biases might have been put there, if any biases at all. Maybe it is a well-founded, reasoned, rational argument as to why it is that there should not be any change. I do not want to question the motives in that. If that is what the member for Osborne really and truly believes, then that is the way she should vote on this particular piece of legislation. But if the member for Broadway or the member for Flin Flon or the member for Wellington really and truly believe that this is a reasonable way to deal with Remembrance Day, and

it could make it that much more of a sense of awareness because I know some people, unfortunately, look at it as more of a day off of sorts. That is unfortunate and quite sad.

I believe that the emphasis should be on, not on having a day off, but in remembrance, and if that remembrance can be achieved and there has been a consensus on that nine o'clock to one o'clock, then why not allow for it? I do not think that there is any shame in those individuals that want to be able to attempt to strengthen the importance of Remembrance Day between that nine o'clock and one o'clock, and we should not feel any shame whatsoever in being able to speak out.

Maybe what we should be doing is having other things occurring within the province in terms of heightening the level of education about what Remembrance Day is all about. I think that, in essence, if we did that, Mr. Deputy Speaker, that November 11 can be a better thing. The Minister of—I believe it is—of Natural Resources (Mr. Driedger) yesterday stood up, and he talked about the issuing of hunting licences and made reference in terms of how he is going to try to adjust from within his own department so that there is no hunting until after one o'clock.

I really and truly believe this piece of legislation will be that much better in terms of being able to ensure that there is full compliance out in the public, and that is what I want. I want full compliance, and through that full compliance you are going to get better recognition of the importance of our war dead and those who have risked their lives. That is more important to me than saying that it has to be a full day in which some people treat more as just as a holiday, but it should be complemented by—let us take the next step. Let us start promoting the war vets through different sorts of educational programs, and the one that comes to mind and that I have alluded to is having essay programs sponsored through different departments or through individual MLAs so that students—and those are the people whom we want to reach out to. You know, we all give out graduation gifts. Well, why not give out some sort of special awards for those individuals who can write essays or compose a story or draw pictures or whatever it might be? If we use our imagination, we can make a bigger event of it.

As I indicate, I would personally love to see this particular bill come to a vote, and I would like to be able

to see members vote without having to adhere to party discipline so that in fact what we would see as a reflection in terms of what I believe a vast majority of Manitobans would want to see. I feel very comfortable in being able to defend my position to my constituents as long as they are not giving a biased position. I believe that what has to happen is both arguments have to be presented, and that is why I say to the member for St. Johns (Mr. Mackintosh) that I would assist in arranging a random group. I believe I am very comfortable in my thoughts that, if in fact that were to occur, a majority of people would agree with what the recommendations brought forward by the individuals such as Bill Neil and John Gillis [phonetic] and Harry Mesman and Dave Hillis and others—Judge Enns. I trust and hope that they did their homework.

* (1640)

Sure, there are going to be exceptions. There is no doubt about there are going to be exceptions. But you know something, if three years from now, we have better and higher recognition of Remembrance Day as a result of this piece of legislation, it would then be interesting to hear from the member for St. Johns. I think that there is a very good likelihood of that occurring. I do not believe for a moment that it is going to be any worse just because you have reduced the hours. One could take it from the vets—and I know the member for Wellington (Ms. Barrett) is being very patient as she waits for me to sit down, because I know she wants to be able to say a few words.

But we could talk about the commercialization of many different events. We could talk about the commercialization of Christmas, the commercialization of other celebrations throughout the year, especially if you take a look at all the different ethnic groups that are out there, and there is commercialization of so many different things. What is important is the message that we are trying to get out. In this case, it is with respect to Remembrance Day, that it is in appreciation of the efforts of those who fought in previous wars representing Canada and the sacrifices that they made and to ensure that we do not forget about that. Mr. Deputy Speaker, that is a very worthy day, and it is a day that should not go by without some sort of acknowledgment, and I believe that this particular, if anything, will in fact further enhance. The question is, will there be more of a

concentration within those four hours, five hours? I think that is going to be the big unknown.

I hope and trust that there will be because it is absolutely critical that we never forget the contributions or what we have today is only because of what those so bravely fought for us in earlier years. I know myself, as a former person within the military and as I have indicated someone that has marched in the parades and has talked to so many people, so many war vets, whether they were in prison camps or if they had good friends that literally died virtually in their arms, I recognize, I remember, I am not going to forget. I do not believe for a moment that this bill is going to lessen the degree in which people are going to remember these people. Hopefully what will happen through this particular debate is that we will see an enhanced time frame in which people will get more involved in the process. I commend the minister on bringing forward the bill. I personally would be voting for it.

Hon. Darren Praznik (Minister responsible for Native Affairs): I thank you for the opportunity to make some comment on this particular piece of legislation that is introduced by my colleague, the Minister of Labour (Mr. Toews).

This particular issue is one that I struggled with when I was Minister of Labour over a number of years because, quite frankly, The Remembrance Day Act, as it currently stands on our books, presented a number of difficulties that, quite frankly, we as a society had to address. I know in the period in which I relinquished that portfolio for the member for Rossmere (Mr. Toews), as the work was already at hand, I believe, in discussions with various people, there were some discussions. The new minister carried that forward and developed, I think, a very good approach to revamping our Remembrance Day legislation. Let me assure members, let me assure members of the public of Manitoba, that the intent was in no way to diminish in any way the importance of Remembrance Day. It was never intended. Nor does this bill, I think, diminish Remembrance Day.

What it was designed to do was work out some of the problems that time had brought on the old legislation. I remember the one that was brought home to me particularly year after year, and that is theatres versus video shops. Under the current legislation, one could

open a motion picture theatre. You could show movies on a big screen in a theatre under our current Remembrance Day Act after a certain time in the afternoon, but you could not rent a video to watch the same movie at home.

In fairness to the drafters of the legislation as it now stands, when it was drafted, movie theatres were a form of family entertainment that were viewed to be appropriate on that day in the afternoon and evening. Videos did not exist. They were not contemplated. So a new technology and a new product, quite frankly, resulted and required some updating of this legislation. There were problems on the retail sales market too, because when the original legislation was drafted, the kind of stores that we would sometimes call convenience stores would be open to supply some basic product, bread and milk. That type of product to individuals on these particular days were much more limited than they are today, and there was a sense that this had to be updated.

Now one of the reasons it took some time, I think, to come to grips with it, and I commend my colleague because this is one of the issues that he has inherited from me—I am done, quite frankly. I am very pleased to see that he has been able to move on this—was finding a mechanism or a vehicle in which one could have consultation with veterans' organizations, with people who as we do, I think, on this of the House very much respect Remembrance Day and what it stands for. He has done that. He has managed to find a consensus on some of these relatively small changes that are needed to update our current legislation.

What troubles me in the debate—and I certainly can appreciate a debate as to the detail of how we work out a day—but when I caught the remarks of the member for St. Johns (Mr. Mackintosh), you know, we come to this House, I think some with reputation, some without, but in hearing the remarks of the member for St. Johns, I have to admit that I somehow get a sense of a self-righteousness on his part that should not enter into this debate. The member seems to imply in some ways that members of this House of this side somehow want to diminish the value of Remembrance Day and the service of Canadian service personnel through a number of wars, in the service of Queen and King and country over this century and before and diminish it.

There is no way that is what we want to do, and I find it somewhat even bordering on hypocritical when I hear that from a member of his party. I remember during the Gulf War, when our country was called upon as part of the United Nations to supply men and women of our armed forces in our Navy and in our air service, one remembers the Canada Dry air station that was in Saudi Arabia as part of the assault on Iran. Our service personnel, operating under United Nations mandate to put an end to an illegal invasion of another United Nations member, doing everything properly as those of us who love peace in this world have set up through the United Nations, and I remember now colleagues of the member for St. Johns opposing that war, opposing the Canadian participation, opposing Canada's involvement in a very important struggle to ensure that the bullies of this world were not free to invade other countries.

An Honourable Member: Well, that is a lousy—

* (1650)

Mr. Praznik: Now I just say this, the member says, it is lousy, but I remember it well. I remember the debate I had with some of the members colleagues on the steps of this Legislature. So I only raised that because if we are going to get into this debate today and pretend to be holier than thou on Remembrance Day, then let us at least recognize the position that many took on that issue.

I am not disagreeing with their right to take it. They had the right to take that position. They had the right to oppose our involvement. They had the right to picket and demonstrate as many did, but the fact of the matter is do not stand up here today and try to pretend one values that contribution of service personnel when one's colleagues were taking a very different position when Canadian men and women were called upon to serve in that United Nations' effort. I think it is important to remember that today. That is a matter of public record, Mr. Deputy Speaker, and I think it is important given the comments of the member for St. Johns.

One anomaly in our Remembrance Day legislation that I wish we would correct, but it is not within the jurisdiction of this Legislature to do, is the operation of Remembrance Day for people in federal jurisdiction. The largest employer in my constituency is the—well, was, I guess, Atomic Energy of Canada, now Pine Falls Paper

Company would probably be the largest—but AECL is a federal institution under federal jurisdiction, and they never took Remembrance Day off. They never had a day off to allow their employees to attend a Remembrance Day service, because the Parliament of Canada in exercising that jurisdiction has provided quite frankly nothing for people in federal jurisdiction. So I think one has to put that in perspective.

If I could send one message to our colleagues in Ottawa on this issue, I would think that ensuring that people who worked in federal institutions and within federal jurisdiction were afforded some reasonable opportunity on November 11 to participate in Remembrance Day services across our province and across the nation, and that is a message I hope that is conveyed to the Parliament of Canada. So when one compares us to what our national government, our national Parliament, quite frankly, has done, I think there is the area that needs to be addressed in respecting this particular day.

One last comment that I would like to share, Mr. Deputy Speaker, with members of this House is Remembrance Day in my own constituency. If there is ever a time in which I am very proud of the people I represent—I am proud on many occasions—but this is one where every year that pride is renewed. Our largest Remembrance Day service in my constituency is in Beausejour each year, the largest community, and I would guess that we have at least 300 to 400 people attend that service every year.

(Madam Speaker in the Chair)

What is amazing about it is the age of the people who come. It is not just veterans. It is not just the spouses of veterans or the children of veterans, but it is the numbers of young people who come, young families who come to that Remembrance Day service to pay tribute, it is the number of cubs and scouts and guides who also participate. When I see that I am reminded that there are still many, many, many people in this country who respect the institutions, the history, the traditions, the sacrifice and the service of the men and women who served Canada and the British Empire on many occasions throughout this century and before in service in a variety of wars and engagements and peacekeeping activities throughout the world. To see those many people gather, of all ages, is truly a tribute to Canadians and

Manitobans and my constituents in their respect for this day.

Throughout my riding the great problem as an MLA is trying to be represented or be at all of these services. We have services in Garson and Tyndall and Beausejour, in Lac du Bonnet, in Pine Falls. We have various events at our Legion facilities which attract many, many people who participate in that day.

We also have a number of churches in my constituency, the United Church in Beausejour being one that has a very family-oriented fall supper later in that evening.

If I can make one observation about Remembrance Day in my constituency, and I think it fits in with the spirit of this legislation, the morning has become very much an opportunity for people to participate in ceremonies and services.

The afternoon, because we still have legislation that has the closure, although this does provide, I think, for a modernization of that somewhat, but in a very limited way, it allows you to rent a movie instead of just going to the theatre, it has meant that the afternoon, whether people are at Legions or various activities, and the Legions have been very, very strong in having family-oriented activities during the day.

This has become very much a family day, and my little two girls who attend these with me, I always get quite a kick out of their enjoying the old war songs that they sing at the Beausejour Legion and that they are learning a sense of history and a sense of respect when they attend those events during the day.

So if you ask my personal observation, I think Remembrance Day, the latter part of it, has become very much a family day, certainly in my area, where because we do not have the wholesale kind of opening of other provinces it allows people to take in the events of the day, to reflect and remember and spend time with their family and their neighbours and with many of the veterans who served this country. That is a very, very good thing that I hope continues.

What this legislation does, quite frankly, is, I think it updates the rules somewhat to meet the changes that have taken place and focus activity to continue to support that

kind of day, and it is because we have—my colleague, I give him full credit, has taken upon himself to refocus this and update this legislation. I think it takes away the pressure that is there to repeal it, and there has been pressure from time to time by those who have looked at the anomalies in our law and said, why should we have this bill? Why can you go to a movie but not rent a video? Do away with it. I heard those cries from some quarters when I was minister. I think this takes the pressure from those circles off and, quite frankly, allows this day to continue for the great benefit of all Manitobans in giving us an opportunity to reflect and show respect for those who served our country and appreciate the sacrifices that Canadian men and women have made over the history of our country in the service of others.

I thank you, Madam Speaker, for the opportunity to make this comment, and I am reminded as I stand here that I make it in a free Parliament in a free country and that freedom truly was won on the battlefields of the world by the people we pay tribute to and honour on Remembrance Day on November 11. Thank you.

Mr. Dave Chomiak (Kildonan): Madam Speaker, I had not intended to participate in this particular debate because I had felt that the representations made by members of this side of the House were appropriate, but I am disgusted by the comments of the member for Lac du Bonnet (Mr. Praznik). I accept that member's right to defend the bill. I accepted the member's right—the member for Inkster (Mr. Lamoureux)—to make his comments about the bill. I do not agree with the member for Inkster, but I accepted his right to make that comment. On some points I agreed, and on some points I disagreed.

I also listened very carefully to the member for St. Johns (Mr. Mackintosh) who gave a very heartfelt representation based on discussions that he had had with constituents and with participants.

But, Madam Speaker, the Minister for Northern Affairs, the member for Lac du Bonnet, went way beyond the bounds of decorum in this House by suggesting that somehow patriotism and somehow the support or the nonsupport of the Gulf War, attributing support or nonsupport to an individual somehow makes an individual either a hypocrite or not capable of having a

position on this particular important issue, and that is totally inappropriate.

Madam Speaker, there are Ukrainians that spent time in internment camps because of that kind of attitude. There are Japanese that spent time in internment camps because of that attitude. That is not appropriate for a minister of the Crown nor for a member of this Legislature to question anyone's patriotism or anyone's ability to speak on a bill based on their support or nonsupport of the war or other war, and if any member should be cognizant of that, it ought to be the member for Lac du Bonnet.

I do not want to get personal, but the member ought to know better than to question the patriotism and to base a judgment based on this individual's patriotism for making a decision that is heartfelt and is a matter of conscience.

Madam Speaker, there are all kinds of bounds we can go beyond, and the member for Inkster (Mr. Lamoureux) disagreed heartedly and made arguments on a number of points for the member for St. Johns (Mr. Mackintosh), and I accepted that, and that is legitimate. But to question someone's patriotism and to question someone's right to make a decision based on their patriotism is totally inappropriate, and I am offended by that. I am offended because I am someone of Ukrainian background who had friends and relatives that went through that experience in this country, and I know people of Germanic background who went through that, and I know people of Japanese background who went through that. That was based on patriotism, and that is one of the worst forces in society. That is one of those forces that can turn individual against individual. That is totally inappropriate for this Chamber.

* (1700)

Madam Speaker, I accept the fact that this bill was based on compromise and on consensus. That does not detract from my right as a member in good conscience to oppose aspects of this bill, and I agree with the member for St. Johns as to why we ought to oppose aspects of this bill, particularly the commercialization on Remembrance Day.

Madam Speaker, I remember from childhood onward how we have moved away from the recognition of Remembrance Day to what we are now, and I am very

concerned about the erosion. I am very concerned that it is now business as usual. As the member for St. Johns so eloquently put it, there is probably no national holiday in this country or no other event that brings Canadians together as does Remembrance Day. If we lose that, we lose not only part of ourselves and our history, but we lose recognition of where we were at and the sacrifices that brought us to this point.

So, Madam Speaker, I join with the member for St. Johns and other members in my party in opposing this amendment. I recognize that there are good reasons for making some of the changes. I do not accept the reductionist argument that, because it is unfair to not have other activities contained within this act, we remove all the controls on those activities. I disagree with that. I believe strongly that this ought to be a day for Canadians to fully recognize and for Manitobans to fully recognize, not just the losses, not just the sacrifices, but the very important freedoms that we cherish in this country, and the very important rights of society that we have in Manitoba, and recognize the fact that we are fortunate indeed, and maybe it ought to be more a day of reflection on those points.

Nonetheless, I join with my colleagues in opposing this amendment for the reasons eloquently stated by the member for St. Johns (Mr. Mackintosh), and I call upon the member for Lac du Bonnet (Mr. Praznik) to reconsider his statements and to reconsider in the context of some of the worst aspects of Canadian history that have occurred in this century. Thank you.

Mr. Steve Ashton (Thompson): Madam Speaker, I commend the member for Kildonan (Mr. Chomiak) for his, I think, very eloquent defence of the right of all of us to speak on this particular bill.

I say to the member for Lac du Bonnet that I also took some offence at his characterization of the member for St. Johns for being self-righteous. Perhaps the member for Lac du Bonnet and any other members who are considering voting for this particular legislation should talk to some of the veterans, members of Legions and Army, Navy, and Air Force Branches in Manitoba and ask them for their opinions.

That is what—[interjection] Well, to the member for Sturgeon Creek (Mr. McAlpine), if you would just listen

for a second, the member for St. Johns has talked to his constituents. When he speaks today, he speaks from the heart, not only personally, but also on behalf of many of the people in his constituency.

I want to say, Madam Speaker, that I would urge the government, on this bill, to allow its members to vote without the party Whip, to have a free vote on this. I say this because I do not think there should be anything to do with Remembrance Day that should have a party Whip forcing the government member or any member of this House to vote on this particular bill.

Madam Speaker, I want to say why I oppose this bill, why I feel it is, I think, going to set a terrible precedent in terms of Remembrance Day. I oppose the commercialization of Remembrance Day. Remembrance Day is not a holiday; I do not want to see Remembrance Day sales taking place at the mall. Quite frankly, to the member for Lac du Bonnet and others who talk about, well, this store is open and that store is open, you do not throw out the entire concept of Remembrance Day, of shutting down the province for all except the most essential items; you do not say, well, because you can sell videos but you cannot have a movie theatre open, let us open the floodgate to anything after one o'clock.

Madam Speaker, one of the things I feel proud about in Manitoba is when on Remembrance Day we do recognize that sacrifice, not just at eleven o'clock, not just for a minute. You know what, I cannot think of a better tribute to the people that sacrificed their life than that. I know that this is not just an issue—I am not questioning anybody on the other side in terms of their sense of Remembrance Day, but I want to say that I have heard too that some people have suggested that other provinces do not go as far as we do. Well, quite frankly, I do not care about the other provinces.

One of the most moving experiences that I have had personally was when I went to France a couple of years ago, and I went to the D-Day beaches. You know what, Madam Speaker? If you drive up to the D-Day beach, the first thing you see is a huge monument to the Royal Winnipeg Rifles.

It struck me that in France 50 years-plus there is a monument to those Canadians who did not have any personal stake—they were not defending their homes

directly—who were fighting to liberate the people of Europe. They gave their lives in France and all over Europe and in the Pacific theatre as well. When I was there, I always said that the one thing I would never, ever forget is that, and the one thing that I would always do is treat Remembrance Day as being sacred.

Probably the best thing I can say is, there is an individual who used to live in Thompson, and I think he summed up what Remembrance Day was all about. He was too young to serve in the war; he served in the military afterwards. He said if there was one day that was sacred to him, it was Remembrance Day. That was the one day when everybody stopped and paid tribute to those veterans. He said it is the one day his dad never ceased to break down in tears in memory of the people who had given their lives for what we value. He said there is one thing he hopes, that he never sees the day in his lifetime when we lose that and when Remembrance Day becomes just like any other day.

Madam Speaker, I believe in all my heart that this bill fundamentally changes the character of Remembrance Day. I believe it will commercialize Remembrance Day. I do not want to see that happen in the lifetime of the person I just referenced, nor in my lifetime, nor at any time, and I would urge all members of the House to vote against this bill and preserve Remembrance Day for what it is, a day like no other that recognizes something that has no other equivalent, the people who sacrificed their life for this country. The least we can do in their memory is not to have this kind of commercialization of Remembrance Day.

Madam Speaker: Is the House ready for the question? The question before the House is second reading of Bill 50, The Remembrance Day Amendment Act. Is it the will of the House to adopt the motion?

Some Honourable Members: No.

Voice Vote

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

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

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

Mr. Steve Ashton (Opposition House Leader): On division

Madam Speaker: On division.

Bill 17—The Government Essential Services Act

Madam Speaker: To resume second reading debate, Bill 17, on the proposed motion of the honourable Minister of Labour (Mr. Toews), The Government Essential Services Act; (Loi sur les services gouvernementaux essentiels), standing in the name of the honourable member for Wellington (Ms. Barrett).

Is there leave to permit the bill to remain standing?
No, leave has been denied.

* (1710)

Mr. Daryl Reid (Transcona): Madam Speaker, I am pleased to rise and add my comments on Bill 17, The Government Essential Services Act. This bill was brought forward by the Minister of Labour (Mr. Toews) back in the spring of this year, back in April, at a time when the provincial government was embroiled in the home care dispute that was taking place in this province. The government, sensing that they did not have the ability to take actions that they needed to take to restrict and tie the hands of the one particular union in our province, the Manitoba Government Employees' Union, the government decided that they were going to unilaterally bring in a piece of legislation, which they have tabled, Bill 17.

The government likes to tell us that they are doing this to protect the people of our province, and that it is necessary to have this particular agreement, but I find that this legislation is offensive in many ways. We have seen a demonstration by the number of pieces of legislation that we have seen from this government during this session. Out of the 76 pieces, there are quite a number that are what we would consider to be antidemocratic. I have referenced these bills in the past here, whether it be Bill 49 or Bill 54, which is now amended thankfully, to have some recognition. At least there was one minister

that sensed that there was an antidemocratic portion of his bill and made the necessary corrections through amendments. Unfortunately, the other bills, Bill 49 and Bill 73, Bill 72 to a large degree, Bill 26 which we just concluded public hearings on last night, are all antidemocratic, and this Bill 17 is no different than those other antidemocratic pieces of legislation.

The government wants to have the ability to make the decisions without any consultation. They want the ability to control the very lives of the people that work in government services, and I am not referring specifically to the department but all of government services, all the public sector. This government has in the past had the opportunity to negotiate an essential services agreement for those services that are essential during work stoppages in health care facilities. Now, if the government, you would think, was really serious about ensuring that all these services were protected in the province, they would have sat down with the democratically elected representatives of the MGEU and negotiated to an agreement that would recognize that there are certain services in our province that must be maintained during strike or lockout.

Instead of that, what the Minister of Labour (Mr. Toews) and this government attempted to do was, four days before the home care dispute started, this government said that they wanted to commence negotiations and then used that as the ploy for bringing forward Bill 17. So they did not have the intestinal fortitude or the will or maybe even the understanding that they should commence negotiations on essential services prior to a dispute, which was obviously looming, because the government knew quite clearly what their hard-line stand was going to be since the Minister of Labour was also responsible for the Civil Service Commission that conducts the negotiations with various labour organizations in this province. So the Minister of Labour knows full well what the government's position was going to be and that he and his government were going to be in a particularly difficult situation and should have commenced negotiations for essential services with the MGEU and other organizations long before the four days prior to that particular work dispute took place.

Now, if you take a look at the agreement that has been struck between the government for the maintenance of services in health care facilities, one can see quite clearly

that there is the ability, and this was signed off back in, I believe it was, 1989, this agreement was signed. What is now the MNU, Manitoba Nurses' Union, was MONA at the time, was the acronym for the organization, sat down and developed a voluntary essential services agreement. So we know it is possible for the government and the unionized workforce, the MGEU and MNU and UFCW and any other organization that is involved in providing essential services and have members providing essential services, we know it is possible to have essential service agreements worked out.

The document that I have here in my hand is dated December 3, 1987, so it is an umbrella essential services agreement. We know that it is possible to negotiate these agreements and that it would protect, as this agreement states quite clearly, where there is life and limb that are at risk, those services would be maintained. Now we support the provisions of essential services being negotiated and that they should be negotiated where life or limb are at risk, but what this government chose to do instead was to play politics with this issue, and only four days prior to the home care dispute decided that they wanted to go to the negotiating table in, I believe, a way in an attempt to try and delay the decisions that had already been made by the MGEU members.

Now, if you take a look at Bill 17, and I know that the minister tried to lash out at the union at the time back in April of this year, and he tried to deflect criticism that he was receiving for mishandling the situation knowing full well that he had been the minister for the better part of a year and that he should have at least made the necessary steps to commence negotiations prior to the disputes occurring, but he did not do that. Of course, he was trying to deflect that criticism and turn it back onto the MGEU members and saying that they did not want to negotiate. I mean, who in their right mind would want to negotiate something when the decisions have already been made by the membership and those negotiations should have commenced much sooner?

We find in Bill 17 there are several provisions that are in a sense dictate and follow very much in the pattern that this government has developed with their other pieces of legislation, which I mentioned here a few moments ago. This government likes to dictate to people what services are going to be covered under the essential services agreement, and then there is an appendix attached to this

bill that lays out quite a number of departments that the government sees should be part of the essential services.

Now, I am not saying that we disagree with the number of areas that should be included under the essential services agreement because there are some in here obviously that one can state quite clearly should be part of essential services, essentially in the areas of health care facilities, child and family services for example, Emergency Measures Organization and the staff that are in those departments, which would include air ambulance, et cetera.

There are many areas that could be included, but I think should be negotiated and not imposed, because through Bill 17 the government here is attempting to dictate once again, as they have through other pieces of legislation, where they want to have full, complete control over all the decisions that are made.

Now, one of the clauses in Bill 17, and I know we are to talk to the principle of the bill itself, but one of the things that struck me immediately upon reading this bill was that the Premier himself, and/or his designate, which would in many cases be the Minister of Labour or any other minister of the cabinet, makes decisions to declare the service as an essential service, so this Premier, on any day and quite likely on cabinet day, so every Wednesday of every week of the year, has the ability to go in and say, well, what service should we declare as an essential service this week? That is the power that the Premier has; that is how broad it is. The Premier will be able to determine through regulation and to declare any service that that person as Premier feels should be under the essential service agreement. There is no requirement for the Premier or the cabinet or the Minister of Labour to go out and to negotiate this with the various organizations, with the working people of this province. The Premier himself will determine in a unilateral way.

This piece of legislation, Bill 17, will prevail over any other regulation or collective agreement or any arbiter's award, so it has complete power over any negotiated agreements. The Premier, through the powers that he will now be giving to himself through Bill 17 and through the Minister of Labour to the Civil Service Commission, will have the power to serve notice upon the union setting out the classifications for the employees who must work for essential services during a dispute, will also be able to spell out the number of employees in each classification

that you want to work. Not only that, it will even go as far as naming the people, by name, that you want to work in those different operations or functions. So you are taking it down to the finest degree possible in naming. While there may be many people in a particular department have the skills necessary to perform essential services, you are saying that you want to have the power to select specific individuals to perform the essential services.

* (1720)

The only powers that you are giving the representative body, the MGEU or other labour organizations, is the power to go to the Labour Board for a variation on the numbers of employees. That is the only power that you are giving to the labour organizations. They cannot appeal the classifications themselves. They cannot appeal the specific people that you are naming out, but they can only reference the fact in an appeal to the Manitoba Labour Board, the numbers of employees in each classification who must work during a work stoppage in the maintenance of essential services, and that the board itself, the Manitoba Labour Board, within 14 days after receiving that application, is going to have to make an order confirming or varying the number of employees. So 14 days into a dispute the Labour Board would be able to respond, but that is the only area of appeal that is available to the working people, to the employee representatives.

So, if you are a government—judging by the list of departments that are listed on the appendix attached to this bill, it covers almost all of government operations. So quite likely the government will have full and complete control to determine that any member of the thousands of people that are working for government in Manitoba, any of those people could be designated by the Premier to provide the essential services and that the Premier himself will make that determination with no ability to have to justify and not subject to appeal.

One of the things I also find offensive in this bill, and it deals with the pay and benefits for employees that are required to work under the essential services provision in this bill, is that the people that are required to come into work will work in accordance with the temporary—and I put that in italics—terms and conditions until the day in which a new or amended collective agreement comes into effect.

This bill does not spell out that the employees who are required to work under essential services will come into work and provide those services under the existing agreement that had been freely negotiated and agreed to by both sides, both government and the elected union representatives and their members, but will work under temporary terms and conditions that will be no doubt spelled out once again by the Premier or the Minister of Labour (Mr. Toews).

I think that this is wrong, that if you are going to require people to come into work under essential services, you should at least do it under the existing terms of the existing contract that would have expired. I mean, we know that contracts in many cases remain in effect until such time, in the legal sense, from my understanding, as they are superseded by a new collective agreement that would be negotiated, but in this case, the pay-in benefits would be only paid on temporary terms and conditions. So I think that there need to be some changes there.

There are several other provisions that I find offensive. One particular section says that under the essential services bill, under Bill 17, no essential services employee shall participate in a work stoppage against the employer. So what you are essentially saying in this bill is that while an employee would be required to come into the workplace under the essential services provisions, after the work hours, that individual is not free to take whatever steps they feel are necessary in their own personal lives which would or could include participation in a picket line in the after hours.

So what you are saying is, you are having full and complete control 24 hours a day of the lives of the people that you deem to be essential services personnel. You want to have complete control of every minute of that person's life. I do not think that is fair and reasonable, and I would expect that there should be some amendment in that area to recognize that after the work day is completed, people are free to make their own decisions on which activities they participate in.

The Lieutenant-Governor-in-Council, as well, which is the Premier (Mr. Filmon), is giving himself through this bill the ability to make regulations, as we have seen in other areas of legislation that this government has tabled, providing any direction to the Manitoba Labour Board that that board may require in carrying out its responsibilities under this act.

So the Premier will dictate to the Labour Board which direction the Labour Board should be going in, which I think is contrary to The Labour Relations Act of this province. It is my understanding that the Manitoba Labour Board is a quasi-judicial body and that they are free and independent to make the decisions and to consider matters that they deem are important and to render those decisions and that they should not be under the thumb of the Premier as is spelled out under Section 17 of this bill.

Also, through regulation, the Premier is giving himself and/or his designate the ability to make regulations on any other matter that the Premier or the Minister of Labour (Mr. Toews) considers necessary to carry out the purposes of this act. So what you have essentially done here is you have written yourselves a blank cheque to make whatever decisions you feel are expedient at the time and that you can overrule areas that have been freely negotiated and say that you do not have to abide by those collective agreements. I mean, we saw that in Bill 70, the steps that this government took with Bill 70.

We have seen it again on Bill 26, the unilateral and what some presenters have referenced as a dictatorial type of action, and we are seeing it again here, where we are having the Premier (Mr. Filmon) direct to the Labour Board and make directives on matters that need to be carried out. There is a fine level that is put in place under the offences and penalties provision of this bill, and every person that is in contravention, of course, will be subject to certain fines. There are also fines that allow for sanctions to be levied against other individuals that would be in breach of this act. There is also a section here that allows for cases of default of fines, where you have working people that have no ability to pay whatever fines may be levied as individuals, that gives powers to the Attorney General of this province to go and seize property of individuals, to seize any of the assets of the individual.

So this is a far-reaching bill that I think is unfair and that this government should have taken the necessary steps to negotiate an essential services agreement instead of taking the action that they have taken here. I would recommend to this government that they reconsider, that they seriously reconsider, what they have tabled here through to Bill 17 and that since we are in a period here now where there appears to be some labour-management

peace in this province, the government seize that opportunity to commence the discussions and negotiations for an essential services agreement that is freely negotiated between the parties and not imposed as this government has a tendency to do.

So with those words, Madam Speaker, we are prepared to allow this bill to proceed to committee to hear any members of the public that may wish to come forward and add their comments on this bill. I do ask that the government members consider very seriously the matters that I have raised and that they go back, they withdraw this bill and go back to the negotiation tables with their employee representatives and come up with an agreement that everybody can live with. With those few words, I thank you for the opportunity.

Mr. Kevin Lamoureux (Inkster): Madam Speaker, there are a number of things I was wanting to talk about with respect to Bill 17. It is in fact a bill in principle that I believe we can actually support. We have a great deal of concern. The idea of essential services and the importance of maintaining and providing Manitobans those essential services is absolutely critical. In fact, you might recall last year, when the Liberal caucus had argued that we wanted to see, if necessary, even back-to-work legislation--

Madam Speaker: Order, please. When this matter is again before the House, the honourable member for Inkster will have 29 minutes remaining.

The hour being 5:30 p.m., this House is adjourned and stands adjourned until 1:30 p.m. tomorrow (Thursday).

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, October 30, 1996

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