



Third Session - Thirty-Seventh Legislature

of the

Legislative Assembly of Manitoba

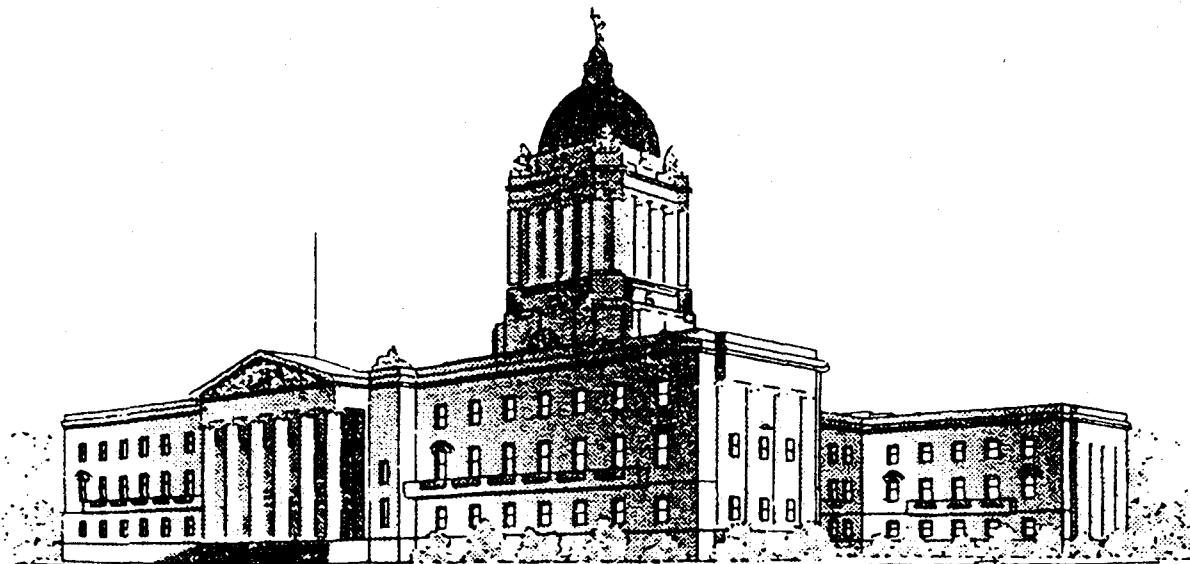
DEBATES

and

PROCEEDINGS

**Official Report
(Hansard)**

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The Honourable George Hickes
Speaker*



MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Seventh Legislature

Member	Constituency	Political Affiliation
AGLUGUB, Cris	The Maples	N.D.P.
ALLAN, Nancy	St. Vital	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
ASPER, Linda	Riel	N.D.P.
BARRETT, Becky, Hon.	Inkster	N.D.P.
CALDWELL, Drew, Hon.	Brandon East	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
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DACQUAY, Louise	Seine River	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary, Hon.	Concordia	N.D.P.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
FRIESEN, Jean, Hon.	Wolseley	N.D.P.
GERRARD, Jon, Hon.	River Heights	Lib.
GILLESHAMMER, Harold	Minnedosa	P.C.
HAWRANIK, Gerald	Lac du Bonnet	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSSEN, Gerard	Flin Flon	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LATHLIN, Oscar, Hon.	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
LOEWEN, John	Fort Whyte	P.C.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
MAGUIRE, Larry	Arthur-Virden	P.C.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MIHYCHUK, MaryAnn, Hon.	Minto	N.D.P.
MITCHELSON, Bonnie	River East	P.C.
MURRAY, Stuart	Kirkfield Park	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
PENNER, Jack	Emerson	P.C.
PENNER, Jim	Steinbach	P.C.
PITURA, Frank	Morris	P.C.
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REIMER, Jack	Southdale	P.C.
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TWEED, Mervin	Turtle Mountain	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, July 11, 2002

The House met at 1:30 p.m.

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Transcona-Springfield School Division

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

READING AND RECEIVING PETITIONS

Transcona-Springfield School Division

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

An Honourable Member: Yes.

Mr. Speaker: The Clerk please read.

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

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

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

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

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

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

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

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

INTRODUCTION OF BILLS

Bill 302—The Congregation Etz Chayim Amalgamation Act

Mr. Doug Martindale (Burrows): Mr. Speaker, I move, seconded by the Member for Riel (Ms. Asper), that leave be given to introduce Bill 302, The Congregation Etz Chayim Amalgamation Act; Loi sur la fusion de la Congrégation Etz Chayim, and that the same be now received and read a first time.

Motion presented.

Mr. Martindale: The purpose of this bill is to amalgamate three synagogues in north Winnipeg into one synagogue under the new name Etz Chayim.

Motion agreed to.

**Bill 203—The Labour Relations
Amendment Act**

Mr. David Faurchou (Portage la Prairie): Mr. Speaker, I move, seconded by the honourable Member for Arthur-Virden (Mr. Maguire), that leave be given to introduce Bill 203, The Labour Relations Amendment Act, and that the same be now received and read a first time.

Motion presented.

Mr. Faurchou: Mr. Speaker, Bill 203 will be distributed to honourable members this afternoon. Basically, the bill addresses a situation that has come to be known here in the province through Question Period, namely the vital rail link between Winnipeg and Gimli is in jeopardy by a clause in The Labour Relations Act, 58.1. This bill addresses that situation by requesting repeal of that particular section.

Motion agreed to.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, I would like to draw the attention of all honourable members to the public gallery where we have with us today students from the politics and mass media course at the University of Winnipeg. These students are under the direction of Mr. Donald Benham.

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

ORAL QUESTION PERIOD

**Thomas Sophonow
Wrongful Conviction Compensation**

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, Thomas Sophonow was tried three times and spent nearly four years in prison accused of a brutal crime he did not commit. Justice Cory, for whom all members have great respect, originally recommended compensation in the amount of \$2.6 million with no portioning assigned.

The minister at the time stated, and I quote, it is also my sincere hope that compensation will help in the healing process for Sophonow, whose

life has been, again, and I quote the minister, so deeply and tragically affected.

The Doer government is currently in court revictimizing Mr. Sophonow, wasting taxpayers' dollars fighting Mr. Sophonow's claim to the full compensation. Will the Premier tell Manitobans how much tax dollars and government resources have been spent fighting again Mr. Sophonow's case?

* (13:35)

Hon. Gary Doer (Premier): Mr. Speaker, I certainly know this Government established a commission of inquiry in co-operation with the chief of police who issued an apology to Mr. Thomas Sophonow. We subsequently announced the inquiry with Justice Cory.

Mr. Speaker, we did so for three very important reasons: (1) What went wrong and who was responsible; (2) what are the legitimate injuries to Mr. Sophonow and how can we deal with those injuries; and the third and equally important issue is how do we put measures in place so this never happens to any innocent citizen in the future.

Justice Cory, as I recall the report—my words may not be exactly in the report—recommended the compensation on the basis of two factors: (1) For the pain and suffering for Mr. Sophonow; and (2) to hold accountable the institutions of governments, federal, provincial and city, so that further investigations into the future that may affect anyone who may be innocent will be protected by individuals who would know there is a day of accounting in the future.

All three principles are very important for the Sophonow case. There is no question our money has been forwarded to Mr. Sophonow. The federal money has been forwarded. We are dealing still now with the Ministry of Justice and the City, but it is also very important to look at the broader issue of holding accountable all of us who are in public trust for actions we have taken in the past and putting in measures, consequences which are payments to make sure that does not happen in the future.

I know in the short term this is receiving, as it should, media scrutiny, but I hope we not only deal with the short-term issues of the pain and suffering of Mr. Sophonow, which we have done, but I hope we also stick to all the recommendations of Justice Cory. I would ask the Leader of the Opposition not to pick two of the recommendations from Mr. Cory but go with all three of them, as we are.

Mr. Murray: Well, Mr. Speaker, the fourth principle that the Premier should bring into this is to do the right thing and pay Mr. Sophonow.

The Association for the Defence of the Wrongly Convicted, through its national director, Joyce Milgaard, is joining their voice along with the majority of Manitobans that the Doer government's nine-month foot-dragging is, and I quote, disgraceful. It is time to do the right thing. Pay Mr. Sophonow the full compensation awarded by Justice Cory and bicker with the City afterwards.

The question is simple. It is all about a person's life and it is all about doing the right thing. This First Minister has the opportunity to do the right thing, and I ask him today: Will he do that and pay Mr. Sophonow, and worry about the bickering later, Mr. Speaker?

Mr. Doer: Mr. Speaker, we have paid our share and that has been forwarded. We have also paid considerable resources to have the inquiry itself, I believe over \$5 million; \$4 million was paid for the inquiry so that lawyers, Crown attorneys, justice officials and police officers could be represented.

Mr. Speaker, the issues here are very important. We think that the Justice Department and the City of Winnipeg are working very effectively to get this resolved, but we have an important principle here. Who is responsible for what went wrong, and what, also, do we do to make sure that that does not happen again?

Justice Cory recommended to this Legislature and to the people of Manitoba that we compensate Thomas Sophonow for the pain and suffering of his life, being charged. He also recommended that the issue of holding jurisdictions responsible for the miscarriage of jus-

tice that they were responsible for is a crucial part of not only dealing with the pain and suffering of Mr. Sophonow, but also making sure that when police officers, Crown attorneys, justice officials, people in the courts are dealing with a case in the future they will be very aware that if there is a miscarriage of justice at the front end, there will be consequences at a day of reckoning in some kind of inquiry later on. Those are very important principles.

* (13:40)

I agree Thomas Sophonow is owed the money. I agree totally, and our Minister of Justice (Mr. Mackintosh) has forwarded 100 percent of our responsibility. We want to resolve this, but we want to do it with both principles that are contained within the Cory report. We do not want to just settle this issue expeditiously, but with only half the principles resolved, Mr. Speaker.

Mr. Murray: Mr. Speaker, it appears that the principle of the Doer government is make sure the lawyers get paid, but Sophonow, he can wait. That is the principle that he is talking, and it is shameful.

Manitobans are getting sick and tired of this Government's approach to when the cameras are on to have the sympathy and the heartfelt approach to Mr. Sophonow; the minute the cameras are turned off, they turn their back on him. That is what the Doer government is doing. Tax dollars, government resources are being wasted at the expense of a man's career, his life.

I simply ask the Premier to do the right thing. He knows what the right thing to do is. He knows the right thing, Mr. Speaker, is to pay Mr. Sophonow fully and worry about getting the rest later. He has suffered enough.

Mr. Doer: Well, Mr. Speaker, Mr. Sophonow has suffered, and that is why we established an inquiry, but the Stoppel family also suffered. When the wrong person is charged, and over years the trail goes cold for the real killer of Barbara Stoppel, that is also a family and a community that has suffered. We want to make

sure in dealing with this issue that we not only deal with the pain and suffering, as recommended by Justice Cory, and 100 percent of our money has gone for Mr. Sophonow, based on the recommendations we have received.

We need no lectures from members opposite that when individuals were suffering from tainted blood they got nothing from the former government in terms of compensation prior to 1988. We need nothing from them.

Chevrier Boulevard Courthouse Usage

Mrs. Joy Smith (Fort Garry): Mr. Speaker, a few years ago when asked about the Chevrier courthouse this Justice Minister stated, and I quote: We now have a facility that is useless. It is in every sense a white elephant.

Does the minister still stand by this statement, or is he now considering using the courthouse for a Hells Angels mega-trial?

Hon. Gord Mackintosh (Minister of Justice and Attorney General): Mr. Speaker, the member opposite is often incorrect in her preamble and statement of fact. I think it was very clear we have said consistently that facility was a white elephant as a courthouse. It was not of use as a courthouse. It may well have other uses. It is a building and sometimes buildings have uses. We are looking for a use for that building.

Mrs. Joy Smith: Mr. Speaker, will the minister tell Manitobans what he intends to do with this courthouse, considering he clearly stated more than a year ago, and, I quote, the Chevrier courthouse is not needed.

If it is not needed, will the Justice Minister tell us what he plans to do with it?

* (13:45)

Mr. Mackintosh: Mr. Speaker, I ask members opposite to do the right thing and that is to get their facts straight in terms of what the record is, but what is important to note is the facility on Chevrier is a building that is held by the Ministry of Transportation and Government Services. That department, in consultation with the

Justice Department, has been looking for a use to make sure taxpayer dollars are not wasted on a facility that was constructed as a courthouse at significant expense which is not now useful as a courthouse for trials.

Now is there another use? I hope there is. I hope there is a use that can be developed in consultation. Right now there are consultations with outside agencies to make sure the taxpayers are at least getting something out of the investment in that facility.

Mrs. Joy Smith: Mr. Speaker, will this minister just admit the courthouse could be used for a Hells Angels mega-trial. In fact, there is a similar trial being held, taking place right now, in Montréal with a specially designed courthouse. Is this minister holding this issue up because politically he wants the courthouse to become a white elephant because he has made that political claim?

Mr. Mackintosh: Mr. Speaker, the nature of the question suggests members opposite in government interfered with professional prosecution decisions. The decision as to how to proceed to a particular—*[interjection]*

Mr. Speaker, members opposite love to hear their question, but they try to shout down answers so Manitobans will not hear.

Decisions about prosecutions and how many accused are dealt with in one trial is a matter that is dealt with by the prosecution service, by the professional people in the department. I might remind members opposite in the court case that was held at the Chevrier location, Madam Justice Krindle had ruled there should be no more than eight or nine accused in any trial.

Mental Health Care Facilities Sexual Assaults

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, recently we have heard that five mentally ill patients have been sexually assaulted in hospitals. Dr. Jack Kettler, medical director at the Selkirk Mental Health Centre, says, and I quote: It is not like it is happening on a daily basis, but it is not infrequent for allegations of abuse.

I would like to ask the Minister of Health to tell us how many sexual assaults are occurring on psychiatric patients in hospitals recently over the past few years, how widespread is the problem and why he is so secretive with bringing forward that information.

Hon. Dave Chomiak (Minister of Health): Mr. Speaker, I will attempt to deal with all three questions that were raised by the member in her long preamble.

I want to remind members that in the perfect world of the former Tory government the member talked about, there were cases of sexual abuse in psychiatric centres. I do not know if the member is aware of it, when she was the assistant to the Minister of Health at that time it was the perfect world, but it did occur then. In fact, there was a report in 1995, an inquest with respect to matters of that regard.

When allegations surfaced and came to light, as I indicated yesterday, there were numerous investigations that were launched, police investigations, Protection for Persons in Care internal investigation and an external review. With respect to Selkirk, there was also a review and police investigations, plus the deputy minister contacted all of the regions and all the facilities to ask for their protocols, to ask what systems are in place, to look at what could be done in the interim.

Mrs. Driedger: The minister definitely has not answered that question.

I would like to ask him why he has not ordered any changes to the system, why he has left everything status quo, because what is happening in our status quo health care system right now is patients are being sexually assaulted in hospitals. Why is he just accepting the fact that people are telling him, well, the policies are okay? They are not okay.

* (13:50)

Mr. Chomiak: Mr. Speaker, as I indicated with the one, two, three, four, five, six, seven, eight, nine separate reviews and investigations that are going on that are being co-ordinated by the Department of Health, as information comes in

changes are being made in that process. With respect to overall policies, we will review the overall policies and, if necessary, change them across the entire system.

One thing that concerns me greatly with the questioning from the member opposite is with respect to the allegations with respect to the occurrences. This has occurred in the past. Unfortunately, it will occur in the future. It is our job to do the best we can to protect the patients, minimize the risk and put in place the best practices today.

Some Honourable Members: Oh, oh.

Mrs. Driedger: Well, I would like to ask this—

Mr. Speaker: Order. I would like to hear the question from the honourable Member for Charleswood, please.

Mrs. Driedger: Thank you, Mr. Speaker. I would like to ask this Minister of Health: How is it that he is doing nothing definitive to actually change what is happening right now? He has accepted the status quo and in the status quo people are being sexually assaulted in the hospitals. Is that good enough for him as the Minister of Health?

Mr. Chomiak: Mr. Speaker, I thank the member for her rhetoric, which is inaccurate, but it only illustrates—

Mr. Speaker: Order.

Point of Order

Mr. Speaker: The honourable Member for River East, on a point of order.

Mrs. Bonnie Mitchelson (River East): Point of order, Mr. Speaker. *Beauchesne* 417 says that answers should deal with the matter raised. Never in the question was there a comment that indicated sexual assault of patients within our health care system is rhetoric. The Minister of Health may feel it is rhetoric, but Manitoba patients deserve better.

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

Mr. Chomiak: Mr. Speaker, with regard to that point of order raised by the member, with respect to the rhetoric posed by the member, the member indicated we are doing nothing. I think doing about 11 investigations, co-ordinating it, putting in place interim measures and coming up with long-term recommendations is hardly doing nothing. She is wrong, as she often is with regard to her rhetoric. If she is concerned about the care of patients she would deal with it accordingly.

Mr. Speaker: Order. On the point of order raised by the honourable Member for River East, she does not have a point of order. It is a dispute over the facts.

* * *

Mr. Chomiak: As I indicated, there are numerous initiatives that have taken place. As I indicated, unfortunately we cannot have a hundred percent safety, but we are trying to put in place measures that will improve the safety, Mr. Speaker—[interjection] Members opposite say nothing.

Mr. Speaker, as I indicated, the reviews are going on. One of the most significant things we have done is, unlike members opposite who have failed to put in place Protection for Persons in Care legislation, we have for the first time whistle-blower protection legislation for all patients in all facilities across the province. When we brought that before the Legislature in opposition, they turned it down.

Mr. Speaker: The honourable Member for Charleswood, on a new question.

Mrs. Driedger: No, Mr. Speaker, on a point of order.

* (13:55)

Point of Order

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

Mrs. Driedger: I would like to draw the minister's attention that these assaults have occurred since he has put in his legislation.

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

Mr. Chomiak: Mr. Speaker, the member has pointed out that assaults have taken place, and we have acknowledged that. In fact, we have put in reviews to review these assaults and see what we can do to improve the situation, something they did not do over 11 years in office.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. Prior to making a ruling, I would like to draw the attention of all honourable members that a point of order should be to draw the attention of the Speaker to a breach of a rule or a departure of the process in the House.

On the point of order raised by the honourable Member for Charleswood, she does not have a point of order. It is a dispute over the facts.

Sales Tax

Mechanical/Electrical Contracts

Mr. Jim Penner (Steinbach): Mr. Speaker, in April, the Doer government expanded the PST to cover labour on mechanical and electrical contracts and claimed it would raise an additional \$7.5 million to \$10 million. Can the Finance Minister confirm estimates by the Winnipeg Construction Association who say this added tax is more likely to generate about three times that amount?

Hon. Greg Selinger (Minister of Finance): I thank the—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. There is a lot of conversation going back and forth and you have just heard some good examples of why I need to hear the questions, why I need to hear the answers. There have been points of order raised that I have had to make rulings on and there is no way I could make a ruling without being able to hear the question or being able to hear the answer. I ask the full co-operation of all honourable members, please.

Mr. Selinger: Thank you, Mr. Speaker. I thank the member from Steinbach for the question. The revenue estimates relating to the electrical and mechanical tax, PST being applied to labour are estimates that were worked out by the

Department of Finance officials. They are refining those estimates in consultation with the industry and are going through a due diligence process before the measure will be implemented on October 1, 2002.

Mr. Jim Penner: The industry now thinks it might be anywhere from \$30 million to \$75 million, instead of \$10 million.

Mr. Speaker, can the minister explain how this additional tax will simplify things for business when the Winnipeg Construction Association has clearly indicated that numerous small companies will now be forced to collect and remit very large amounts of PST each month, even before they get to collect it from their customers? This represents a major challenge to the cash flow.

Mr. Selinger: I again thank the member from Steinbach for the question. The tax measure will simplify the collection of tax in the following way: Contractors will be able to buy materials without having to pay the PST because they have a registered provincial sales tax number. They will be able to hold those materials in their inventory without having paid the tax on it, and they will only have to levy the tax once the work is completed. At the point of sale, the customer will then remit the tax to the contractor who will in turn remit it to the Government of Manitoba.

Mr. Jim Penner: Mr. Speaker, I would like to table the June 2002 *Winnipeg Construction Bulletin* that notes: The City of Winnipeg is reporting the impact of this tax would force them to scale back on capital construction spending.

Will the minister acknowledge that there will be numerous Manitoba municipalities in the same position, and will he advise us to what extent of a reduction in capital construction he will allow before he will admit his tax grab is just another NDP burden on Manitobans?

Mr. Selinger: Mr. Speaker, the industry representatives who approached the Government to have this measure introduced to improve the collection of taxes have made it very clear to us that they think this measure will allow legitimate businesspeople to offer competitive bids in a marketplace on an equal playing field, or a level

playing field, and will improve the ability of small contractors, and all contractors in general, to make bids on a consistent basis which will allow for the best price to be put forward for capital construction projects, which will generate greater efficiency and more economic activity throughout Manitoba.

* (14:00)

Labour Relations Legislation Succession Rights

Mr. David Faurichou (Portage la Prairie): Mr. Speaker, time and time again, the Minister of Labour (Ms. Barrett) has stated that succession rights would have been applicable without Bill 18. In fact, in the July 4 edition of the *Manitoba Co-operator* the minister stated, and I quote, referring to Bill 18: It simply codified in The Labour Relations Act pre-existing rules and practices.

Can the minister explain today to the benefit of all members why supposed clarity that she says is provided in Bill 18, why Cando Contracting cannot get clarification either from the Labour Board or from this minister and the Doer government?

Mr. Speaker: The honourable Minister of Industry, Trade and Mines—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. Right now, we are in Question Period, where members are asking questions, members are trying to answer. I do not think we allow singing in this Chamber, the last I checked the rules.

Hon. MaryAnn Mihychuk (Minister of Industry, Trade and Mines): Thank you, Mr. Speaker. It seems to be a little bit with perhaps a superficial concern that members opposite raised the issue.

I can assure the House and members of the public that this is a very serious issue, and that we are working very diligently to find a solution that will satisfy the concerns of the private sector, CPR and the people and workers in Gimli.

Justification

Mr. David Faurichou (Portage la Prairie): Mr. Speaker, we on this side of the House concur that it is a very serious issue.

But I would like to ask once again why the Labour Minister will not stand in the House and finally answer the question to the benefit of all members, why Bill 18 was needed at all.

Hon. Becky Barrett (Minister of Labour and Immigration): Mr. Speaker, as I have stated in the House and as was quoted in the earlier question by the member, Bill 18 was simply a clarification of existing practice.

Labour Relations Amendment Act (Bill 203) Minister's Support

Mr. David Faurichou (Portage la Prairie): Mr. Speaker, I would like to thank the minister for stating once again that Bill 18 and clause 58.1 are not necessary.

Mr. Speaker: Order. The honourable Government House Leader, on a point of order.

Point of Order

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I will cite *Beauchesne*. Supplementary questions should need no preamble.

Would you please remind the honourable member that supplementary questions are just straight questions? Thank you.

Mr. Speaker: The honourable Member for Portage la Prairie, on the same point of order.

Mr. Faurichou: Mr. Speaker, I was only complimenting the minister.

Mr. Speaker: On the point of order raised by the honourable Government House Leader, he does have a point of order. *Beauchesne* 409(2) states that a supplementary question should not require a preamble. I would ask the honourable member to please put his question.

* * *

Mr. Faurichou: Mr. Speaker, I thank you very much. I would like to ask the minister, since she has now commented that Bill 18 has no bearing and no specific need, will she be supporting the legislation which I introduced earlier in this day?

Hon. MaryAnn Mihychuk (Minister of Industry, Trade and Mines): Mr. Speaker, if the purpose of these questions is to make a political statement that is what members are doing. If members opposite wish to make a positive contribution to solving a problem then I suggest they evaluate every possible angle before making extreme political situations. Members opposite can work collectively and I believe we can find a positive solution within the present framework. It seems like members opposite have a political agenda which is to make a political issue out of a serious business problem.

Hormone Replacement Therapy Public Health Information

Hon. Jon Gerrard (River Heights): Mr. Speaker, the issue of combination estrogen-progesterone hormone replacement therapy for women is a significant public health issue. A major study, the Women's Health Initiative study, shows more harm than benefit for cardiovascular disease and cancer.

Mr. Speaker, the Minister of Health has a public health mandate and a Public Health branch in his department and a Chief Medical Officer of Health who reports to him. I ask the minister whether he will request of his Chief Medical Officer of Health, working with his Public Health branch, to release information and advice to clarify many of the uncertainties in information coming around hormone replacement therapy.

Hon. Dave Chomiak (Minister of Health): Mr. Speaker, as I indicated to the member on two previous occasions, the regulator and the follow-up in the advisory capacity for regulation of the function of the drug follow-ups, et cetera, are done by the federal government.

On the day this study came out we contacted the federal government. I suspect all nine other provinces contacted the federal gov-

ernment, as did the territories, to look for their role and leadership in this regard, firstly.

Secondly, we have provided information. There will be information up on the Web site, et cetera, to provide for information regarding this particular study.

Third, we have indicated, both publicly and otherwise, as have medical experts who have expertise in this field, that the women should contact their health care provider and discuss the ramifications of dealing with this particular issue.

If, for example, we had done what might have been suggested two days ago by the member opposite and told women to stop using this drug immediately, that would have had adverse health consequences on particular women.

Mr. Gerrard: Mr. Speaker, I have consistently asked for clear information from the minister and I would ask the Minister of Health, for example, whether his section of Public Health and Chief Medical Officer will issue a clarifying statement with respect to the optimum procedure for discontinuing the medication for those women who wish to do so.

Mr. Chomiak: In addition, Mr. Speaker, we have contacted the Manitoba therapeutics and standards committee who have experts from the College of Physicians and Surgeons, experts from the Pharmaceutical Association and other groups with respect to reviewing the study and dealing with directives. There are also directives we are considering providing to all pharmacists in this regard.

The role of Public Health and the public health system has been sufficiently and adequately provided through the various mechanisms and vehicles available to us.

Mr. Gerrard: On this significant public health issue on which women would like information about how they should proceed, I ask the minister: At the very least, will he not have his Chief Medical Officer and the section of Public Health in his department issue a clarifying statement for women who went on this combination to prevent cardiovascular disease because,

instead of preventing cardiovascular disease, the study provides evidence that this combination makes it worse instead of better? This is clearly a public health issue. There should be a public health statement from his branch of Public Health.

Mr. Chomiak: Mr. Speaker, the federal government is responsible for doing the follow-up regulation. We have asked the Manitoba therapeutic standards committee to review this particular study. We have talked. The College of Physicians and Surgeons is involved. We are putting information on the Web site. We have advised Manitoba women to contact their health care providers with respect to this issue.

The idea of having the public health officials or public medical officers of health issue directives on this, I do not think it is an appropriate jurisdiction. For example, there are numerous drugs that have side effects. Is the member then saying the fact that recent studies which show that Paxil, which is the most common anti-depressant, for example, has resulted in some cases of some individuals taking their own lives, does that mean that we should issue a directive? I leave it to the experts to provide that information to us, to provide it to the women who are involved, and we have the appropriate vehicles and forum to do that.

* (14:10)

Property Values North End (Winnipeg)

Mr. Doug Martindale (Burrows): Mr. Speaker, Tory times are tough times, and during the dark days of the 1990s, property values greatly declined in the North End due to the policies of the Filmon Conservative government and their lack of investment in housing, with the result that many homeowners and landlords boarded up their houses, even walked away from their investment, many gave their homes away to non-profit organizations, there was a serious arson problem and many people left the constituencies of Burrows and Point Douglas. There was a serious out-migration problem.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Point of Order

Mr. Speaker: The honourable Official Opposition House Leader, on a point of order.

Mr. Marcel Laurendeau (Official Opposition House Leader): Mr. Speaker, *Beauchesne* 409(2): Carefully crafted sentence. I do believe I did not hear a period in there anywhere, and I did hear him catch his breath six times, so if you could bring the member to order.

Mr. Speaker: The honourable Government House Leader, on the same point of order.

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, on the point of order. What I did hear was indeed a carefully crafted sentence. I thought it was eloquence extreme.

Mr. Speaker: On the point of order raised by the honourable Official Opposition House Leader, he does have a point of order. *Beauchesne* Citation 409(2): A question should not exceed one carefully drawn sentence.

* * *

Mr. Speaker: The honourable Member for Burrows, please put your question.

Mr. Martindale: Mr. Speaker, my question to the Minister of Family Services and Housing is: Can he tell us what has happened to property values in the North End since our party took government in 1999?

Hon. Tim Sale (Minister of Family Services and Housing): Mr. Speaker, in December of last year, I was pleased to tell the House that property values in the West Broadway and Exchange District had increased there between 40 percent and 60 percent in the last two years. I am really pleased now to be able to report that, based on data from the Winnipeg Real Estate sales in area 4A of the North End for the first six months of this year, property values have now topped \$30,000 in average sales.

When we formed government, Mr. Speaker, the price was just under \$18,000 for the same area. That is a 66% increase in sales values in the first six months of this year. It shows that when you invest in a community, you invest in

building capacity. You work with the residents, they want to stay, the people come back, new houses get built, homes get sold, a community comes back to life. That is what we are doing in the North End.

Kenaston and Wilkes Underpass Construction

Mr. John Loewen (Fort Whyte): Mr. Speaker, the Minister of Health (Mr. Chomiak) spoke about a perfect world. Many Manitobans and many members on both sides of the House enjoyed an almost perfect day today at noon when we went over and had an opportunity to eat at the Taste of Manitoba, and I would like to congratulate all the organizers of that. It is a marvelous event on a wonderful Manitoba day.

Indeed, in a perfect world, we would have a provincial government that could manage its Budget and would not require Hydro to borrow to support their spending habits.

Mr. Speaker, I would like to ask the Minister of Intergovernmental Affairs if in a perfect world we would also not have public consultation on major expenditures of infrastructure funds. If so, does she not think that the over 10 000 Manitobans who are requesting that an underpass be built at Kenaston and Wilkes—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. The clock is running.

Mr. Loewen: Thank you, Mr. Speaker. Does the Minister of Intergovernmental Affairs not believe that the \$14.5 million that she and her Government are spending on a footbridge over the river—why, so that the Minister of Finance (Mr. Selinger) can ride his bike to work—would not be better spent building an underpass at Kenaston and Wilkes so that 20 000 Manitobans and Winnipeggers could travel freely along that major thoroughfare?

Hon. Jean Friesen (Minister of Intergovernmental Affairs): I think way back at the beginning of the member's question he made reference to advice received from the public on infrastructure issues. I should advise the member, perhaps he was not listening when I paid

tribute a couple of days ago to the members of the advisory committee from the Manitoba municipalities and the mayors and reeves of the northern communities who do advise us and advise us very well on infrastructure projects.

Kenaston and Wilkes Underpass Construction

Mrs. Heather Stefanson (Tuxedo): In the last couple of years, traffic on Kenaston Boulevard has significantly increased due to the Doer government's refusal to use infrastructure funds to build a much-needed underpass at Kenaston and Wilkes. Instead, the Government saw it a priority to spend this money on a footbridge at The Forks.

My question for the Minister of Intergovernmental Affairs is: Given that families with small children, particularly on Centennial Street, are concerned about the safety of their children as a result of the increased traffic flow due to vehicles shortcutting down their residential streets to avoid traffic congestion, will the minister, in the interest of the safety of the children on these streets, grant the necessary infrastructure funds to build an underpass at Kenaston and Wilkes?

Ms. Friesen: I am glad that the member saw fit to repeat the question of her predecessor, because it does give me the opportunity to say, again, how wrong, how incorrect, how careless, how sloppy the research is on the other side of this House. I would like to say quite simply—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Ms. Friesen: Mr. Speaker, the member should be aware that the Province has not contributed to the pedestrian bridge, just as they were wrong on Crocus, just as they were wrong on True North, just as they have been wrong on—

Mr. Speaker: Order.

Point of Order

Mr. Speaker: The honourable Official Opposition House Leader, on a point of order.

Mr. Marcel Laurendeau (Official Opposition House Leader): Mr. Speaker, I expect more from the Deputy Premier than to put misinformation on the record. Just because this minister cuts a backroom deal with the City Council to pay for the Riverfront Drive so that this Minister of Finance (Mr. Selinger) does not have to be tied to that walkway, they picked up the 100 percent and the city did the other part.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. The honourable Minister of Intergovernmental Affairs, on the same point of order.

* (14:20)

Ms. Friesen: Mr. Speaker, on the same point of order. I repeat for the member that there is no provincial money in the pedestrian bridge. What they are trying to do with their point of order is in fact to hide their sloppy research, their failure to bring the correct facts to this House on True North, on Crocus, and a myriad of other issues.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. Before making my ruling, I would just like to remind all honourable members about a little decorum in the House. We have the viewing public, we have public in the gallery, and every member in here is an honourable member. A lot of members in here are role models to our youth and I am sure we want to keep that status quo, so I would ask the cooperation of all honourable members, please.

Before making a ruling on the point of order, I would just like to remind all honourable members that points of order should not be used for debates. It should be to point to the Speaker the breaching of a rule or a departure of procedure from the House.

On the point of order raised by the honourable Official Opposition House Leader, he does not have a point of order. It is a dispute over the facts.

* * *

Mr. Speaker: I would like to tell the House that Question Period is over, and I have a few rulings to make.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. Can I have order, please? I have just been reminded and corrected, and rightfully so, that the honourable minister had about 15 seconds remaining, and she did not get a chance to conclude her answer. So I would like to revert back to Question Period to give her 10-15 seconds, if she wishes, or Question Period is over. The time had expired, but I have allowed ministers one minute to answer questions. *[interjection]* Pardon me. I cannot hear. Do you wish to conclude your answer to the—

Ms. Friesen: Yes, Mr. Speaker, I do want to state, perhaps now that the House is a little quieter, that there has been no provincial money into the pedestrian bridge, that the Province saw that it—

Mr. Speaker: Order.

Point of Order

Mr. Speaker: The honourable Member for Fort Whyte, on a point of order.

Mr. John Loewen (Fort Whyte): Mr. Speaker, on a point of order. The Member for Wolseley, the Minister for Intergovernmental Affairs, should make sure she is reflecting accurate information in her statement. *Beauchesne* 417: Answers should be brief and to the point.

In fact their very own Web site for the Manitoba-Canada Infrastructure Program indicates the three levels of government negotiated a projected worth \$29.5 million consisting of the Main Street revitalization—

Mr. Speaker: Order. Prior to recognizing the honourable First Minister (Mr. Doer), if he was rising on the same point of order, I would like to draw the attention again of all honourable members that points of order should be raised to point out to the Speaker the breach of a rule or a departure of practice, not to be used for debate or rebuttal from ministers. I ask the co-operation of all honourable members.

I will recognize, if the honourable First Minister was up on a point of order, but to deal with the point of order and not to rebut back and forth. I will not allow that.

On the point of order raised by the honourable Member for Fort Whyte, he does not have a point of order. It is a dispute over the facts.

* * *

Mr. Speaker: The honourable minister has about 10 seconds remaining.

Ms. Friesen: Thank you, Mr. Speaker. I think perhaps I am in midsentence at the moment, but to complete the sentence, I think it was made clear at the press conference at which these matters were announced through the joint secretariat that indeed the provincial money was in Waterfront Drive and not in the pedestrian bridge.

Mr. Speaker: Time for Oral Questions has expired.

Speaker's Rulings

Mr. Speaker: I have several rulings for the House. May I remind all honourable members that when a Speaker rises all members should remain seated and the Speaker should be heard in silence.

During members' statements on June 26, 2002, the honourable Premier (Mr. Doer) raised a point of order regarding comments spoken by the honourable Member for Springfield (Mr. Schuler) while making a member's statement on Bill 14 that indicated that the honourable Premier had not been present at a committee meeting. The honourable Premier contended that it was out of order to make a reference about members being present or being absent from committee meetings. The honourable Member for Springfield, the honourable Minister of Consumer and Corporate Affairs (Mr. Smith) and the honourable Official Opposition House Leader (Mr. Laurendeau) also spoke to the same point of order. I took the matter under advisement in order to consult the procedural authorities.

As I had stated when the matter was taken under advisement, there are not a lot of Manitoba precedents for this issue. No Manitoba Speaker has ruled on exactly this point. There have been numerous rulings from Speakers dealing with the issue of members making refer-

ence to the presence or absence of members from the Chamber, but not on the subject of the presence or absence of members from a standing committee meeting. *Beauchesne* Citation 289(3) advises that the absence of members from the Chamber should not be commented on, but the citation does not make any explicit reference to standing committee meetings.

Similarly, Marleau and Montpetit advise on page 522 of *House of Commons Procedure and Practice* that "it is unacceptable to allude to the presence or absence of a member or minister in the Chamber. The Speaker has traditionally discouraged members from signaling the absence of another member from the House, because there are many places that members have to be in order to carry out all of the obligations that go with their office." I would note again for the House that this information is related to the presence or absence of members from the House and not from committees.

According to Manitoba practice, 11 members are assigned to standing committees rather than having all members of the House sitting on a particular committee. Other members may attend committee meetings even if they are not members of the committee. However, these non-committee members cannot vote or move motions. So it is possible that not all members will be in attendance at each and every standing committee meeting.

* (14:30)

When an issue arose in the Canadian House of Commons on May 23, 1984, relating to a question asking whether the Minister of Energy, Mines and Resources would be present at an upcoming committee meeting, Speaker Francis ruled that this was a matter for the committee to resolve, not the House.

Based on this I would rule that issues pertaining to the attendance of members at committee meetings would be better addressed by the committee rather than by the House.

I have another ruling.

During Oral Questions on Thursday, June 27, 2002, the honourable Government House

Leader raised a point of order regarding words spoken by the honourable Member for Ste. Rose (Mr. Cummings) while speaking to a separate point of order. The words complained of were "deliberately misrepresent." The honourable Official Opposition House Leader (Mr. Laurendeau) also spoke to the same point of order. The Deputy Speaker took the matter under advisement in order to peruse Hansard.

On page 2955 of Hansard, the words "deliberately misrepresenting" do appear and are attributed to the honourable Member for Ste. Rose. Although the words "deliberately misrepresented" do appear in *Beauchesne's* Citation 492 as words that have caused intervention on the part of the Chair, in 1997 Madam Speaker Daquay ruled that the words "deliberately misrepresenting" were unparliamentary and called upon the then-premier to withdraw them. Based on this precedent, I am ruling that the words "deliberately misrepresenting" are out of order. I would call upon the honourable Member for Ste. Rose to withdraw those words.

Mr. Glen Cummings (Ste. Rose): Mr. Speaker, apparently in the heat of the moment I chose inappropriate words and I would be happy to withdraw them.

Mr. Speaker: I thank the honourable member for the withdrawal. That should take care of the matter.

During Oral Questions on June 27, 2002, the honourable Government House Leader (Mr. Mackintosh) raised a point of order concerning a question that was addressed by the honourable Member for Charleswood (Mrs. Driedger) to the honourable Minister of Finance (Mr. Selinger) inquiring about statements allegedly made by the honourable Minister of Finance outside the Chamber about government funding for chiropractic services.

The honourable Government House Leader contended that according to *Beauchesne's* Citation 409(6), ministers may only be asked questions relating to the responsibility of his or her present ministry. The Official Opposition House Leader (Mr. Laurendeau) also spoke to the same point of order. The Deputy Speaker (Mr. Santos) took the matter under advisement.

There are several rulings from Manitoba Speakers that can be of assistance with this issue. On June 24 of 1993, Mr. Speaker Rocan ruled that it was in order to ask the then-Minister of Justice a question regarding a statement that the Minister of Justice had made outside of the Chamber on the subject matter of gun control laws, as the question was related to what the policy of the government was.

On May 6, 1993, Mr. Speaker Rocan ruled that questions are put to the Government and that it is the Government who decides who will answer the question. As I ruled on April 25, 2002, a minister is not under obligation to any question that is addressed to that minister and can indeed choose to not answer the question.

I would therefore rule that the question was in order and that the minister had a choice to either not answer the question or another minister could have answered the question.

That ends the rulings. We will go to members' statements.

MEMBERS' STATEMENTS

Pollution Prevention Partnerships

Ms. Linda Asper (Riel): On June 20, 2002, I had the pleasure of representing the Minister of Conservation (Mr. Lathlin) to announce Manitoba's pollution solution partnership with the City of Winnipeg. This initiative gave 10 000 Winnipeg residents the opportunity to compost waste materials at substantially reduced costs.

Our Government contributed \$25,000 in support of the June 22 one-day sale of compost bins at a special discount price of \$25 each. The goal was to encourage household composting as a way of reducing the amount of organic material travelling to landfills and in turn reducing the production of harmful greenhouse gases.

Mr. Speaker, our Government established the Waste Reduction and Prevention program fund in 2000 to help Manitoba's municipalities and businesses reduce waste, prevent pollution and improve integrated waste management practices. Over the past two years the fund has supported 46 projects and invested almost \$1 million in new waste reduction and pollution prevention activities.

Provincial stewardship programs have also been established to provide ongoing support for municipal recycling efforts, tire recycling and used oil collection and recycling. Support for Winnipeg's backyard composting promotion is one more project that can help the environment.

The Province is pleased to have supported the City of Winnipeg's blue box and depot system for residential, apartment and community club recycling systems and recycling boxes on city streets as well as the City's pilot of a curbside collection program for organic wastes.

Thanks to homeowners Charlene Smelsky and Renald Remillard, homeowners at 123 Lawndale Avenue, who hosted the demonstration of a compost bin assembly and the beginning of composting organic wastes.

The June 22 sale of compost bins at four locations in Winnipeg was a huge success.

Festival Chantecler

Mr. Frank Pitura (Morris): Mr. Speaker, on July 6 the village of Saint-Pierre-Jolys hosted an event that will no doubt be considered by many as the event of the summer for the area. On that day, residents and visitors gathered to celebrate Francophone music, culture, food and art at the first Festival Chantecler.

Mr. Speaker, French shows were held on an outdoor stage running from noon till midnight. The day began with opening ceremonies with La Compagnie du Sieur de La Vérendrye and a welcome from Gérald Fontaine, mayor of Saint-Pierre-Jolys, and locally renowned artist Réal Berard. This was followed by a demonstration of extraordinary musical talent from Les Louis Boys, Bandaline, L'Ensemble folklorique de la Rivière-Rouge, Carmen Campagne, Les Frères Guy, La Bardasse, Micheline Marchildon, Edouard Lamontagne and Robert Charlebois.

Throughout the entire weekend individuals were given the opportunity to savour French-Canadian cuisine and discover authentic French-Canadian art. Bilingual volunteers were on hand to work at the door, sell food and bar tickets, help with clean up and man the children's tent.

Festivities continued the next day with a celebration of the 125th anniversary of the Paroisse catholique de Saint-Pierre-Jolys. An outdoor Mass was held at 11 a.m. followed by games and activities for the family.

* (14:40)

Mr. Speaker, events like these certainly require a great deal of planning. The efforts of the organizers, volunteers and performers have not gone unnoticed. I would like to say a word of thanks to all those who helped to make this event a success. Thanks to their commitment and contributions, a July 5, 2003, date has already been set for a second Festival Chantecler. If anybody is interested, in terms of Chantecler, it signifies the rooster on the weathervane on top of the first Catholic church at Saint-Pierre. That is why the festival is called the Chantecler.

So, Mr. Speaker, as the Member for Morris, I am dedicated to rural development in our province. It is always encouraging for me to see people gather outside the Perimeter for events such as these.

Lieutenant-Governor's Elementary Teachers Awards

Mr. Harry Schellenberg (Rossmere): Mr. Speaker, I rise to recognize the Lieutenant-Governor's Elementary Teachers Awards, which were presented by the Lieutenant-Governor, Peter Liba, at a recent reception at Government House to honour 27 nominees from across Manitoba.

As a former teacher of the River East School Division and as a parent whose children attended River East schools, I feel honoured to recognize the five teachers from the River East School Division who were recognized for excellence in teaching.

The three teachers nominated from the Sherwood School were Karen Beettam, Gerald Kapitany and Sheri Stetson. I would like to point out that Sherwood School is a small school with 10 teachers. Three of these were recognized by this award. This speaks highly of the quality of education in the River East schools.

The two other teachers from River East School Division who were nominated for this

award were Teresa Castiglione and Peter Siddall from the Salisbury Morse Place School. These teachers were nominated by their students, parents, colleagues and members of the public as a way to show appreciation for teaching excellence.

Mr. Liba, the Lieutenant-Governor, pointed out at the reception the important role teachers and parents play in the life of children. He stated that elementary teachers, along with parents, create the core foundation for the intellectual development of children by helping them establish an appreciation for learning at an early age. Mr. Liba, the Lieutenant-Governor, went on to say being nominated for this teaching award underlines the fact that these teachers are educators of exceptional ability and enjoy teaching.

Mr. Speaker, these are teachers who find teaching rewarding. These are teachers who have gone the extra mile. These are teachers who made a difference for children and have given them hope and confidence in themselves. These are teachers who care about youth and the future of our country. These are teachers who will be remembered for their dedication and good work in years to come.

I congratulate these five teachers for being nominated for this prestigious award. I wish you the very best in teaching. May your success continue in this noble profession, my profession.

Out-Migration

Mr. Jim Penner (Steinbach): Mr. Speaker, I am rising today to speak on a very important issue to all Manitobans. I am particularly concerned about those who are leaving the province, those who are not waiting for change. So I would like to address and speak to the need for good money management.

It seems to me, as I have been listening in the last weeks in this House, that sometimes the government of the day says we are not consistent in our discussions as critics on tax dollars. They have accused us of saying one day we ask them to spend more, the next day we ask them to collect less tax dollars. Well, we have a very legitimate concern. What we really need to do is to stop out-migration. One of the effective ways

of doing this would be to effectively manage the taxpayers' dollars.

Now, Mr. Speaker, I would like to take a moment and explain to the current Government the importance of managing a system and what a good management system is all about. There is a significant difference between good management and NDP management. Good management, good managers get value out of the work they do. They get a return on the investment. They run sustainable organizations, not deficit-producing organizations. They have debt control and proper financing in place. That is careful investment. They do not just cater to union leaders. They produce well. They get more bang for the buck. A good manager creates employment instead of encouraging welfare. A good manager plans for the future, not just for today.

We are not the beneficiaries of good management at this time, and I would like to remind our House we need to change our ways or we will lose more population.

Centennial Pool Expansion

Mr. Jim Rondeau (Assiniboia): Good day, Mr. Speaker. I would like to update all members in regard to the federal, provincial, city project expanding the Centennial Pool. This project is very important to the community of St. James-Assiniboia because of the high concentration of seniors, loss of the walking facility with the demolition of the old Unicity Mall and lack of handicap-accessible facilities in the area. Studies show that exercise keeps people well, allows people to live longer, thus improving the standard of living and quality of life for families, youth and seniors.

There was a delay in this project due to the land transfer discussions between the City of Winnipeg and St. James School Division. I understand this roadblock has been overcome. The 28,000-square-foot expansion of this project will include a redone entryway, elevated walking track, new weight area, new sports courts, two or three sports courts, meeting rooms, coffee area, et cetera.

I understand the architectural drawing has been already let by the City of Winnipeg and is currently being worked on and should be ready very shortly. Site preparations are beginning for the project, and it should be a real great project

that will provide a community heart, strengthen the community and provide facilities for everyone to enjoy.

The public consultations on this project will occur shortly. I have been in contact with Peter De Smedt and the people in the area to find out exactly when they are. They should be out shortly so that people can see what is proposed and actually have the public input. This is really good because we are going to actually have facilities that will keep people, improve their standard of living, keep people well and have a true heart in St. James-Assiniboia.

I would like to thank the people who are working on this, Gerald Mirecki from the City, and all those other people who are making it possible. I think it is great that our Government cares about the area and is actually making a long-delayed improvement possible.

ORDERS OF THE DAY

GOVERNMENT BUSINESS

Hon. Jean Friesen (Minister of Intergovernmental Affairs): I think we are calling report stage of Bill 14.

REPORT STAGE

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

Mr. Speaker: Report stage, Bill 14 and the proposed amendment, standing in the name of the honourable Member for Minnedosa (Mr. Gilleshammer), who has 31 minutes remaining.

Mr. Harold Gilleshammer (Minnedosa): Thank you, Mr. Speaker, and we were dealing with a very significant and substantive amendment this morning. I would perhaps read it into the record again so that people understand it, that we are going to amend Bill 14

THAT Bill 14 be amended by adding the following after the proposed section 12.3(12), as set out in section 10 of the bill:

Access to equivalent courses and support services

12.4 A student in a new division must have access in the new division to courses and educational support services that are equivalent

to those that the student received in the former division.

This morning, I talked about the equivalent courses, and I would just like to perhaps say a few more words about that today so that members opposite understand it and, hopefully, support this. We have students, particularly in the Springfield municipality, who have started programs and started courses which they deserve to have access to. What the minister has done is brought in his own amendment, an amendment on July 8, by the way. Long after he had suggested that he needed this bill passed, the Government was still amending the bill.

It is so vitally important that the courses that are being accessed today by children in Springfield be there for them tomorrow, the next day and for time into the future. It is important that they have access to the French immersion, the dual-track education that they are receiving, plus the shops programs that they are taking, the industrial arts, the home economics and other programs that they now access in Transcona schools. There is great concern on the part of citizens in that area of the province that these courses will no longer be available to them.

Now in fact the minister has brought his amendment in indicating that for a three-year period they have access to Transcona schools. There is some uncertainty in the minds of those families about where their students are going to go to school and whether those courses are going to be there for them on into the future. It is a legitimate concern, because the amendment brought in by the Minister of Education (Mr. Caldwell) has this three-year horizon on it.

You know, people plan their children's education from kindergarten to Grade 12 and beyond. They need more certainty. By passing this amendment they would have that certainty that programming would be available, programming that many of them had a hand in designing, by the way. So it is important that we take a look at this resolution and ensure that they have access in the new division to courses that they have enjoyed in the former division.

* (14:50)

The second part of this particular amendment talks about educational support.

Educational support takes many, many varieties. It may be teacher aides who have worked with these children, it may be specialists who have worked with these children, it may be others who are involved with the education of these children. Not every school division is able to put those supports in place. There are many school divisions around this province that have not seen those supports as a priority. There are many school divisions who simply cannot afford to hire those supports for their children. So I think what is missing in the minister's amendment are these additional supports that these families want.

So I would ask government members to take a serious look at this amendment and give it their support. I know they tried. I know the minister probably tried his best, as a matter of fact, but, as usual, his best is not good enough. The resolution he brought in, he has indicated himself, merely puts in print form in the bill what was contained in the funding and service agreement signed between the various divisions involved here. But it leaves a great deal of uncertainty in the minds of parents. I think we need to clarify that for them. By putting this resolution, this amendment, into the bill, they would have some certainty around it. They would be assured that there are equivalent courses and equivalent support services available. That in fact is what parents and children in that area are asking for.

So I would ask members of the House to consider this amendment, to take a bill which I think has many flaws in it, and by passing some amendments we can make that a better piece of legislation. I would urge all members of the House to give this their due consideration. Thank you very much.

Mr. Ron Schuler (Springfield): I do also want to put a few comments on the record in regard to this amendment. It is a particularly important amendment and speaks really to the crux of the concerns that the parents have in the Springfield Parent Council group. It deals with issues of programming. I think that has been one of the issues that the parents, that those most affected, those who represent the children of the system have been trying to get across to the minister. Unfortunately, neither the minister nor the Government has been listening to the serious

concerns of the parents who represent the best interests of their children.

Mr. Speaker, the point that the parents were trying to make is that over the last 40 years since the last amalgamation a lot of programs have been developed between Transcona the urban area and Springfield the rural area, good programs, programs that have been supported by all the taxpayers. There is a real symmetry, to use the minister's word, between Transcona and Springfield, just the way the grid of the highways are concerned. Basically, Springfield, a lot of individuals do their shopping. They work in Transcona and in the city. So for them to commute into Transcona and access programs, those kinds of things, really does make sense.

The concern of the parents is twofold really. On the one hand, you have the programs, they are good programs, and they really do service the children well. Why would you split up that kind of a system? Why would you split up that kind of symmetry?

Secondly, and perhaps even more importantly, why would you want to set up a parallel or a second set of programming that exists already? Because, if we are to take the Government and the minister at their word that this is supposed to save money, where does the Government see savings when basically you are duplicating the services?

The services have been set up and have been developed over a lot of years. You have sort of established those community representatives, individuals actually moved into that part of the province, that part of the city in Transcona and rural area in Springfield, and they have a really good understanding of the way the programs work and the citizens they are basically catering to.

Mr. Speaker, I think it is important to have community-based programming. What basically the minister and the Government are now saying to the community is, we are going to destroy the kind of programming and system you have set up and in place you are going to have to create it all new.

At numerous times, I point to the January 7 community meeting where in the end probably

over a thousand people had shown up, very heartfelt. I know some things were said that probably should not have been said but, you know what, people really did speak from the heart. They felt the programming was the issue.

Mr. Speaker, I believe this is the right amendment to go with. I think it is the right way to go. I certainly hope we get support from members opposite in this particular amendment.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I think in looking at Bill 14 and looking at changes to school divisions what is quite clear is, whether it is the Norrie report recommendations or whether it is what we heard at committee, what we heard was people should be better off afterwards in terms of access to facilities, access to programs, access to education than before.

The goal of this whole process was in the Norrie report and the objectives were to look not just at cost but in terms of quality of education and access to educational opportunities. That was what the Norrie report was suggesting in terms of some amalgamations, that there were some potential benefits. The Government itself has made some arguments there are some potential benefits from amalgamations, even though there are probably some significant costs.

What the Government and the Minister of Education (Mr. Caldwell) decided to do instead of ensuring there were guarantees of benefits and access to programs there had been before, instead of considering the needs of students first and foremost, what this Government has done is decided for their own political purposes to chop and dice school divisions like Transcona-Springfield. The end result is the people in Springfield are going from a division of 8000 to 1 in 5000. The end result is the people in Springfield who have contributed their hard-earned tax dollars on property tax, education taxes to building schools, programs and facilities in Transcona now may be shut off from those schools, programs and facilities.

Even though there is the amendment, which is a step forward in terms of providing access for three years, there are still some significant issues. After three years it then becomes a real question of whether there will continue to be access for students from Springfield to the

facilities for which they have contributed their tax dollars, which they have helped to build, with programs they have helped to make sure were there for their children. All of a sudden, due to the mismanagement of the current Government and the poor decision making of the Minister of Education, they have chopped people off, cut people off from the very programs they have helped to build.

I would read the presentation of Kathy Andersson, the recommendation that, in fact, it is very important there be provisions to protect students. Indeed, the Member for Minnedosa (Mr. Gilleshammer) has suggested an amendment which would protect students because there was not a provision there to protect students.

* (15:00)

I would refer the Minister of Education to another presenter who says, look, the entire system should exist to protect the rights and benefits of students. We should make sure that this clause is here, but, unfortunately, so far, the Minister of Education does not seem to have listened. The recommendation of Karen Carey who took a lot of effort to look at the financing and the effects from a financial impact but also look at the impact on students and her presentation, and I quote: The entire premise to amalgamation is that student learning opportunities will be enhanced at a cost savings targeted to the classroom. There are currently no provisions protecting students in this bill for whom the entire system exists, only provisions protecting staff and their rights and benefits. There needs to be provisions protecting students. We should support, Mr. Speaker, this amendment and make sure that students are indeed protected from the machinations of the current Minister of Education and his party.

So I rise today to support this particular amendment to make sure that the students will have access to quality programs as they have, in fact, worked so hard to make sure that those quality programs were there before and would be there for their children and their children's children in the future, and now the Minister of Education, by his machinations, has put this into question. So let us support this amendment. Let us get it passed.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is the proposed amendment to Bill 14. Is it the pleasure of the House to adopt the amendment?

Some Honourable Members: No.

Mr. Speaker: No?

Voice Vote

Mr. Speaker: All those in favour of the amendment, say yea.

Some Honourable Members: Yea.

Mr. Speaker: All those opposed to the amendment, say nay.

Some Honourable Members: Nay.

Mr. Speaker: In my opinion, the Nays have it.

Formal Vote

Mr. Marcel Laurendeau (Official Opposition House Leader): It was close, Mr. Speaker. Yeas and Nays.

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

Order. The question before the House is the proposed amendment to Bill 14

THAT Bill 14 be amended by adding the following—

An Honourable Member: Dispense.

Mr. Speaker: Dispense.

—after the proposed subsection 12.3(12), as set out in section 10 of the bill:

Access to equivalent courses and support services

12.4 *A student in a new division must have access in the new division to courses and educational support services that are equivalent to those that the student received in the former division.*

Division

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

Yeas

Cummings, Derkach, Dyck, Enns, Faurschou, Gerrard, Gilleshammer, Hawranik, Helwer, Laurendeau, Loewen, Maguire, Mitchelson, Murray, Penner (Emerson), Penner (Steinbach), Pitura, Reimer, Rocan, Schuler, Smith (Fort Garry), Stefanson.

Nays

Aglugub, Allan, Ashton, Asper, Barrett, Caldwell, Chomiak, Dewar, Doer, Friesen, Jennissen, Korzeniowski, Lathlin, Lemieux, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Nevakshonoff, Reid, Robinson, Rondeau, Sale, Santos, Schellenberg, Selinger, Smith (Brandon West), Struthers.

Madam Clerk (Patricia Chaychuk): Yeas 22, Nays 29.

Mr. Speaker: The amendment is defeated.

* * *

Mr. Speaker: Now, we will move on to the next amendment. Proposed amendment to Bill 14, standing in the name of the honourable Member for Minnedosa.

Mr. Gilleshammer: I move, seconded by the Member for Springfield (Mr. Schuler)

THAT Bill 14 be amended in subsection 22(2) of the Bill by adding ", if the minister has advised the division by no later than January 15 of the current fiscal year of the provincial funding that the division is to receive for the next fiscal year," at the end of the part before clause (a).

Motion presented.

Mr. Gilleshammer: Let me first express my disappointment that the members opposite did not address the previous amendment in a very positive way. This would have guaranteed access to students in Springfield, but also all of the divisions that have been going through the collapse and put into other divisions, they could have been able to access equivalent courses and support services.

So it is with some disappointment that I see members voting against that. They did give lip service to this and brought in a half-hearted amendment of their own which partially addressed this but did not give us total support on that. So I would hope that perhaps they would consider this next amendment as something that would be worthy of their support.

The minister is setting up a scenario wherein he is going to micromanage the budgets of divisions that have been put into other school divisions and amalgamated. Part of the problem is the very short time span that is available for school divisions to do their budgeting. Normally and notionally, the Minister of Education (Mr. Caldwell) has to address the funding for the next school year on a timely basis. The usual scenario is that he tries to announce that funding by the 15th of January.

* (15:40)

However, there are numerous cases where that funding is delayed because Treasury Board has not completed their deliberations and Treasury Board is still looking at probably their entire budget before they start addressing the education component of it. If divisions do not have the funding announced by the Province by the 15th of the month, then it delays their decision making, because they have to provide a finalized budget by March 15. On top of that, the minister now is going to ask divisions that have been amalgamated to submit their budget to him for his approval, a very demeaning process, that they have to be approved by the Minister of Education before they can be finalized.

This is at a time when the Government is giving less and less support on a percentage basis to school divisions. I know that the Member for Wolseley (Ms. Friesen), who has done extensive work in education, has probably seen the chart in *The Manitoba Teacher* that was put there in the January-February issue that indicates the level of funding that the operating budget for school divisions is getting. That operating fund has been decreased year after year after year under successive governments. But the fact of the matter is, while the education funding is declining for school divisions, the

minister wants to play a greater and greater role in determining what the final budget is.

The chart, I tabled it in the House one day, but it does not hurt to review it from time to time. In the early 1980s was the last time that the provincial government provided 80 percent of the funding for school divisions. Through the Pawley years and the subsequent government it was decreased to the 70% level, 60% level, but under this Government, under the current Government in this province of Manitoba, the funding now has fallen below the 60% level, and in the minister's own correspondence to school divisions he has indicated the average funding for school divisions is now 59.2 percent.

This is the first time in the history of Manitoba that the central Government has provided so little funding for education. At the same time that the funding has been decreased for the public school system, the Minister of Education is wanting to play a larger and larger role in determining how that money is going to be spent.

This Government and this minister should be ashamed of themselves. These people are duly elected. These are trustees who have been duly elected to finalize budgets, to work with the people within their own school divisions. The Minister of Education now wants to take a greater role in micromanaging the budgets for school divisions that have been amalgamated.

In fact, not only is the average for the school divisions 59.2 percent, but some school divisions are even getting less than that. We heard during the presentations on this bill for Winnipeg School Division, the special levy in Winnipeg School Division is now almost 44 percent, which means that the provincial contribution to Winnipeg No. 1 is 56 percent, below the provincial average. Similarly, the trustee who was in for Dauphin indicated that, in Dauphin, the special levy funding in that school division is 46 percent, which means the provincial contribution is 54 percent, again, the least amount of money being contributed by the provincial government that we have seen in modern times for the operating expenses of school divisions.

While that is happening, the Minister of Education is saying to school divisions that not only are you going to receive less money, but I am going to play a bigger role in determining how that money is going to be spent, that school divisions that are being amalgamated are going to have to submit their budgets to the Minister of Education who, in turn, is going to look at them, identify where he feels they are overspending, change them and send them back.

So it is very imperative that school divisions receive that funding notice early. You can imagine the scenario. If they do not receive their funding allotment, say, until February, then, by March 15, they have to have a finalized budget. But, in the interim period, the Minister of Education is going to have the authority, by this legislation, to tinker with their budget, to restrict their budget, to tell them that they are budgeting the inappropriate amount.

Now there is only one reason why this is put into the bill. That is because the minister has made a commitment and a promise that he is going to find \$10-million worth of savings. That \$10-million worth of savings, from those divisions that have been amalgamated, is going to come out of their budgets one way or another. Yet we have heard from school divisions across the province that there is going to be no savings. In fact, Mr. Cowan, who is the chair of the Souris Valley School Division, speaking recently, said he does not foresee any savings in the first 10 years. We have also heard from the leadership of the St. Vital-St. Boniface school divisions. They are talking about a \$2-million expenditure. The superintendent and trustees in River East School Division have indicated that it is going to be over a million dollars of additional costs. Similarly, divisions that are being amalgamated across the province are indicating additional costs and no savings whatsoever.

So, Mr. Speaker, what is going to happen when this bill passes, and this comes into effect, and amalgamated school divisions work very, very hard at finalizing their budget? They are going to have to come, cap in hand, to the Minister of Education and say, please, sir, would you pass our budgets? The only reason he is going to interfere in those budgets is that he wants to find that \$10 million of savings. I can

tell you, school divisions are saying, that it is not there.

So what impact is this going to have on school divisions and their operating budgets? It is going to mean that they are going to have to reduce programming. It is going to mean that they are going to have to cut staff, that they are going to have to find savings somewhere for the minister, to have him come forward with this promise that there are some savings there.

When the minister put forth his press release the day he announced the amalgamations, he indicated that there were going to be 100 fewer trustees. It is questionable whether there will be that many fewer trustees or not. Earlier this week, or late last week, in speaking to some aspect of this, he now says there is going to be a displacement of 150 trustees. Again, I certainly question whether that is possible.

So, Mr. Speaker, it is very important, I think, that we take a look at this amendment to the legislation, and that we guarantee school divisions that they will have a timely announcement on what the provincial funding is going to be, so they, in fact, can put forth their budgets and meet the deadlines that the minister has set. If that provincial funding is not announced until February 1, or later in February because of hold-up at the Treasury Board, these school divisions are going to have a very, very difficult time in finalizing their budgets. They must be finalized because the school divisions have to pass this information on to the municipal corporations that they work with.

So, Mr. Speaker, I would ask all members of the House to come forward and support this amendment. I think it is very, very important that they do this, so that the school divisions have the opportunity to finalize their budgets. They are already going to be under special weight from the Minister of Education's office, and, you know, the relationship between the minister's office and school divisions is a strained one.

There is concern, we saw how the heavy hand of the minister affected the Morris-Macdonald School Division. We will get into those issues another day. But the school division in River East recently said: We agreed to sign

certain documents and agreed to certain things with the minister because there was some fear we were going to be fired. That is the atmosphere that the minister has created. I can tell you it is not one that builds partnerships. It is not one that builds good will with school divisions. This is a small amendment that the Government could agree to today which would give school divisions the opportunity to at least have their announcement on funding in a very, very timely fashion.

So I would ask members of the House today to take a look at this amendment and agree to it. Thank you, Mr. Speaker.

* (15:50)

Mr. Schuler: Mr. Speaker, I do also want to speak to this amendment. Yesterday afternoon at the funeral of Sidney Spivak, one of the senators from Manitoba approached me and started to talk to me about this particular bill, because it is being discussed on a wider basis, and said, well, you know, there is one of the arguments out about putting more money into the classroom. I said, you know, probably the last thing that this bill does, Bill 14, is direct more money into the classroom. That is probably the furthest from the truth that you could ever get in regard to this particular piece of legislation.

This has more to do with insecurity on behalf of a government, on the desire of a philosophical basis to concentrate power at the Legislature for the minister and his public servants at the top, his deputy minister, to have more control. That is what the bill is about, Mr. Speaker. This has nothing to do with parents; this has nothing to do with students; and it has nothing to do with standards. It has nothing to do with quality of education. It has nothing to do with putting more money into the classroom. What it has to do with is: How does the minister control and run school divisions? This is a power grab.

The particular amendment that we are speaking to, Mr. Speaker, deals with one of those. If this was a pure amalgamation bill and you took out all the power grab and you took all the punishment politics out of the legislation, de facto you would not need the legislation, because you could have done the amalgamation under the present legislation. So this does not

have anything to do with putting resources into the classroom. Frankly, I was able to share that with the honourable member and explain to them that this is basically a power grab.

The amendment brings back a kind of fairness. What we have is various layers of governance, Mr. Speaker. We have the civic or the school board level, which is really a community of peers, coming together and deciding where we want to go with basically the most fundamental asset of our society. That is the education of our children.

On the civic level you have the cities and the councils and reeves and so on and so forth, the provincial and the federal. It is very strange, Mr. Speaker, that you have a Minister of Education saying I am going to allow you to set your budget, but if I do not agree with it, I am going to revoke your authority of budget making and I will either change it for you or you must live within certain guidelines.

What is very strange about that is that the minister can decide something that is totally contrary to community standards, community values of the way they want to go with education, Mr. Speaker, because that is what the trustees are for. That is a board of peers that makes that decision. Instead, it is going to be the minister and the deputy minister that will decide the focus of that particular school division. That kind of undermining of another level of government makes one think out loud, and I hate to travel down this path. But is the whole point of Bill 14 the eventual elimination of school boards as we know them today?

You know, we have seen with this Government and with other governments who are really big into spending and want to know how they can best spend this. Is this one of the first tests to see what the public's response will be if the Government were to eliminate school boards altogether. Frankly, I believe that is a disastrous move.

In fact, I was watching CBC yesterday, and, being one who loves that middle-of-the-road, conscientious CBC, as I am sure the members opposite do, they talked about the amalgamation of Toronto and the fact that the whole garbage strike was just a further signal or indication of the problems of amalgamation. It was made very clear that, at no time, and they mentioned the

city of Winnipeg and they mentioned other amalgamations across the country, at no time did amalgamation save money. In fact, they made one very interesting comment. I think it shows you how confused and lost and muddled this particular socialist government is. They talked about the big corporate agenda of amalgamation. Now we have this chaotic, strange, confused government that is going down a big business, big corporate agenda.

This was the same group that came in and fought against YNN because, oh, there might be a commercial. So they scrapped all that and then accept the big corporate agenda of amalgamation knowing full well, wherever it has been done, it has not saved money. We know it is going to cost money. In fact, the deputy premier knows all this, and that is why the Deputy Premier has never spoken on this legislation. She has never uttered a word on it on the record because she is ashamed. She is embarrassed about what her Government is doing, and she does not have the wherewithal to stand up and stand up for the parents.

Insofar as the way the budgets are going to be handled, the Government knew ahead of time that this was going to cost tens of millions of dollars, not put money back in the classroom. They have put this little piece in there that, if the minister does not like where the budget is going and if there is problems with it, he can step in, and he can gerrymander the budget so that, in a provincial election, it does not reflect badly on the Government.

What we have here is a terrible setup, terribly done. There sits the Member for Rossmere, never utters a word. Does he defend his community? Does he stand up and defend those who put him there? He is frightened of the electorate. He will not even go out, and the day he goes out during an election and has to look the electorate in the whites of their eyes, he is going to find a very angry group of people because this kind of legislation that punishes school boards, that punishes individuals is most unfortunate. We hope that the Member for Rossmere comes to his senses and stands up, along with the Deputy Premier—

Point of Order

Mr. Speaker: Order. The honourable Member for Rossmere, on a point of order.

Mr. Harry Schellenberg (Rossmere): He likes to refer to me because I guess I am his measuring stick.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I cannot hear the member. I need to be able to hear the member on his point of order.

Mr. Schellenberg: The Member for Springfield is just pushing his Tory candidate, Rod Giesbrecht, for the next election. So have the Member for Minnedosa and the Member for River East. He even wrote a letter for him.

Mr. Speaker: The honourable Member for Springfield, on the same point of order.

Mr. Schuler: When one gets up and makes points of order, they are serious. We should be quoting *Beauchesne* and putting that on the record, not quoting from comic books, because *Beauchesne* 495 says that members opposite should not be quoting from comic books and should, instead, be quoting from *Beauchesne* like he is supposed to be doing.

Mr. Speaker: The honourable Member for Minnedosa, on the same point of order.

Mr. Gilleshammer: The same point of order in that I was referenced in the member's comments. I would advise him not to allow his insecurities to prompt him to get to his feet on such points of order that have no basis.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. Points of order are very serious matters. I do not want this point of order to turn into a debate. The honourable Official Opposition House Leader, with new information?

Mr. Laurendeau: Yes, Mr. Speaker.

Mr. Speaker: The honourable Official Opposition House Leader, with new information.

Mr. Laurendeau: Mr. Speaker, you were very correct. It is a very serious matter when a member raises a point of order, and it should be looked upon as such.

This member just stood up basically, I guess, to say that we should not be walking and

knocking on doors in his riding. But we find it very entertaining to go out to his riding and knock on doors.

Mr. Speaker: I just want to remind the House that points of order are very serious matters and should be taken very seriously.

The honourable Member for River East, do you have new information?

* (16:00)

Mrs. Bonnie Mitchelson (River East): Mr. Speaker, with some new information, because the member from Rossmere has raised the name of an individual in his constituency, a member of his constituency that is extremely concerned for the taxpayers in Rossmere constituency. Unfortunately—[interjection]

Mr. Speaker: Order. Once again, points of order are very serious and should not be used for any other purpose except to point out to the Speaker a breach of rules or departure from the practices of the House. Would the honourable Member for River East please state the new information.

Mrs. Mitchelson: Yes, thank you very much, Mr. Speaker. I was really speaking to the comments that were put on the record from the member from Rossmere. I would hope that the kind of outburst we just heard does not happen again.

But there are many in Rossmere that are concerned about the property taxes and the school taxes that they are paying. It is unfortunate the Member for Rossmere (Mr. Schellenberg) does not have the same concern for the taxpayers because of his support for Bill 14.

Mr. Speaker: On the point of order raised by the honourable Member for Rossmere, he does not have a point of order.

* * *

Mr. Schuler: Before I was so rudely interrupted by the member from Rossmere, you know what, perhaps the Member for Rossmere should stand up for his community. Perhaps the Member for Elmwood (Mr. Maloway) should stand up instead of heckling in the House and stand up for his constituents, because frankly there is a lot that should have happened in amalgamation that

he should have been part of instead of sitting there and heckling.

Elmwood should have been included in this. Instead, he sits here while he has gangs controlling Elmwood High School, which is shameful, and there are all kinds of stuff going on in Elmwood. Instead, he sits here and does nothing. Why did he not go and speak to the Minister of Education (Mr. Caldwell)? Why is he not getting up on Bill 14 and dealing with the issues that are being raised?

Instead, the members on the back bench of the NDP sit and do nothing while the education system is crumbling, while the parents sit and weep in committee, Mr. Speaker, with tears in their eyes and beg these members to do something right. Instead, they sit here and they have nothing better to do but heckle.

You know what? Perhaps the Member for Rossmere needs a little bit of political education, seeing as he has not gotten himself re-elected once yet in his political career. I might add to him that Rod Giesbrecht was actually courted by the now-Leader of the Liberal Party, and maybe the member later on will get up and talk about it. He was not going to be a Conservative candidate. He was supposed to run as a Liberal, and he would have been a far better member of this Legislature as a Liberal than the Member for Rossmere ever was as an NDP member.

So we need to take nothing from that member. Nothing. He is known to be weak in his own constituency. His own constituents have very little good to say. So, for him to stand up and tell the Member for River East (Mrs. Mitchelson) to be quiet, is shameful. He should just sit there and continue to do what he does best; that is, do nothing, because that is all he has ever done in this House.

This legislation, Mr. Speaker, is shameful. It is a disgrace. We try to put some reasonable arguments on the record. Instead we get nothing but heckling from individuals who do nothing for their constituents. Why are they not standing up and fighting for their constituents? All we get is, bye, bye, we are going to pick you off.

Well, you know what? We will wait and see. But, in the meantime, we will fight Bill 14, and we will stand up for what is right and that is

standing up for the individuals, standing up for the men and women who, in tears, stood in front of this House and, in tears, begged the minister to listen to them. This kind of punishment politics and the kind of stuff that we are seeing in this House is absolutely uncalled for. To drag in an honourable member like Rod Giesbrecht and the Board of Trustees of River East, who are not Conservative, in fact, Rod Giesbrecht wanted to run for the Liberals, to say that kind of stuff on the record and then run out of the House like the member just did, is a disgrace.

I hope that all members look at this amendment and pass this amendment, like they should do, instead of doing like the Member for Elmwood (Mr. Maloway). Instead of standing up for his high school, where children are fleeing Elmwood High School because the gangs have taken over. In Charleswood Community Club, in the parking lot, a kid got a bullet in the head because they thought it was a gang member. The member should stand up in this House and should fight for his community, like I am—

An Honourable Member: Elmwood.

Mr. Schuler: It was Chalmers Community Club.

Mr. Speaker: Order. I ask for a little decorum in the House, and also remind all honourable members that relevancy is important when speaking to an amendment.

The honourable Member for Springfield, to continue his comments.

Mr. Schuler: Mr. Speaker, I appreciate that it should be relevant, but you know, perhaps you could also keep the heckling off the NDP bench down to a bare minimum.

You are absolutely right. I did get off the topic, but the kind of wrong-headed improper things that were said, for the Member for Elmwood, where children are shot in Chalmers Community Club, to sit there and do nothing, I am sorry, you are absolutely right. My passions got away on me because I have a great love for Elmwood High School.

You know what? There was a lot that could have been done with Bill 14 in regard to

Elmwood High School. I would share those with the member and maybe he would do his homework and represent his constituents. I graduated from Elmwood High School, so, if I am a little impassioned about it and the fact that my MLA for many years did nothing in regard to Elmwood High School, if I get carried away with passion, I apologize to this House. But I suggest that you also call in line the Member for Elmwood and the Member for Rossmere who do nothing in this House, do not represent their constituents, but they sit and heckle.

This amendment that we have in front of us is a good amendment. It is timely, and it is about time that this House do some of the right things for the individuals who are being punished by this bill—the school trustees, the teacher, the parents and the children. Let us do the right thing and pass this amendment.

Mr. Leonard Derkach (Russell): You know, a casual observation in the Chamber, Mr. Speaker, would suggest that there is only one side of the House that has any concern about the education in this province, and that happens to be the Opposition.

My colleague the member from Minnedosa has brought forward numerous amendments to this legislation, and we are yet to see a single member on that side of the House get to his feet or her feet, to debate this bill, Mr. Speaker. We have the member from Elmwood, who chirps from his seat, but he has not got the intestinal fortitude to stand up in his place and put anything substantive on the record with respect to the bill or to the amendments of this bill. I wonder how he represents his constituents. There is no representation there. Absolutely none.

Mr. Speaker, the member from Minnedosa has done his homework on this bill. He has consulted with school divisions. He has consulted with trustees. He has consulted with teachers. I know that. As a result of the consultation, he has brought forward amendments, but we do not have a soul on the government benches who stands up to debate this legislation, and the House Leader sits here smug as could be and thinks that that is fine.

Well, where is the Minister of Education (Mr. Caldwell)? I grant that the Minister of

Education had a flu last week or had some kind of a bug and was not able to be in the House, but, during the debate on this legislation, the member who has spent the least time in this House is the Minister of Education. Now, Mr. Speaker, I know that you are going to caution me.

Mr. Speaker: Order. I would like to remind all honourable members not to make reference to members that are in the Chamber or out of the Chamber. I ask the co-operation of all honourable members, please.

* (16:10)

Mr. Derkach: Well, Mr. Speaker, you are so right. I should not mention the fact that the Minister of Education is not here, but it is difficult because this is an important bill. So we expect the debate on an important piece of legislation. The Government has said this is an important piece of legislation. They wanted it passed by the 1st of July, even though they did not bring amendments in until after that day, even though they did not bring amendments until after that, yet we find that there is no participation from the Government when it comes to either debating the bill or when it comes to debating the amendments for the bill, so we are still in report stage. So we are still a significant way from seeing this bill passed in this House.

We will continue to debate the bill and to express the views of Manitobans with respect to this piece of legislation. Now this amendment—*[interjection]*

Oh, now the Member for Elmwood (Mr. Maloway) says, well, you are the Opposition. You are supposed to do that. Well, does the Member for Elmwood know what he is supposed to do? I do not think so, Mr. Speaker. Of course, he does what he does best, you see, and it is to sit in his chair, chirp from his seat but never get up and put anything meaningful on the record.

We saw the Member for Rossmere (Mr. Schellenberg) this afternoon get a little excited in his chair because there was some reference made to the way he represents his constituents and the way he represents this issue to the constituents that he was elected by. It is obvious that he became a little sensitive to that and

became a little excited in this House and challenged the Member for Springfield (Mr. Schuler). But that is fine. We will continue to put our views and the views of Manitobans forward on this legislation as long as we can.

Mr. Speaker, the Member for Minnedosa (Mr. Gilleshammer) brings forward a fairly significant amendment here as he has in the previous amendments. Now, if we were dealing with strictly the amalgamation of school divisions, I would say to the members opposite that the legislation would have passed some time ago, but we have gone far beyond amalgamation. We have gone into areas which have nothing to do with amalgamation. The minister is trying to seize from school divisions, onto himself, significant powers, and we saw the misuse of power that this minister exercised in the Morris-Macdonald School Division. So we are afraid that, through this bill, Bill 14, the minister is simply putting in legislation powers that he is going to take from the school division onto himself and then hold that power as a hammer over school divisions. That is not fair. School division boards are elected by the local people. They are elected by parents, by ratepayers, to do the job of leading the education issues within their jurisdictions.

Mr. Speaker, we have always respected that right. We have always respected the fact that school boards should represent their people, should be accountable to the people, and the accountability comes through what they do for the education within their jurisdiction. It also comes from how they raise taxes to pay for that education.

We now have a minister who has decided that he knows best and that he will take onto himself powers that are going to be greater than that of the school divisions, and is going to now determine whether or not the decisions that are made by school divisions on behalf of the children in those jurisdictions, on behalf of the ratepayers in those jurisdictions, whether those decisions in fact are in the best interests of the children. Now this minister, by simply having the power to review their budgets, will now take unto himself the power of saying to a school division, no, your budget, in my view, is not correct, and I will impose either certain

restrictions on you or certain conditions that you will have to meet in order to be able to carry on business as it should be conducted.

But, Mr. Speaker, we witnessed what happened in the Morris-Macdonald School Division. I do not know whether there is a precedent at all in this province that can be related to what happened in the Morris-Macdonald School Division. Never in the history of this province has the minister moved in such a draconian measure to take such excessive powers as to completely destroy the representation of people at the school board level and impose his will on the ratepayers of that division.

Now, Mr. Speaker, the minister says, well, he had to do that because there were so many tax dollars that went missing. He has never quantified the tax dollars that have gone missing. There has been a suggestion that there is something in the neighbourhood of \$2.5 million, but there is no evidence. There is no evidence to show where that money went. In fact, there is no evidence to show that that is the exact amount of money that has gone missing.

One has to question the fact. Is he now doing this in Morris-Macdonald because of strictly political reasons? Morris-Macdonald, as has been known for years and years, has basically supported the Conservative Party, and it is almost strange, if not a coincidence, to have the minister reach into a Conservative area, take the powers away from the school trustees and say I know how to do things better, especially when, in fact, his ministry, his department has to bear some of the responsibility for what took place in Morris-Macdonald.

The Auditor said that, Mr. Speaker. The Auditor said that there has to be joint responsibility, joint accountability between the department and, of course, the school division. Then, of course, there is the other side, the deliverers of the program, of the adult education program which we have stated on numerous occasions here have been the Orlikows and the Cowans who have not been brought to account for what they did in terms of inflating enrolment.

Mr. Speaker, in this amendment, the Member for Minnedosa asks that the minister

advise the divisions by no later than January 15 of the current fiscal year of the provincial funding the division is to receive in the next fiscal year. Now, the reason for this amendment is to make sure that school divisions have the tools before them to deal with the finances of their school division in an appropriate way. If they do not have that information, it is very difficult for school divisions to make the necessary decisions that they have to make.

So, Mr. Speaker, Bill 14 has many holes in it. There are many gaps in it. Then, in addition to that, Bill 14 goes into areas which have nothing to do with amalgamation. So this is not a good piece of legislation, and yet the Government wants to force this through. First, they tell us that they have to have it by July 1 because there is going to be a significant impact on school divisions, because school divisions have to be audited, and then if we do not get it there by July 1, that may mean that school divisions will have to have another set of audits which will cost significant dollars.

Well, there is a way around that, Mr. Speaker. It is a very legitimate, straightforward way to deal with it. The minister can extend the period of audit from June 30 to August 30 or September 30. If he has taken unto himself powers like he has by dismissing a school board, by going against the act and forwarding money to Agassiz School Division which he had no authority to do, well, the act allows him, as I understand it, to be able to extend the audit period from June 30 to whatever date he chooses to extend it to.

Then there would be no rush for this bill to be passed by July 1, which has gone by, and, if the minister was at all serious that July 1, indeed, was a serious date at which he had to have this legislation passed, why then did he come forward with amendments to the legislation after the date he said he needed the bill?

So, Mr. Speaker, we see the contradictions in terms of the minister's actions, in terms of the way the minister has responded, not only to the public, but to the Legislature, here. We see contradictions in the way that he puts comments on the record, and then the realities as they emerge.

The minister has not done a very good job in consulting with trustees around the province. The trustees have no problem with amalgamation. Some would like to get on with it, but there are those, Mr. Speaker, who have a great concern about the fact that they now have to have the minister's blessing in order to be able to have their budgets approved. The last time I checked, school divisions have always had the power to set their own budgets, and, yes, the budgets have to go into the department so that the department can then use that information to determine the amount of money that is going to flow to that school division from the Province. But, in terms of the special levies that the school division has a responsibility to levy, in terms of the taxes that they have to collect from their ratepayers, in terms of the education programs and how much money they are going to spend on them, that has always been in the realm of the local school divisions and has always been their responsibility.

* (16:20)

You know, Mr. Speaker, you have to wonder where this minister is going, because we know that school divisions, as they exist today, have different levels of salary settlements. So school divisions are going to have to accommodate for those increases in salaries when they are merging with another school division because the school division salaries are not the same in all divisions. So those who have lower teacher salaries are going to have to have their salaries increased to the levels of the next school division, and that is going to require significant dollars.

Now I know that there is going to be a period of time in which this is going to phase in, but, at the end of the day, this is going to have an impact on the local taxpayer. Now, if the local taxpayers are going to, I guess, object to the significant increases that are going to come about as a result of this, we are going to have trustees in very difficult positions, because, on the one hand, they are supposed to be accountable to their ratepayers and to the people who pay the taxes. On the other hand, they now have to be accountable to the minister and to be careful that, indeed, they are not doing something that is going to be objectionable to the minister because he can, by the stroke of a

pen, say to them that their budgets are invalid and that he will then influence what their budgets should be.

I do not know of any time in recent history, Mr. Speaker, where we have looked at legislation in this way. I do not know in recent history where we have used powers so excessively as we are in this particular piece of legislation. I do not know in recent history where we have actually passed legislation which says that whatever we have done in the past by the passage of this legislation will make those actions legal.

Let us think about it, Mr. Speaker. Why are we doing all of this? Why are we taking these actions? If the minister was confident that everything that he has done in the past has been aboveboard, has been legal, has not been shady, then why would he need to have an amendment or part of the legislation which would suggest that anything that he has done in the past would now be deemed legal by the passage of this bill? It is a question that has not been answered.

Another question that has not been answered is the whole question of savings of money, and we have asked for the evidence for that. We have asked the minister to provide evidence that would show where the savings would be. Now, he has constantly said in the House that we are going to take dollars from administration and we are going to put them into the classroom, and he talks about this notional amount of \$10 million. Well, Mr. Speaker, but he has never placed before this Legislature or before the people of Manitoba, and I daresay before the school boards, where those savings are going to be realized.

I spoke to the school boards in my area, Mr. Speaker, and they cannot find a dollar that they are going to be able to save in administration and put into the classroom. As a matter of fact, the opposite is true. They are finding that, in fact, they are going to be spending more money in order to be able to accommodate the process of amalgamation.

All we are asking for is some honesty. All we are asking for is some truth. If it is going to cost the Province \$10 million or \$15 million, or whatever it is going to cost us as ratepayers in the province, then we ask the Government to put

that information on the record. Tell us. Tell the people of Manitoba. Where is this money going to come from? I am told that in the Fort Garry School Division, in that area that is amalgamating, the costs are going to be fairly significant to the tune of, not half of a million dollars, but indeed, double that almost.

Mr. Speaker, where is that money going to come from? Is that money coming from the Department of Education, or is that money going to have to be collected at the local level? I daresay that the probability of it coming from the Province is very unlikely, is very low.

Mr. Speaker, we have concerns about the legislation. Through the amendments that have been presented by the Member for Minnedosa (Mr. Gilleshammer) in a very thoughtful way, we are trying to impress upon the Government a more practical and more sensible approach to the way that they are addressing this whole issue of amalgamation and the powers that they are trying to take unto themselves through the passage of this bill.

But the Government does not even stand in its place to debate the amendments or to debate this legislation. They introduced the legislation, Mr. Speaker, on the 2nd of May, I believe it was. So, since the 2nd of May, we have had the responsibility to debate this bill.

The other curious thing is this. The minister is hiding. By calling this bill everyday, Mr. Speaker, they have not even entered into the debate in Estimates on Education. They have not allowed for the debate in Estimates to take place on Education. You have to ask yourself what their agenda is. We have outstanding yet the debate in the Estimates process on Health. We have outstanding the debate in the Estimates in Education, in Agriculture, in Family Services and many other departments. You have to ask yourself why this Government has delayed that process. What hidden agenda do they have?

Mr. Speaker, I think that the Government is waiting for us and for, of course, the media and everybody else to go on holidays, and they are calling this bill day after day because they are in chaos. They know they should have been in the House in April, but they were not. They introduced the bill late, and they expected that we would fold and pass this bill in a hurry. Well, that is just not going to happen.

So, Mr. Speaker, I would ask the members who are in the House here today to consider the amendment that the Member for Minnedosa has brought forward as a sensible approach, as a positive approach, and one that should be supported by all members of this House.

Mrs. Mitchelson: Mr. Speaker, I certainly wanted to stand in support of my colleague the Member for Minnedosa (Mr. Gilleshammer) in his introduction of this amendment. Many of the amendments that have been brought in to this Legislature are amendments that are trying to make a better situation out of the disaster that this Government has brought in the form of Bill 14 into this Legislature.

Mr. Speaker, I would encourage members on the government side of the House to stand in their place and add some comments. It is very strange that we have had only 11 members of the government side of the House stand and speak to Bill 14. We see the absence of comments from many members on the government side in support of their Minister of Education (Mr. Caldwell) and Bill 14. I think that is a very sad situation for the taxpayers, for the parents, for the school divisions, for the teachers and for the children who depend on our education system, that when a bill of this significance is before the Legislature, government members cannot even stand and support their Minister of Education.

Now, Mr. Speaker, we see that this bill, Bill 14, goes far beyond just the issue of amalgamation. It puts into place additional powers for the Minister of Education that I think are to the detriment of the citizens of the province of Manitoba.

We see certain additional powers and certain additions to Bill 14 that go above and beyond amalgamation, but one thing that this bill is silent on is the issue of class composition and size, something that if there is no amendment by this fall, six months after the report was tabled with the minister, that school divisions are going to see the issues of class size and composition part of the arbitration process. Mr. Speaker, that is going to make a significant difference to the cost in school divisions.

* (16:30)

I have had the opportunity to speak to those who understand and know the financial situation

in River East School Division. They have done a study, and they estimate that, if class size and composition goes to arbitration, and they dealt with just the years K to 4, Mr. Speaker, that the taxpayers in the River East School Division would see an \$8-million increase in costs as a result of the class size being reduced to 18. That is just for K to 4. That does not include the additional portion of Transcona that has been transferred to the River East School Division.

If you looked at that making the school division approximately a third larger, Mr. Speaker, and you increase that \$8-million figure by a third, we would be looking at well over \$10 million just on that one issue alone. That does not even speak to the transition costs that would be incurred by River East School Division, which they estimate to around \$2 million.

Mr. Speaker, who is going to pick up those additional costs? Is the Minister of Education going to increase his budget and cover those additional costs, or are the ratepayers on their property tax bills going to have to pay that additional money? We have heard no commitment from the Minister of Education, and yet he has left that piece out. It could have very easily been included along with all the other things he has included in the bill around amalgamation, but it is not there.

I am a little disheartened, and I am really concerned about the mentality of this Government when they say we need to move this bill forward, and it needs to be passed or it is going to have significant implications. There is not any bill of this significance that was ever passed in the short period of time that this bill has been before the Legislature when it has such a significant impact on the lives of many children that need to be educated in our province, on parents, on school divisions and on taxpayers.

Mr. Speaker, we see some of the tactics that this Government is using by talking to school divisions and saying to them, well, if this bill does not get passed, you can blame the Liberals and blame the Conservatives because you are going to have to spend additional dollars auditing your books a second time. The fear of God has been placed in school divisions, that there is going to be additional costs that they are going to have to bear if this bill is not passed.

Well, Mr. Speaker, if the Minister of Education can break the law and fire a total school board, we know that he has the ability, without breaking the law, to extend the year end, and, rather than having school divisions do an additional audit, he can extend the year so that deadline can be extended from June 30 to July 30 or until August 30. So school boards do not have to incur the additional costs.

Mr. Speaker, the fearmongering and the word that has gone out from his department is threats to school divisions to try to get school divisions to put pressure on members of the Opposition to get this bill passed. Well, if the Minister of Education had any courage and was being honest with those school divisions, he would say to them, look, I made a mistake. I should have had this legislation introduced months before. I should have given the opportunity for debate on this. Because I erred, because I made a mess of this, I will give you the additional month, or month and a half, or two months or until this bill is passed and extend your year-end so that you will not have to incur the cost of an additional audit.

But no, do we hear the Minister of Education standing up and saying that? No. We hear him saying and threatening school divisions that there will be additional costs. Well, the only additional costs, Mr. Speaker, that I submit to you, are additional costs because of the way this Minister of Education has bungled this legislation and brought it in in May. We are only two months past the date that that legislation was brought in, just over two months, and we need the opportunity and the time to debate the legislation in this House.

We have heard from many Manitobans at committee that were very unhappy with the way this legislation has been presented. We listened to what they had to say. The member from Minnedosa, the Education critic, has put some significant thought into some amendments that should be very easily supportable by members of the government benches so that we could make this bill a little more palatable to the taxpayers, to the parents, and to the children and the province of Manitoba. But that obviously seems not to be, and we do not hear a peep from any member of the government benches on these

amendments, whether they agree with them, whether they disagree with them, or any comment.

So I find it a little disheartening, and we will ensure that the parents throughout the province of Manitoba, those that are involved in our school divisions and, more specifically, the taxpayers in the province of Manitoba will understand the significance of Bill 14 as this Government has its way and rams it through this Legislature. They will come to understand, and we will ensure that we let them know, that this legislation is going to cost more, not less, and taxpayers will have to be digging into their pockets and pulling out money, writing cheques for education taxes on their property bills that will rise significantly as a result of this legislation. But, you know, we have heard from many members on the government side that, well, have talked to their taxpayers and their taxpayers say get on with it. We want Bill 14. We want amalgamation of school divisions.

The most vocal supporter of moving, besides the Minister of Education on the government benches, has been the member from Rossmere, who has said, taxpayers of River East just love it. They are saying get on with it, get on with it and pass this legislation.

Well, I beg to differ with the member from Rossmere. The member from Rossmere and I both represent the same school division, River East School Division, and the Premier (Mr. Doer), now, is certainly resident in the River East School Division. He will come to know the constituents in River East as I know them, constituents that work hard, want a good education for their children, are proud of the job that River East School Division has done to educate their children. But they want fairness and they want to ensure that the hard-earned money that they make is going to useful purposes.

I cannot say to them that Bill 14 and the implementation of Bill 14 will ensure that their tax dollars are being spent in the best way. I am sure that the Premier will hear from many of his neighbors in the community in which we live, that he should be a little more organized and should be a little better steward of their tax

dollars, because, ultimately, it is the people in Manitoba that work and pay taxes that give us the ability in this Legislature to manage their tax dollars in their best interests, hopefully. I have to say today, with some regret, that I do not believe the hard-earned tax dollars that the constituents in River East and those right throughout the province earn and are paying are going to the best possible purposes in the most efficient, effective and accountable way.

* (16:40)

It saddens me, Mr. Speaker. It saddens me greatly to see the kind of mismanagement, the kind of bungling and the kind of poor legislation, poor planning and poor thought that has gone into so many areas and so many issues that this Government supports.

So it is with regret that I stand, again, to speak on Bill 14, and it is sad to see that many members on the government side of the House choose to sit in their places and not stand up and make comment, not stand up. I think as they have listened to what we have had to say around Bill 14, they have come to understand and to realize that maybe the Minister of Education (Mr. Caldwell) did not quite know what he was doing when he introduced this legislation.

When he sat down behind closed doors—and I do not know if he was alone or whether the Premier was at his side, or whoever—when he took his crayon and drew the school boundaries and foisted them upon the citizens in the province of Manitoba in a way that made absolutely no sense, when you have some school divisions in the city of Winnipeg twice the size of other school divisions; the second largest school division, River East School Division, being amalgamated with part of Transcona-Springfield when school divisions like St. James and Seven Oaks remain untouched.

There was no thought. There was no planning. There was no rationale or reasoning that went behind the boundary changes that were made. So one can only believe that the changes that were made were made for political reasons behind closed doors without any consultation.

Mr. Speaker, we know that when the boundaries for the province of Manitoba are

changed and it is set in legislation every few years, when the boundaries for the city of Winnipeg are changed, there is a process that is followed. The boundaries are drawn by an independent commission. Then those boundaries go out to the public with the proposed changes for public input and discussion. Members of the general public have opportunity to make representation. Then that third party, that independent party, goes back, takes a look at the presentations that were made and from time to time makes changes to those boundaries depending on the representation that was made.

But, Mr. Speaker, did we see any of that with school division amalgamations? No. There was no public process. There were no boundaries presented to the public in order for them to take a look and discuss and analyze and assess and make representation. No, they were drawn politically behind closed doors, and then Manitobans were told that this was the way it was going to be. This is the heavy hand of government, the top-down approach saying we can do anything we want. We can break the law. We can fire school boards, and, retroactively, we can put in place a law that says everything that we did was legal.

This is exactly what this Minister of Education has done, Mr. Speaker. Now he is wanting more control, personally, from his office, over the budgets of the school divisions. Is it all school divisions? No, it is not all school divisions. It is only those school divisions that he has forced to amalgamate. Now, why is there a double standard? Why are the budgets of those divisions more important, and why does he need to be more hands-on with those school divisions? Again, a double standard.

Mr. Speaker, I am extremely disappointed. I would hope that, at least, the Minister of Education would stand in his place and put some comments on the record about why he does not support this amendment. It is an amendment that is well thought out. I know my colleague from Minnedosa has put a lot of time and effort and energy into developing amendments that could make this bill better. I hope that the Minister of Education will stand in his place, will put his thoughts on the record, will defend his position, if in fact he is going to vote against this amendment.

I would encourage many of his colleagues over on that side of the Legislature to stand up, be courageous, not just shout from their seats from time to time as they do, but to stand up and have the courage to tell Manitobans, to tell Manitoba taxpayers why in fact they support this ill-thought-out legislation. It, in my mind, will have absolutely no benefit for children within our school system, for their parents and for our taxpayers. Thank you, Mr. Speaker.

Mr. John Loewen (Fort Whyte): Mr. Speaker, I do want to put some further words on the record and, in particular, this amendment which has been brought forward by the Member for Minnedosa (Mr. Gilleshammer), and a very, very critical amendment to this bill.

We have seen and heard that the Government is, notwithstanding the very emotional, well-thought-out and detailed presentations that were heard in committee, this minister is intent on ramming this bill through the House, despite the fact that as late as last week he was adding amendments of his own to this ill-timed, ill-constructed and ill-thought-out bill.

I do want add some reflections because specifically the school divisions that I represent, Assiniboine South and Fort Garry, which are being forced to amalgamate—and I must give them credit. They are working closely together and very diligently to try and meet the demands that have been placed on them by the minister, but certainly one of their major, major concerns is the disruption that it will cause in their normal process with regard to their ability to take their budget out to the public venue, to allow the public to review the budgets that they have set and have input into the budgets that have been set by the school board. In particular, if this minister does not agree to amend this bill to ensure that provincial funding is announced by January 15, it will be a very, very difficult task for the school divisions and the trustees and the staff of the school divisions, the administrators to be able to have a proper consultation with the citizens that they represent before their budgets have to be cut in stone.

Mr. Tom Nevakshonoff, Acting Speaker, in the Chair

I would urge the minister to proceed with voting for this amendment and at least allow the school boards the opportunity to have some input into this bill, which he has crafted and brought to this House without due consultation, without opportunity for school divisions to be involved in a consultation process prior to his pulling his crayon box out of his drawer and redrawing the boundaries. I would ask this minister to set his political agenda aside, just set his political agenda aside for a few days and listen to what the school divisions repeated over and over and over during their brief opportunity at committee to make a presentation on this bill.

* (16:50)

That brings into question, Mr. Acting Speaker, that the process to bring this bill in was totally flawed. I will put some quotations around these remarks because this was a submission to the Boundaries Review Commission in 1994. I quote: We recognize the widespread view that reducing the number of school divisions in Manitoba, and especially in the city of Winnipeg, will save money by cutting administrative costs. The concept of savings through economies of scale is an old one in education. However, we believe that there are good reasons for rejecting this concept.

Where does this quote come from? It comes from Dr. Benjamin Levin and Anthony Riffel, and Doctor Levin, the now Deputy Minister of Education, who, in their submission in 1994, gave a number of well-thought-out and substantive arguments as to why amalgamation will not result in any of the benefits that this minister has put forward. They go on to give evidence that there is no fact behind the premise that larger school divisions spend less on administrative costs, and they give many examples. Specifically, the example that they dwell on is Winnipeg No. 1, which is a very, very large school division, but does not spend less, proportionally, on administration, than do smaller divisions in this province.

Mr. Speaker in the Chair

That stands up to what we have heard over and over again, not only from the school divisions that I represent, but from numerous school divisions, both those that are being

amalgamated and those that have escaped the minister's forced amalgamation, who came to committee to plead with the minister to withdraw this bill because they fully understand that there are no savings to the school divisions as a result of this forced amalgamation. In fact, exactly the opposite. The minister is foisting extra costs on local ratepayers through this forced amalgamation. Mr. Speaker, the Fort Garry School Division and the Assiniboine South School Division have identified one-time costs of at least \$2 million and ongoing costs that will likely be at a minimum of \$1.5 million per year to run the amalgamated school division that this minister is foisting on them.

Again, to quote from the now-Deputy Minister of Education in his brief to the Boundaries Review Commission chaired by Mr. Bill Norrie in 1994, he indicates countless reasons why there will not be savings in this forced amalgamation. I would give this quote specifically, and hopefully the minister will take the opportunity to go back to his deputy minister and have a fulsome discussion on this issue, but quoting from their report: School boards operate on the principle of the greatest good for the greatest number, trying to maintain the viability of educational programs and to provide the students in their charge with the best overall programs possible, given their resources, population, distribution, and so on. Most of the time, boards seem to do this reasonably well. Still, there will be occasions on which board decisions will be to the educational disadvantage of individual students. We know of no other way to avoid these individual disadvantages and to give students—and this is the operative sentence—and their parents a larger voice in determining which schools students will attend.

In this bill, the Government and the minister are forcing the exact opposite on parents and students in the province of Manitoba. As a matter of fact, he is taking away educational opportunities for students in all divisions where they are being amalgamated, and, in particular, for those students in the now-Transcona-Springfield Division which he has, for his own political whims, decided to try to carve in half.

So I would ask the minister to go back and have a discussion with his deputy and listen to

what the deputy has to say. We know that he will not listen to the school boards and to the individual parent representatives, because they have already been here and pleaded their case and this minister has failed to respond.

There are many more issues, some of which I identified the last time I took the opportunity to speak on this bill, but I think, in particular, not only have his most senior administrative staff presented reasons why amalgamation should not proceed, but, in fact, his own ministers, his colleagues at the Cabinet table, in particular the Deputy Premier, the Minister of Intergovernmental Affairs (Ms. Friesen), gave a number of reasons why amalgamation should not proceed, and she has been strangely silent. As a matter of fact, I have heard some speculation out there that she may not speak again in this House until the Eaton's building is torn down. I cannot comment on whether that is accurate or not. I mean, there is much speculation in her riding, but, certainly on this particular issue, she has been strangely silent because, Mr. Speaker, she spoke extensively in 1996 on exactly why forced amalgamation was a bad idea, exactly why government should have a broad and far-reaching consultative process with parents, with educators, with students before any attempt was made to ramrod through this House by any government, any form of forced amalgamation.

This minister and this Premier (Mr. Doer), who is on record as stating that it is not the Manitoba way, have forced the deputy minister into a virtually impossible situation. I was there at committee, and, while I do not disagree with this statement, I think it is important that she understand that there was a presenter at committee that accused her of being a token woman in Cabinet because she did not have a voice. To her credit, the Minister of Labour (Ms. Barrett) stood up and took on the argument and defended her, and she did an admirable job, but the point remains, if the minister, if the Deputy Premier had deep-rooted convictions, which she appeared to have in 1996 when she spoke on a number of occasions regarding amalgamation and the perils and the evils that could be associated with amalgamation, and here her minister and her Premier, for the simple reason that they feel it is somehow to their political

advantage, have forced upon her to sit and listen day after day and, at the same time, I think, have muzzled her on this issue.

They have refused, and she has refused to speak on this, just as she has refused and been muzzled on the issue regarding the True North, and I think that is unfortunate because this House benefits from the type of debate that she entered into in 1996.

I would ask this minister that he go back to his department, that he go back and have a serious conversation.

Hopefully, that is where he is headed now, to have a chat and perhaps ask his deputy minister, who I think is even growing weary of the process, so weary, in fact, that there is even speculation that he may leave the minister and return to the university as early as this fall, but I would implore the minister to go back, go through Hansard and, seeing how he is not paying any attention to citizens out there, at least pay attention to the hard evidence presented by his own deputy minister, pay attention to the pleas of the Deputy Premier and go back through the record and give some serious thought as to whether he should not just at this time take the advice of so many school divisions and pull the bill.

If, in fact, he does not do that, and I have no reason to believe that he will, because he has ignored over and over again the pleadings, not only of parents, but of students, but of educators and trustees.

I would urge this minister, if he does nothing else, at least convince his colleagues around the Cabinet table to vote for this amendment to give the school divisions and, in fact, to give the people who have voted for their representation the opportunity to at least have input into the budgets.

Thank you, Mr. Speaker.

Mr. Speaker: Order. When this matter is again before the House, the debate will remain open.

* * *

Hon. Steve Ashton (Deputy Government House Leader): Yes, on House business, Mr. Speaker, I believe there may be leave here, actually, to call it six o'clock.

Mr. Speaker: Is it the will of the House to call it six o'clock? *Agreed?* [*Agreed*]

The hour being 6 p.m., this House is adjourned and stands adjourned until Monday at 1:30 p.m.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, July 11, 2002

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		GOVERNMENT BUSINESS	
		Report Stage	
		Bill 14—The Public Schools Modernization Act (Public Schools Act Amended)	3304, 3308
		Gilleshammer Schuler Gerrard Derkach Mitchelson Loewen	3305, 3310 3306 3314 3318 3321