



First Session - Thirty-Seventh Legislature

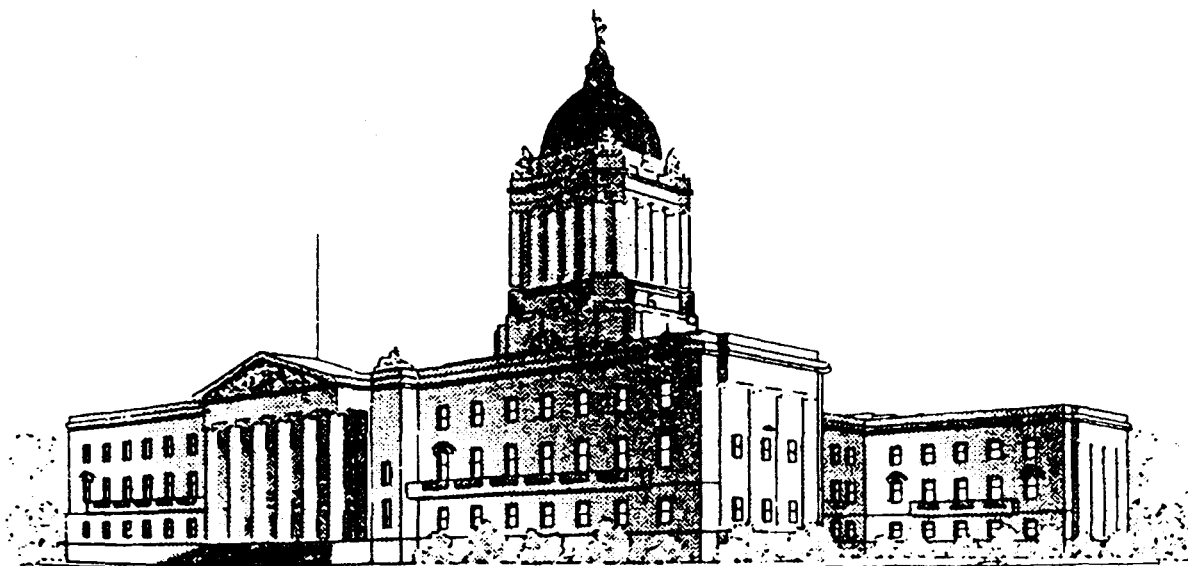
of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

**Official Report
(Hansard)**

*Published under the
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The Honourable George Hickes
Speaker*



MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Seventh Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, July 20, 2000

The House met at 1:30 p.m.

ROUTINE PROCEEDINGS

**PRESENTING REPORTS BY
STANDING AND SPECIAL COMMITTEES**

**Standing Committee on Law Amendments
Fifth Report**

Mr. Doug Martindale (Chairperson of the Standing Committee on Law Amendments): Mr. Speaker, I beg to present the Fifth Report of the Committee on Law Amendments.

Madam Clerk (Patricia Chaychuk): Your Standing Committee on Law Amendments presents the following as its Fifth Report.

Your committee met on Wednesday, July 19, 2000—

An Honourable Member: Dispense.

Mr. Speaker: Dispense.

Your Standing Committee on Law Amendments presents the following as its Fifth Report.

Your committee met on Wednesday, July 19, 2000, at 10 a.m. in Room 255 of the Legislative Building to consider bills referred.

Your committee heard representation on bills as follows:

Bill 32—The Victims' Rights Amendment Act; Loi modifiant le Loi sur les droits des victimes

Ken Mandziuk – Manitoba Association of Rights and Liberties

Bill 33—The Highway Traffic Amendment and Consequential Amendments Act; Loi modifiant le Code de la route et modifications corrélatives

Josh Weinstein – Manitoba Association of Rights and Liberties

Your committee has considered:

Bill 8—The Enforcement of Judgments Conventions and Consequential Amendments Act; Loi sur les conventions relatives à l'exécution des jugements et modifications corrélatives

Bill 10—The Cooperatives Amendment Act; Loi modifiant la Loi sur les coopératives

Bill 24—The Personal Property Security Amendment and Various Acts Amendment Act; Loi modifiant la Loi sur les sûretés relatives aux biens personnels et d'autres dispositions législatives

Bill 39—The Insurance Amendment Act; Loi modifiant la Loi sur les assurances

Bill 40—The Business Names Registration Amendment, Corporations Amendment and Partnership Amendment Act; Loi modifiant la Loi sur l'enregistrement des noms commerciaux, la Loi sur les corporations et la Loi sur les sociétés en nom collectif

and has agreed to report the same without amendment.

Your committee has also considered:

Bill 22—The Court of Queen's Bench Surrogate Practice Amendment Act; Loi modifiant la Loi sur la pratique relative aux successions devant la Cour du Banc de la Reine

and has agreed to report the same without amendment, on division.

Your committee agreed not to complete clause-by-clause consideration of:

Bill 32—The Victims' Rights Amendment Act; Loi modifiant la Loi sur les droits des victimes

Bill 33—The Highway Traffic Amendment and Consequential Amendments Act; Loi modifiant le Code de la route et modifications corrélatives

but to defer such consideration to a future meeting of the Committee.

Mr. Martindale: Mr. Speaker, I move, seconded by the Honourable Member for the Interlake (Mr. Nevakshonoff), that the report of the Committee be received.

Motion agreed to.

MINISTERIAL STATEMENTS

Marcus McKay Search

Hon. Eric Robinson (Minister of Aboriginal and Northern Affairs): Mr. Speaker, I have a statement for the House.

I have had discussions with Mayor Raymond Chartrand of Mallard. Mallard, of course, is in the constituency of the Honourable Minister of Agriculture and Food (Ms. Wowchuk). It is also one of our communities under the jurisdiction of the Aboriginal and Northern Affairs Department.

I would like to take a moment to ask that the members of this Legislature join me in extending thoughts and prayers to the Creator for the parents and family of Marcus McKay from the central Manitoba community of Mallard. Marcus is the eight-year-old boy who became lost during a hunting trip and has been missing for almost a week now, Mr. Speaker.

I would like to encourage all Manitobans to pray for his safe return to his parents and to his community. I would also like to extend a heartfelt message of thank-yous to the Canadian Armed Forces, the RCMP, the Office of the Fire Commissioner, Manitoba Hydro, and many other good people who have so willingly volunteered and joined in the search for this young boy. I would also like to thank all those who have chosen to offer what they have to help feed and support the volunteers as they carry on in the search. I know that all Manitobans take it personally when a child, especially one of our own and especially one so young, goes missing.

I would like to encourage anyone who wants to help in some way to call on one of the organizations, such as the Dauphin Friendship

Centre, which is involved in co-ordinating donations and volunteer help, to ask what they need to assist them in this search effort.

Mr. Speaker, I believe it is important to give our prayers and offer them to the mother, Darlene Dumas, and the stepfather, Rille Chartrand, and indeed to the entire community of Mallard and the surrounding communities. Thank you.

* (13:35)

Mrs. Bonnie Mitchelson (Interim Leader of the Official Opposition): Mr. Speaker, I want to thank the Minister for that statement. Our hearts and our prayers do go out to any family that is in need throughout Manitoba, and especially to the family that we are speaking about today, the family of Marcus McKay from the community of Mallard. We know how terrible it is when a child is lost, and I know that there are many throughout our Manitoba community and beyond that have offered their support. We really want to send our words of thanks along with the Government's to the Canadian Armed Forces, to the RCMP, the Office of the Fire Commissioner, to Manitoba Hydro and to many, many other volunteers that have provided their services in many different capacities.

We know that the ground search is very critical and very important, but the supports to that ground-search crew are just as important, Mr. Speaker, and we are seeing many who are offering the kinds of services that are needed in that support.

To the mother who I heard yesterday in many newscasts speaking about her hope, her sense and her feeling that her child was still alive and he is just searching for a way to get out of the difficulty that he has found himself in, we want to offer to the family to continue that sense of hope. We are all very hopeful that the end result will be a positive one and that Marcus McKay will be safe, back in the arms of his family in the very near future.

So we on this side of the House want to offer our prayers and encourage everyone possible to get involved in the search for this young boy. Thank you.

Hon. Jon Gerrard (River Heights): I ask for leave to speak on the Minister's statement.

Mr. Speaker: Does the Honourable Member have leave? [*Agreed*]

Mr. Gerrard: Children are very precious to all of us here in Manitoba. It is very sad to have Marcus McKay missing now for several days. We the Liberals join with the other leaders in extending our prayers and our sympathies to the family, relatives and friends, our thanks to those who have volunteered, and our hopes that the effort may yet be successful, that Marcus McKay may yet be found alive and returned to his family and community.

TABLING OF REPORTS

Hon. Becky Barrett (Minister responsible for the Civil Service): Mr. Speaker, I am pleased to table today the Organization and Staff Development, Manitoba Civil Service Commission, 2000 Annual Report.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, I would like to draw the attention of all honourable members to the gallery where we have with us Slava Selivanov from Moscow, Russia, who is the guest of the Honourable Member for the Interlake (Mr. Nevakshonoff).

ORAL QUESTION PERIOD

Labour Legislation Impact on the Economy

Mrs. Bonnie Mitchelson (Interim Leader of the Official Opposition): Mr. Speaker, due to the sound fiscal policies and under the current labour laws, Manitobans have enjoyed record levels of investment, low unemployment, particularly for young Manitobans, and a stable labour relations climate that promotes job creation. Unfortunately for all Manitobans, this type of economy is not what this NDP Government wants to see. It is clear from their actions that the economic success of Manitoba is about to end.

My question is for the Premier. What needs to be fixed in the Manitoba economy that requires higher taxes and regressive labour legislation?

Hon. Gary Doer (Premier): Mr. Speaker, I thank the Member for the question. Yesterday, I guess it was the pro-worker day in Question Period. The questions were dealing with wage increases for a number of people in the public service. Today I guess it is the opposite flop on the position of the members opposite.

Yesterday I indicated, in answer to the question of the Member opposite, that cancer technologists and lab and X-ray people had been treated shabbily by the previous members. I quoted a letter, copied to the Member for Fort Whyte (Mr. Loewen): The technologists of Manitoba continue to provide quality of service, even though salaries were unchanged for six years, plus a decrease of 2 percent in two of the last six years.

The absolute—how do you describe it without being outside of the rules, Mr. Speaker—change in position from when they were in government to the way they were asking questions yesterday I think speaks volumes of the inconsistency of the members opposite and their lack of building an economy and a province built on skilled people for the future.

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

* (13:40)

Point of Order

Mr. Marcel Laurendeau (Opposition House Leader): Mr. Speaker, on a point of order. *Beauchesne's* 417: "Answers to questions should be as brief as possible, deal with the matter raised and should not provoke debate."

Taking into account that the First Minister has the Leader's latitude, he should understand that the latitude is for time, not for content. I do not believe he is answering the question.

Mr. Speaker: The Honourable First Minister, on the same point of order.

Mr. Doer: On the same point of order, Mr. Speaker. A number of financial institutions over the last five years have commented on the lack of workers that have been trained and skilled, the lack of skilled workers here in Manitoba. Surely a part of that economy is the lab, X-ray and cancer technologists. We were continuing to answer our question. It was on topic because we believe a skilled economy is going to be a growing economy. That is why I was making the point today in Question Period.

Mr. Speaker: Order. On the point of order raised, I would have to say the Honourable Member does not have a point of order. It is a dispute over the facts.

* * *

Mr. Speaker: The Honourable First Minister to conclude his answer.

Mr. Doer: Thank you, Mr. Speaker. It follows from the happy news yesterday that we were able to achieve a tentative settlement, which of course speaks to labour-management co-operation in Manitoba and the provision of vital health care services to the people of this province.

Mr. Speaker, unlike the members opposite, who treated the people in a shabby way for six years, we are starting to respect the skilled people in Manitoba. We think that is part of a healthy, growing economy and good services to the people of Manitoba.

Impact on Businesses

Mrs. Bonnie Mitchelson (Interim Leader of the Opposition): I just want to point out to the Premier that the settlements that are being achieved today are under the labour laws that are in existence today. So it must say something.

Mr. Speaker, we also see this government taking credit for the low unemployment rate that is in place in Manitoba today because of the robust economy and because of the policies that have been put in place over the last decade. Obviously, there is something positive that has been happening in Manitoba.

My second question for the Premier is: How will removing the fundamental rights of workers to a secret ballot lure more business to Manitoba?

Hon. Gary Doer (Premier): The Member opposite talked about taxes. We have lowered taxes in the Budget.

Some Honourable Members: Nobody's buying it.

Mr. Doer: Well, Mr. Speaker, Mary Webb from Scotia Economics is buying it. Manitoba is keeping pace with tax cuts. It is taking a step-by-step, multiyear approach that is going to keep Manitoba's environment on an improving path. It sends a definite message to business that Manitoba is committed over the longer term to reducing taxes as much as possible.

CIBC World Markets: Manitoba's overall provincial tax burden on the middle-income family ranks fourth lowest in Canada. More personal income tax reductions will kick in in 2001, 2002.

Doug Porter from BMO Nesbitt Burns: Manitoba still has the third lowest top marginal rate in the country. We think eliminating the surtax and some of the other taxes, and making the tax system and the budgeting system more transparent is a balanced approach, Mr. Speaker, and we would welcome members opposite to join. Go away from your extremism and join in in a balanced approach to the Manitoba economy.

* (13:45)

Mrs. Mitchelson: Mr. Speaker, with this labour legislation and many pieces of legislation that have been introduced in these few short months by this new government, certainly, we have seen a regressive approach that goes back to the Howard Pawley days. We have seen now, not only have they put the screws to business with this legislation, but they have put the screws to workers who will not have the fundamental democratic right to a secret ballot under this legislation.

According to the *National Post*, the Manitoba NDP Government is setting the province up as the next candidate for the job destruction capital of Canada. This government should be paying off the provincial debt, Mr. Speaker, not the debt to the union bosses. When will this NDP government stop listening to the union bosses that are driving the political agenda and start listening to Manitobans?

Mr. Doer: Mr. Speaker, let me make it very simple for the members opposite. When you sell a telephone system against the public will, and when you take the assets from that sale and move it into the Fiscal Stabilization Fund, and then you take \$185 million out of the Fiscal Stabilization Fund for the operating budget of the government and you pay back \$75 million, you have over \$100 million in operating debt. That was your last budget, and just because you were able to go through the loopholes—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Thank you, Mr. Speaker. Secondly, this year's budget, the Budget we presented, withdraws less money from the Fiscal Stabilization Fund. The money is allocated for debt repayment and unfunded liability of pension repayment. In other words, this is truly a balanced budget where the debt is truly being paid down.

Mr. Speaker, I mentioned the inconsistencies of members opposite from yesterday to today on medical technologists and cancer technologists. I would like to point out another inconsistency. The 65% certification number was in place from the 1990s and only repealed in 1996. The Minister of Labour, the former Minister of Labour, the Member for Lac du Bonnet (Mr. Praznik), stated that Manitoba business is concerned about taxes, which we are lowering, and deficits, which we are lowering, not labour laws. Our labour laws, which of course was the 65 percent, and I quote: I think are amongst the fairest in governments in Canada when it come to labour legislation. I quote no greater expert than the Member for Lac du Bonnet about the 65 percent.

Labour Legislation Amendments—Justification

Mr. Ron Schuler (Springfield): After a decade of strong economic growth in Manitoba, we now have the lowest unemployment rates in decades in Manitoba. Thanks to the previous government, we now have lots and lots of new employment opportunities in this province. We have high levels of investment. The question is: What is it that this Minister of Labour (Ms. Barrett) is trying to fix with her anti-worker, anti-business Bill 44?

Hon. Gary Doer (Premier): Mr. Speaker, when Mr. Kelly worked for the former Conservative government, and I was looking through this for the Estimates of the Premier's department, the unemployment rate in Manitoba under that Conservative government was over 9 percent in the early '90s, so let him not think that the total decade was helpful.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Mr. Speaker, I think it is safe to say that the statistics show that the unemployment rate went up from '88 through '92, '93, and it came down after that in Canada, in North America and in Manitoba. The unemployment rate now is lower today than when we came into office. Well over 10 000 new workers have been employed since we have come to office. It is not good enough.

Mr. Speaker, *The Globe and Mail* talked last week about having such a low unemployment rate that we have to work more on a growth strategy and look at more immigration strategies. We have worked with the Business Council of Manitoba and the federal government to get more people here to take advantage of more opportunities in a growing economy.

Mr. Schuler: Nowhere during the election did the NDP promise to introduce this type of anti-worker, anti-business legislation. Nowhere do you find it in their promises. Our question is: Why this legislation, and why introduce it now?

Hon. Becky Barrett (Minister of Labour): Mr. Speaker, we took the proposals that are found in Bill 44 to the labour management relations committee and are mirroring in a large percentage of the proposals consensus positions.

In seven of the proposals that came before the Labour Management Review Committee, there was a consensus position reached. We took seriously the report from the Labour Management Review Committee and we reflected much of what both sides said in the legislation that is before us. It is a balanced, reasonable piece of legislation that will help restore and strengthen the labour relations climate in Manitoba.

Mr. Speaker, in 1996, the last time The Labour Relations Act was opened, the government took not one of the recommendations from the Labour Management Review Committee.

* (13:50)

Mr. Schuler: Under current labour laws introduced by the previous government, Manitoba achieved the lowest youth unemployment rate in Canada. My question to the Minister is: What exactly is the Minister trying to fix?

Ms. Barrett: Mr. Speaker, what we are not doing is trying to fix elections.

In the decade of the 1990s, under the former government's rule, there were over 635 000 person days—now that I have quiet in the House, I will repeat that number: over 635 000 person days lost to strike or lockout that lasted over 60 days. No one, neither management, labour, the business community nor Manitobans at large can possibly believe that losing over 635 000 productive person days is good for the economy, and that is what we are going to address in Bill 44.

Throne Speech Labour Legislation

Mr. Mervin Tweed (Turtle Mountain): Mr. Speaker, on November 25 of '99, the Honourable Peter Liba presented this Premier's Speech from the Throne, and although today he chooses to quote from many, we know he spent several

hours labouring in his lonely writer's garret preparing the document. Historically, the Throne Speech outlines the Government's priorities and agenda for the legislative session. Nowhere in the entire document can you find even the slightest hint of this wholesale anti-democratic labour legislation currently being proposed.

My question, Mr. Speaker: Will the Premier tell Manitobans where in his Throne Speech they can find any reference to the elimination of secret ballot votes in union certification?

Hon. Gary Doer (Premier): Mr. Speaker—*[interjection]* The Member for Springfield (Mr. Schuler), from his seat chirps again, and yesterday he was chirping about banning union donations to political parties, which is totally contrary, I thought, to the position allegedly taken by members opposite. So he chirps one way one day and chirps another way the next day. He is an inconsistent chirper in this House, and it is regrettable, because he does not add anything to the debate, nothing to the debate here in this House.

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

Point of Order

Mr. Marcel Laurendeau (Opposition House Leader): On a point of order, Mr. Speaker, *Beauchesne's* Citation 417: "Answers to questions should be as brief as possible, deal with the matter raised and should not provoke debate."

Mr. Speaker, I do not believe it is becoming of our Premier to go on personal attacks in this Chamber.

Mr. Speaker: Order. The Honourable First Minister, on the same point of order.

Mr. Doer: On the same point of order, Mr. Speaker, it was not a personal attack. If one stands up here regularly to try to answer questions and receives a stream of comments from one member particularly in this Chamber, I think it is worthy of holding that individual accountable through the debate in this Legislature, and we are not going to back away from that.

Mr. Speaker: Order. On the point of order raised by the Honourable Official Opposition House Leader, he does have a point of order. I would like to remind all honourable ministers of Citation 417: Answers to questions should be brief as possible and not provoke debate.

* * *

Mr. Speaker: I would ask the Honourable First Minister to continue with his answer.

* (13:55)

Mr. Doer: Mr. Speaker, democracy is enhanced throughout this Speech from the Throne because our first principle talks about inclusion, inclusion of all Manitobans in the economy. That is why we were able to proceed with a summit; that is why we were able to proceed with immigration policies; that is why we are able to sign an agreement today with MKO dealing with children. That is why every day we are able to sign agreements with all Manitobans, from the North, from the south, from the urban centres, from the rural centres. That is the format for this government. Members opposite should know.

Mr. Speaker, we talked about fairness throughout our platform, and throughout the Speech from the Throne we talked about fairness. As the Member for Lac du Bonnet (Mr. Praznik) points out, returning to 65 percent represents one of the fairest forms of labour laws in Canada. Again, I cite the former Minister of Labour in that conclusion, and we need no lectures about democracy from members opposite. I do not recall one word in the Speech from the Throne, in '95 and '96, when they went out and secretly hired brokers to break their promise and sell the Manitoba Telephone System against their will.

Mr. Tweed: Mr. Speaker, perhaps I should table the Throne Speech for the Premier to read and actually see what was said in it.

I would like to ask the Premier: Will the Premier tell Manitobans where in the Throne Speech they can find any reference to the elimination of union compensation information?

Mr. Doer: Mr. Speaker, if I am not mistaken, since the members opposite had passed that law, there had been three requests. As I understand it, there was a consensus between business and labour on that issue, so perhaps the Member will want to do his homework.

Mr. Tweed: Mr. Speaker, it might be one of the few things that were agreed upon, but not all things that were brought forward.

Mr. Speaker, will the Premier (Mr. Doer) tell Manitobans where in his Throne Speech they can find any reference that unions would have to give their permission before binding arbitration can be applied for?

Hon. Becky Barrett (Minister of Labour): Mr. Speaker, as the Premier (Mr. Doer) has stated, the whole thrust of this government, and I think we have been very successful at it, as was stated, the theme of the Throne Speech, the theme of the legislation that we brought in, the theme of the policy changes that we have put in place in our first year in government are to restore fairness and balance to the province of Manitoba so everyone is able to be successful in living and working in the province of Manitoba.

We believe that the results of the consultation with the Labour Management Review Committee, before the putting together of Bill 44, shows in large part a degree of consensus that was not present in the past and is reflected in Bill 44 to an extent that was not present in the last labour legislation where the former government did not put in place any of the recommendations of the LMRC.

Labour Legislation Impact on the Economy

Mr. Harold Gilleshammer (Minnedosa): Mr. Speaker, the Manitoba economy led the nation in many aspects in the last half of the 1990s. In fact, a tremendous momentum was created, and I know the Premier (Mr. Doer) understands that. Jobs were created, businesses relocated here, taxes were reduced and government revenue increased.

This bill is a momentum stopper. Why would the Premier risk that momentum by

introducing this bill, at this time, that was not mentioned in the Throne Speech?

Hon. Becky Barrett (Minister of Labour): Mr. Speaker, I fail to understand how you can define as momentum stopping a provision in legislation which will allow for a settlement without extended strikes and lockouts, strikes and lockouts that took over 635 000 productive worker days out of the Manitoba economy under the former government's jurisdiction.

How can putting in place amendments that will make that less likely to happen be anything but positive for the economy of the province of Manitoba? Does this former government not realize how important a stable labour relations climate with a low number of days lost to strike and lockout is to an economy and is to businesses that are looking to relocate here? We understand the importance of that.

* (14:00)

Amendments—Justification

Mr. Harold Gilleshammer (Minnedosa): Mr. Speaker, why is the Premier, who presented himself to the Winnipeg Chamber of Commerce last year as a business-friendly leader, when he presented himself to the Century Summit as bringing business and labour together, why is he taking this sudden left turn with this legislation?

Hon. Gary Doer (Premier): Mr. Speaker, I would remind members opposite that the former Minister of Labour, the Member for Lac du Bonnet (Mr. Praznik), stated that the major issue for business was not labour laws but was, let me quote correctly: Business in Manitoba is not concerned with the MLRA, which was at 65 percent at that point. Business is concerned. The biggest complaints have to do with the taxes for small business, which we are reducing in this budget, taxes for people, which we are reducing in this budget, and deficit reductions, which we are also reducing. That is momentum, and we have momentum programmed for the year 2001 and the year 2002 and the year 2003 and the year 2004 and the year 2005. The sky is the limit for Manitoba.

Mr. Gilleshammer: Mr. Speaker, the issue is about the Premier's credibility. He had three opportunities to signal this legislation: in the Throne Speech, in his maiden speech to the Winnipeg Chamber of Commerce and in setting up the Century Summit. He missed all three opportunities to tell the public of Manitoba that he was bringing forward this legislation.

Why did he not mention it at any of those three occasions?

Mr. Doer: Mr. Speaker, the majority of my speech to the Chamber of Commerce was speaking to the issue that the Member for Lac du Bonnet speaks as a major issue for the business community, and that is the whole issue of deficits.

At the Chamber of Commerce, I spoke on two items, and I talked about the systemic deficit that had been running in health care over the last three years. In fact, the health care deficit—one wonders when you look at the salaries for cancer technologists how this happened—was over \$300 million over-budgeted in the last two fiscal years.

So when we came into office and had to deal with close to \$150 million of unbudgeted deficit spending that we inherited, the business community was very interested in that. They were also interested in the deficits that had been incurred in August of 1999 on agricultural spending, something which we supported. We tried to solve that deficit problem by changing the crop insurance system, which we did in office.

The third area that I talked about, Mr. Speaker, on the spending side, was the whole issue of the deficit in adult education, a budget of \$4 million, expenditures \$17 million, in four months.

The other issue that was very important at the Summit, the No. 1 issue at the Summit, the No. 1 issue with the Chamber of Commerce, the No. 1 issue that we hear from business is the fact that Manitoba when we came into office had less people enrolled in post-secondary education in community colleges on a per capita basis, No. 10 in Canada.

We are determined to work with all Manitobans to develop an economy based on skill, education and opportunity, not the low-wage, low-skilled approach of members opposite.

Labour Legislation Amendments—Justification

Mr. Darren Praznik (Lac du Bonnet): Mr. Speaker, one of those major concerns of business is honesty. It is being told what a government is going to be doing and not having secret agendas. If the Premier is so fond of quoting me, I look forward to him quoting me with respect to the compulsory binding arbitration which we took out of the legislation and we opposed. He conveniently misses that in all of his quotes, again, certainly a lack of honesty in the Premier in quoting a former minister.

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 believe the words used by the Member opposite were directed not at the remarks made but indeed at the Premier (Mr. Doer) and alleged a "lack of honesty," which is essentially saying that an individual in this House is dishonest has been ruled unparliamentary over and over and over again. I refer you to *Beauchesne's* Citation 489.

I would ask you to ask the Member to apologize and withdraw his comments.

Mr. Speaker: The Honourable Member for Lac du Bonnet, on the same point of order.

Mr. Praznik: Yes, Mr. Speaker, for the edification of the Government House Leader, I was pointing out that the Premier, who is so fond of quoting myself as a former Minister of Labour with respect to some of these provisions, very conveniently did not quote me with respect to one of the major parts of his legislation which is the introduction of compulsory binding arbitration and the end, really the end to free collective bargaining in our province.

Mr. Speaker, all I ask and all I ask the Premier is that he would be less than honest if he were not quoting me in my entirety with respect to both points. I would hope that any First Minister, whom the public should have faith and trust in, if he is going to make those quotations about one part of what I said, he also include the other which was severely critical of exactly the kind of provision that this government has introduced. So it is not fair to me in my past role as Minister of Labour to be somehow implying that I am defending what this minister is doing when I am on the record of this House as opposing a very significant part of this piece of legislation.

Mr. Speaker: The Honourable Government House Leader, with new information on the same point of order.

Mr. Mackintosh: Further to the remarks, if the Member was trying to construe a withdrawal, that was not a withdrawal, Mr. Speaker, of the comments.

Mr. Speaker: Order. I will hear the Honourable Member for Lac du Bonnet with new information on the same point of order. I do not want points of order to turn into debates.

Mr. Praznik: Mr. Speaker, I was not making an apology. I was explaining my remarks, and they are certainly within the rights of parliamentarians to talk about whether or not something is honest. I did not refer to the First Minister as being dishonest. I wish the Government House Leader would pay more attention to the proceedings of this Assembly.

Mr. Speaker: Order. On the point of order raised by the Honourable Government House Leader, "lack of honesty" is unparliamentary. I would ask the Honourable Member to please withdraw the "lack of honesty" comments.

Mr. Praznik: Mr. Speaker, I will withdraw those words. May I continue?

Mr. Speaker: I thank the Honourable Member for withdrawing those words.

Mr. Speaker: Now I will recognize the Honourable Member for Lac du Bonnet with a supplementary question.

Mr. Praznik: Thank you. Pardon me, Mr. Speaker, but am I not asking the first question? This is not a supplementary.

An Honourable Member: It is his first one.

Mr. Speaker: The Honourable Member for Lac du Bonnet on his first question.

Mr. Praznik: Thank you, Mr. Speaker. On one matter the First Minister and I have found agreement.

Mr. Speaker, given that his Minister of Labour is supposed to be restoring a balance to labour relations by taking away the right of working people to cast a secret ballot, by taking away their legal right to have accountability from their leadership, and she is also taking away the legal right of union members to ensure that money that they contribute is not spent on political causes they disagree with, would he not confirm that this is not intended to restore some balance but it is intended simply to make life more convenient for a small group of labour leaders who worked very hard to put the Premier in that chair?

Hon. Gary Doer (Premier): Mr. Speaker, the Member opposite raises five or six issues in his first question. I believe that the issue of union and corporate donations and donations for political purposes, there was consensus between business and labour on that point.

Mr. Speaker, I believe on the second issue of financial information, because the Goldie Report which was commissioned by members opposite, they may know a Mr. Goldie, a person who was engaged by the former Premier on a regular basis reviewing the Labour Board, spoke about the absolute tying up of resources there. It was recommendations to improve that. Both business and labour agreed with two applications to the Labour Board in four years, that it was unnecessary to maintain that provision, so there was a consensus.

On the third item, Mr. Speaker, so we can focus in on the areas we disagree with, when the Member was the Minister of Labour he spoke about the fairness of the 65% provision, so I assume that we have an agreement on 65 percent based on the comments made in the media on the record by the Member for Lac du Bonnet.

On the fourth point, Mr. Speaker, dealing with the issue of "compulsory," there is an application to the Labour Board. There is an application now under first contract legislation to the Labour Board. That provision was in place when the Member opposite was the Minister of Labour, and in fact, it was used in a way similar to what the Member is proposing. I assume that the Member opposite is opposed to that provision, but on the certification he agrees with us, with 65 percent to be consistent with his own words.

* (14:10)

Mr. Praznik: Mr. Speaker, once you have given people the right to a free secret ballot, to take it away from them is really the issue. My question to the First Minister, with respect to compulsory binding arbitration: We took away any kind of fettering with free collective bargaining. How then could the Minister of Labour say that she is doing this to improve a bargaining climate when we hear everywhere from people in the business community, across this country now, that this is not a good thing, it interferes with free collective bargaining?

Hon. Becky Barrett (Minister of Labour): Mr. Speaker, the alternate resolution mechanism component to Bill 44 is modelled on the first contract legislation first brought into this province in 1984 and never changed a wit by the former government in their 11 years.

Mr. Speaker, of the 831 contracts that were negotiated in the 15 years since first contract legislation was first brought into place, less than 1 percent of those contracts actually had to have any portion of them imposed by the Labour Board. It is a model that has been followed and looked at throughout North America. It is a very successful model.

Mr. Speaker, we feel that 635 000-plus days lost to strike or lockout, and a third of those days were lost to lockout, is not good for the Manitoba economy. It is not good for business. It is not good for labour. It is not good for the economy at all. We feel that this provision will provide for a stronger labour relations climate.

Mr. Praznik: Mr. Speaker, having gone through the debate of first contract, I would ask the Minister: Does she not appreciate that there is a very big difference between a first contract situation and every other situation where you have collective bargaining going on? Will she not agree that she is extending what was a unique circumstance to all collective bargaining? Can she tell me of any jurisdiction in North America that has done that successfully?

Ms. Barrett: No, Mr. Speaker, I will not accept that as a conclusion, because this resolution mechanism would not come into play, even theoretically, until there had been a 60-day strike or lockout; 60 days would have to go by. Even should the alternative dispute resolution mechanism be put into place, there is another 60 days for the Labour Board or the arbitrator to work with the management and the union to come up with a collective agreement, a negotiated collective agreement, as virtually every single agreement under the first contract legislation has been negotiated between labour and management without the Labour Board having to come in and impose any kind of full or partial agreement. This is what we expect to have happen. A real success of this legislation would be that it is used very infrequently, if at all.

Sustainable Development Strategy Green House Gas Emissions

Hon. Jon Gerrard (River Heights): Mr. Speaker, yesterday the Minister of Conservation indicated that the fault for the delay in his producing an action plan to address global warming lay with the previous Conservative government. I table today a report produced under the mandate of the previous government which shows clearly that the groundwork had been laid for an action plan, documenting, for example, 17.3 megatons of greenhouse gas

production in 1990, increasing by 7 percent to 18.5 megatons in 1995.

Will the Minister today please give us the real reason for his failure to meet the legal requirements to produce a sustainable development strategy, including an action plan on global warming, by July 1, 2000?

Hon. Oscar Lathlin (Minister of Conservation): I want to thank the Member for the question. As I have repeatedly told him in his earlier questions in previous Question Periods, let me once again advise him that we have developed the implementation strategy of our sustainable development. We have approved the report of COSDI, and we are also planning things like the east side of Lake Winnipeg. We have amalgamated the environment and natural resources together. We have the integration plan well underway.

We have also established a new division within our Department of Conservation called the Environmental Stewardship Division which will be the section of the Department of Conservation which will be responsible for recommending the Sustainable Development Strategy.

Mr. Gerrard: My supplementary: What are the Minister's plans? I ask: If carbon dioxide emissions continue increasing at the same rate as '90-95 with production reaching 23 megatons by the year 2010, what are the Minister's plans to reduce Manitoba's emissions by 6.5 megatons to the level of 16.2 megatons, as required under our international agreements?

Mr. Lathlin: Again, Mr. Speaker, I advised the Member a day or two ago that we are working in co-operation with the federal government in terms of each jurisdiction developing strategies and implementation plans. So we are working hard right now to become part of the national solution.

I repeat, I have said that to him before, and I believe this is the third, fourth time that I am saying that to him.

Mr. Gerrard: Since methane emissions will increase with greater hog production and carbon

dioxide generally increases with GDP, and since the increase in GDP after 1995 is likely to be more than that between '90-95 when there was a recession, I ask: What are the Minister's contingency plans should the increase in carbon dioxide gas emissions, greenhouse gas emissions, be significantly larger than would be anticipated?

Mr. Lathlin: Once again, I will advise the Member for River Heights that, yes, we are concerned about the problems that he is identifying. As a matter of fact, it is not just the Government of Manitoba who is concerned about this situation. The other jurisdictions in Canada are just as concerned as we are. In fact, the federal government recently have made statements to the effect that we have to really look at the transportation industry, the agricultural industry to ensure that we have a plan in place that will address how we can better manage those two industries in terms of emission.

* (14:20)

Wildlife Act Amendments—Justification

Mr. Harry Enns (Lakeside): Mr. Speaker, last night was a memorable evening in the affairs of this Legislature. I participated in the Committee to consider Bill 5 of the Minister of Conservation which has to do with penned hunting.

I was totally shocked and taken aback when bird owner after bird owner: canaries, goldfinch owners, parrots—one presenter pleaded with the Minister, with the Government, please do not make a criminal of his 82-year-old mother for owning a canary. Does this government know what they are doing with Bill 5? Will this Minister assure the over 300 bird owners who, on short notice, signed a petition asking them to not make it illegal for them to have their budgies, their canaries, their lovebirds in their homes?

Hon. Oscar Lathlin (Minister of Conservation): Again, as I have repeatedly told the Member for Lakeside, the intention of Bill 5 is to prohibit the hunting and killing of native and exotic wildlife while they are captive. This

proposed legislation does not impact or effect the ownership of domestic pets. Again, I have made that statement time and time again. This bill will not have any impact on pets such as the ones that he has just finished listing.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. May I remind all honourable members *Beauchesne's* Citation 168: "When rising to preserve order or to give a ruling the Speaker must always be heard in silence." I would ask the co-operation of all honourable members, please.

Time for Oral Questions has expired.

MEMBERS' STATEMENTS

Stevenson-Britannia Adult Literacy Program

Ms. Bonnie Korzeniowski (St. James): One of the delights of my first year as an MLA has been becoming acquainted with inspired and inspiring individuals working on a wealth of ventures, big and small, in St. James. One of these ventures, which the MLA for Assiniboia (Mr. Rondeau) and myself came upon last week, is the Stevenson-Britannia Adult Literacy Program. It started small, offering one-on-one tutoring in basic literacy. It now has five instructors offering not just literacy but Grade 12 courses, as well, to some 200 adults in the course of a year.

What makes its program unusual is its willingness and ability to accommodate the individual needs and lifestyles of its students. Students can pace their studies around their family and work responsibilities. Indeed, it helps them out with their family responsibilities by offering free professional child care. Maria Barros, who is in charge of child care, likes to note with pride that she was Stevenson-Britannia's very first student.

Attending the program's annual closing ceremonies was a moving experience. As someone who considers herself an adult learner as well, I could appreciate the courage it took each one of the program's graduates to embark on this course of study and see it through to the

end. As I looked out into the assembly, I could see every one of them a role model.

Altona Personal Care Home

Mr. Jack Penner (Emerson): Mr. Speaker, I had the great pleasure of attending the opening of the new personal care home in Altona. The Honourable Member for Rossmere, Mr. Schellenberg, was there, on behalf of the Premier (Mr. Doer), cutting a ribbon on a brand-new 40-bed personal care home facility. It reminded me, only a few weeks ago there was a grand opening at Concordia Hospital in Mr. Schellenberg's riding, the Honourable Member for Rossmere's riding.

These two projects were a culmination of Premier Filmon and the Progressive Conservative administration's long work to ensure that there would be health care capital dollars available to ensure that people, seniors who needed personal care, and people in hospital, would have beds to go to. That is the initiative; that was the culmination of 10 years of work to see that we would get our spending under control, that this government has forgotten how to do, get our spending under control, ensure that health care facilities would be available. Our priorities have always been healthy people, health care. The people in Altona expressed their gratitude to that previous government for putting in place enough capital dollars to see to it that the senior people in rural Manitoba would in fact be cared for.

* (14:30)

The local volunteers that raised a million dollars to make the contribution required, from local communities, need to be congratulated because they were the ones that worked hard. The staff, the nurses, the administration over there who worked so diligently to make this project happen need to be congratulated. Many of the organizations that were involved, such as the municipality, such as all the volunteer organizations that worked endlessly and hard to bring this to fruition, all need to be congratulated.

Peguis First Nation Activities

Mr. Tom Nevakshonoff (Interlake): I rise in the House today to draw attention to events that

have been taking place in the Peguis First Nation community this past week. Mr. Speaker, on Monday, the 17th of July, the second annual Manitoba Indigenous Summer Games commenced. The Minister of Aboriginal and Northern Affairs (Mr. Robinson) was in attendance on behalf of the province. Our government made a contribution of \$45,000 towards the success of this event.

Running concurrently with the Games was the annual Peguis Powwow, which I attended personally on Wednesday, the 19th of July, on behalf of the Government. I was honoured to have been asked to participate in the Grand Entrance Ceremony which took place at 1 p.m. and then again at 7 p.m. Mr. Speaker, mere words cannot describe the splendour and extravagance of the costumes of the dancers who came from across North America to participate. The bells, the eagle feathers, the wide variety of colours and the mix of the dancers, male and female, old and young, all contributed to a most memorable occasion for me. Standing at the centre of the circle at the side of Chief Louis Stevenson while the dancers whirled around, the drums were pounded and the singers chanted is an experience which will remain vividly etched in my mind for the rest of my life.

I am proud to say, Mr. Speaker, that I have some Indian blood coursing through my veins dating back to the 1700s when my English ancestors came over here as Hudson's Bay fur traders and mixed with the local population. Yesterday, as I mixed with the people of Peguis, I felt a part of them, and I thank the Chief and Council and the people of Peguis for making this day very special for me. Thank you.

Labour Legislation

Mr. Ron Schuler (Springfield): Mr. Speaker, over the past decade Manitoba has benefited from a powerful economy creating jobs for many Manitobans who suffered dearly under the disastrous Howard Pawley regime. Thanks to the sound fiscal policies of the past decade, this government is able to steal credit for the booming Manitoba economy. This government's charade of moderation and responsibility has come to an end.

Under the current labour laws, Manitobans have enjoyed record levels of investment, low unemployment, particularly for young Manitobans, and a stable labour relations climate that promotes job creation. Unfortunately for all Manitobans, this type of economy is not what this NDP Government wants to see, and it is clear from all their actions that the economic successes of Manitoba are about to be flushed down the toilet. As this NDP Government puts the screws to the business community, they are putting the screws to democracy by taking away many of the rights enjoyed by Manitoba workers.

What needs to be fixed in the Manitoba economy that requires higher taxes and regressive labour laws is the question. How will the NDP, stripping workers of their democratic rights, lure business to Manitoba? How does discouraging investment help Manitoba? These are questions this anti-worker NDP Government refuses to answer. The introduction of Bill 44 clearly illustrates this NDP Government is more interested in the 18th century than in the 21st century. Shame.

According to the *National Post*, the Manitoba NDP Government is setting the province up as the next candidate for job destruction capital of Canada. The NDP Government should be paying off the provincial debt, not debt it owes to the union bosses who got them elected. The only hope this NDP Government has given to young Manitobans is that their term will come to an end three years from now. It is truly unfortunate that Manitobans must wait for three years before workers are given back their rights, taxes are lowered—

Mr. Speaker: Order.

Mineral Exploration Assistance Programs

Mr. Gerard Jennissen (Flin Flon): Mr. Speaker, I am proud today to highlight our government's commitment to exploration and growth in the mining industry in Manitoba. Recently the Minister of Industry, Trade and Mines (Ms. Mihychuk) announced that 27 new mineral exploration projects will receive up to \$1.5 million in government assistance this

summer to promote continued investment and job growth in Manitoba's mining sector.

The funding is the first of two offerings scheduled in the year 2000 under the Mineral Exploration Assistance Program, MEAP. The goals of this program are to increase grassroots mineral exploration and stimulate activity that could lead to the development of new mines in Manitoba. For every dollar provided through the Government's program, nearly \$5 are spent by industry on mineral exploration in the province. Of the 27 new projects, 6 are with companies new to Manitoba; 3 of the new projects are in the Lynn Lake-Leaf Rapids area near communities facing mine closures. It is hoped exploration in this area will lead to development of new mines and a more secure future for these communities.

This program is a significant example of this government's commitment to promoting investment in the province. It also reiterates this government's commitment to working with all stakeholders in the mining industry, an industry which has a huge economic impact on northern Manitoba specifically and all of Manitoba generally. Thank you.

Committee Changes

Mr. Gregory Dewar (Selkirk): Mr. Speaker, I move, seconded by the Member for Transcona (Mr. Reid), that the composition of the Standing Committee on Public Accounts be amended as follows: Fort Rouge (Mr. Sale) for Wellington (Mr. Santos).

Motion agreed to.

Mr. Peter Dyck (Pembina): Mr. Speaker, I move, seconded by the Honourable Member for Gimli (Mr. Helwer), that the composition of the Standing Committee on Public Utilities and Natural Resources be amended as follows: Portage la Prairie (Mr. Fauschou) for Ste. Rose (Mr. Cummings).

Motion agreed to.

Mr. Dyck: Mr. Speaker, I move, seconded by the Honourable Member for St. Norbert (Mr. Laurendeau), that the composition of the Standing Committee on Public Accounts be

amended as follows: Gimli (Mr. Helwer) for Kirkfield Park (Mr. Stefanson); Tuxedo (Mr. Filmon) for Steinbach (Mr. Jim Penner); and Portage la Prairie (Mr. Fauruschou) for Southdale (Mr. Reimer).

Motion agreed to.

ORDERS OF THE DAY

House Business

* (14:40)

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I would like to advise, in addition to the reports that have previously been referred to the Standing Committee on Privileges and Elections, on Monday, July 24 at 10 a.m., that the following reports will also be referred to the Committee for consideration: Report of the Chief Electoral Officer on the Crescentwood and Portage la Prairie By-Elections, September 1992; Report of the Chief Electoral Officer on the Osborne, Rossmere, Rupertsland, St. Johns and The Maples By-Elections, September 1993; Report of the Chief Electoral Officer on the Charleswood By-Election, April 1998; the 1989, 1992, 1993, 1994 and 1996 Annual Reports on the Operations of The Elections Finances Act.

Mr. Speaker: It has been advised that, in addition to the reports that have previously been referred to the Standing Committee on Privileges and Elections, on Monday, July 24, 2000, at 10 a.m., the following reports will also be referred to the Committee for consideration: Report of the Chief Electoral Officer on the Crescentwood and Portage la Prairie By-Elections, September 1992; Report of the Chief Electoral Officer on the Osborne, Rossmere, Rupertsland, St. Johns and The Maples By-Elections for September 1993; Report of the Chief Electoral Officer on the Charleswood By-Election, April 1998; the 1989, 1992, 1993, 1994 and 1996 Annual Reports on the Operations of The Elections Finances Act.

Mr. Mackintosh: Mr. Speaker, would you please call debate on second readings, Bills 14, 16 and 31.

DEBATE ON SECOND READINGS

Bill 14—The Provincial Railways Amendment Act

Mr. Speaker: To resume debate on second reading on the proposed motion of the Honourable Minister of Highways (Mr. Ashton), Bill 14, The Provincial Railways Amendment Act (Loi modifiant la Loi sur les chemins de fer provinciaux), standing in the name of the Honourable Member for Steinbach (Mr. Jim Penner), who has 31 minutes remaining.

Is it the will of the House to leave it remain standing? [*Agreed*]

Mr. Darren Praznik (Lac du Bonnet): Mr. Speaker, I want to take the opportunity to speak on Bill 14. I think it is a very important piece of legislation, or very important issue, shall we say, for the people of our province.

As a former Minister of Highways and Transportation who had the opportunity, in my short time period in that department, I was able to become very familiar with many of the regulatory issues around shortlines. But my interest in them goes back even farther.

I remember back another summer, I believe it was the summer of, it may have been 1996, when the federal legislation dealing with rail-line abandonment had become law, I believe, on the 1st of July of that year. Immediately following that, of course—and the Member for Flin Flon, I think, at that time was a newly elected member; he would recall that same period—we had an announcement by Canadian National Railways that they were in the process for abandoning, I believe it was, the Lynn Lake subdivision, the Sherridon subdivision and the Bay Line to Churchill.

I remember getting a call. I was at home at that particular time. The House had adjourned. I was spending a few days with my family. I remember getting a call from the Executive Council offices that this announcement had been made and, as the then Minister of Highways and Transportation was not available at the time, would I take the lead on it until he returned? So I found myself immersed, in those beautiful days

of that July, in the issue around the abandonment of the Bay and Sherridon Lines, and, as then Minister of Northern Affairs, that, of course, was of great deal of concern to me and that department because it would have meant the end of Churchill as a port. It would have meant the end of transportation to a number of communities, of ground transportation to a number of communities that depended on that particular line.

I, at that time, remember speaking to the Member for Flin Flon, again, newly elected member who was involved on behalf of his constituents, and we were later joined by the Minister of Transportation. We got very well immersed into the issues of shortline railroads. The long and the short of this whole story, of course, is that after many, many meetings, which included a meeting that I arranged with Mr. Paul Tellier of Canadian National, the then president of Canadian National Railways, where I met with him in Montreal at CN's national headquarters. It was very interesting in that meeting. You learn quite a bit when being put into that milieu. I got the very strong impression, of course, that much of the information that we were collecting in Manitoba with respect to the possibility of developing a shortline railroad on the Hudson Bay Line that that information was not all making its way up within the Canadian National bureaucracy to Mr. Tellier's desk.

What I found very impressive with Mr. Paul Tellier was, perhaps, it was his experience in the political realm of the federal government as a former Clerk of the Privy Council, but he realized very quickly that it would be best to find a solution for the communities rather than closure. He did not say to us he was going to change the rules, et cetera, but he certainly did indicate very, very clearly that he was prepared to look for a locally based answer and would go as far as he possibly could, mindful, of course, that he had deadlines and shareholders to respond to and deadlines within the corporate framework.

Because of his personal intervention and his personal interest in this matter, over a period of weeks and months, he did come to Winnipeg. If my memory serves me correctly, the Member for Flin Flon was involved in a meeting we held

here at the Legislative Building with him. We invited him to attend as one of the local MLAs on behalf of his caucus. There were others involved. The long and the short of it is we did get CN to commit to do a proper proposal call for shortlines. The end result was that they were able to negotiate out of that proposal call with a successful bidder, that being OmniTRAX of Colorado, who then proceeded to take over the line, establish the Hudson's Bay railroad, take over the port.

I must admit one of the most interesting and pleasing moments in my career as Minister of Northern Affairs was flying over Churchill to land at the Churchill airport. After hearing for years that that port and rail line could not take aluminum hopper cars, that they could only take boxcars, and that is why Churchill was an uneconomic port After hearing this for decades. In fact, I remember the first time I heard it was when I was in university and had a chance to travel to Churchill and hearing that and, you know, never quite understanding the logic of it, but there we were, the very first summer that this private operator, OmniTRAX, had taken over the rail line. I was flying in as—I cannot remember if I was Minister of Health at the time or Minister of Northern Affairs—but flying into Churchill and counting the number of hopper cars in the rail line, in the siding waiting to be unloaded.

I stopped counting—and I know that this is near and dear to your heart as a former resident of Churchill—at 400 of these hopper cars that a year ago officials of CN continued to tell us could never be brought into Churchill. It was so pleasing. When I passed 400, we were getting pretty low and preparing to land. I had to stop counting. They were all there waiting to be unloaded. The Port of Churchill was doing very well, and I mean not to say that there were some problems and there were some issues, but we have a private operator who took over that rail line.

I must say that this story for me even goes back one stage further. I can remember my first winter as Minister of Northern Affairs. My then Deputy, Mr. Tom Farrell, no stranger to the North, former mayor of the City of Thompson, currently the Deputy Minister of Labour. Deputy

Minister Farrell and I, and Oliver Boulette, who is now a Deputy Minister of Northern Affairs, who was then our senior provincial public servant, we travelled. In my first months as minister we travelled in January by vehicle up to our offices—Dauphin, Swan River, into The Pas, Herb Lake, Thompson. We took the train to Churchill. I remember a cold January evening. I think it was a Saturday night where the then-mayor of Churchill, Mayor Webber and his councillors had our little delegation over to his home in Churchill, because there were no restaurants open at that time of the year on a Saturday night.

Perhaps the Member for Thompson (Mr. Ashton) knows exactly what I am talking about. He has probably been in that living room. The mayor and his councillors cooked up a beautiful meal for us of wild game, Arctic char. There was moose. There was caribou. There was wild rice. The councillors were cooking. They had me in there adding my two bits worth in the preparation of the meal. We drank some wine and we talked about the future of the north. We talked about the railroad. We talked about Churchill. I can remember sitting there in that living room and talking about raising the issue of a private shortline operator. Although the politically correct position of the North at that time and of governments of that time was we cannot let CN off the hook here. The reality was when we got into the conversation privately, that virtually everyone in that room, the northerners in that room were in agreement that a new operator would be better than CN because in CN's operation, that line did not really count for much. It was a small line, more than their corporate structure could really handle. By the way, I think, CN knew that. The question was just how do they get rid of it.

The politically correct comments of the time were: We have to keep CN and make them work better. Well, that had not worked for decades. The reality when you talk to people was let us get on with a private shortline operator, and, very successful. Now we have several. I think, there are two other shortline operators. I look to the Minister of transportation now. There is certainly the Central Manitoba Railway that runs two shortlines, one in my area, the Pine Falls subdivision. I think there is another

operator in the province. So we have had great success.

So here we are today with the next dilemma for the Minister. Going back, I remember my predecessor, Mr. Driedger, who was then Minister of Highways and Transportation, brought in the first shortline act years before we had one, an actual shortline railroad to facilitate it. Well, we did not really get the railroads happening for some time, but we started to build the legislative scheme. I know once we had some operating or preparing to operate when I was minister, we brought in amendments.

But we have now reached the point, as I have indicated, where in the regulatory scheme that has been developed, that the same issues that faced the national government a decade or two decades ago about potential rail-line abandonment now face us as a province, as provincial regulators of provincial railroads, and shortlines, and how we handle this issue becomes very, very important.

* (14:50)

Now, I want to say in fairness to this Minister of Highways and transportation (Mr. Ashton) whom I have had, I think, the privilege of working with over the years on many issues—we have disagreed on some issues; we have agreed on many. In some ways I have to tell that minister that I have come to appreciate him. I call him a friend. I view that we have developed a friendship beyond partisan politics, and I can see this minister is faced with exactly the same number of dilemmas that I had this time last year. You know, Mr. Speaker, there is an irony in this.

The Member for Thompson (Mr. Ashton) and I have both been younger members of our caucuses. Not only after the election did he get my office, Mr. Speaker, he got my chair, he got my desk in the Legislature and he got my government truck. *[interjection]* I have to tell you, and the Member said it well, that we could have kept it. I have to tell you that the reason I did not buy it out after I became a minister is for exactly the reason he is learning why he really should trade it in as Government Services Minister. The Minister signals about the

vibrations, just so those who read this record some day will understand fully of what I speak. Being a frugal minister, as I know this one is as I was, we got government vehicles that came from Red River community college and had been fixed in accidents, so I just—*[interjection]*

Well, the Minister of Labour (Ms. Barrett) says I was not too frugal in health care, and I have to tell her: You are right. There I was not. There I was not a cheap date. I was expensive. Mr. Speaker, in my two years as Minister of Health, I added \$100 million each year to the health care budget, and you know something? Every day the Member, for now Inkster, in her former capacity as an opposition critic, her colleagues and she asked me, as Minister of Health, to spend more than that.

Every day they asked me to spend more in Health. I added \$100 million each year, and I just have to tell her that now that she is a member of the Treasury bench of the Cabinet, she will come to despise her Minister of Health, just as I was despised by my colleagues because ministers of Health eat large portions of the budget. You know, I have to empathize and sympathize with the Minister of Highways. When people tell me that he is not doing enough on this road or that, I am reminded of that \$100 million each year of additional funding that we got in Health. That \$100 million for Health, you know, was the equivalent, give or take \$10 million, of the whole capital budget of the Department of Highways just consumed.

I know it is a bit of an aside, Mr. Speaker, but I just say this in context that that issue of infrastructure funding has been, generally speaking, ignored by the people of Canada and the people of Manitoba for at least two decades. I say this in fairness to the Minister of Highways and Transportation, I say this to his colleagues, that we are facing a crisis in transportation, that we are facing a crisis in our road system, and that we as Canadians are going to have to address that sooner than later. We are facing major pavement failure right across Canada, and it is a very, very important issue.

The Minister of Highways knows that; I know that. Those that have served in that portfolio know that, and we know that national

highways—I know, the Member for Burrows (Mr. Martindale), that I am wandering a little bit, but I think it is important points to make here in context of this minister because I am very empathetic and sympathetic to this minister because he has been given a role that I had for a brief period of time. My predecessor, the former member for Springfield, Mr. Findlay, had the same issues.

We have not even kept up with our highway infrastructure, and we are facing, within the next five or ten years, maybe sooner, massive pavement failure across Canada. It is not going to take, you know, a \$6 million, \$7 million, \$2 million or \$4 million contribution under some kind of national highways program to fix it. It is going to take, in Manitoba's case, probably an extra hundred million a year for—I look to the Minister—four, five, six, ten years to be able to bring us up to where we need to be, and that means other areas are going to have to—that money is going to have to be found. So I am very sympathetic and empathetic to this particular minister. But getting back to the issue that he faces as a minister of transportation responsible for shortline railways.

Beginning with Mr. Driedger as the minister who recognized, as we saw shortlines develop in Alberta, that as the national railway system contracted in terms of the number of branch lines where a growing trucking industry and a host of other factors—part of it the economies of railroads changed over the years in comparison to trucking transportation, larger volume being able to carry. For a host of factors one could not control we saw the abandonment of branch lines by large railroads who had large cost structures and large organizations to really be, at least initially, national transport rail lines having to switch to become North American rail lines, having to concentrate on what their core business was, their core markets.

You know, 10, 12 years ago, 15 years ago, it was recognized, even earlier, that those branch lines were going to be lost, and in other provinces we saw the beginning of shortline. So Mr. Driedger as minister recognized this and introduced our first shortline railway act that would facilitate provincial jurisdiction shortline railroads.

We did not have any. The Hudson Bay rail line, interestingly enough, did not fit in that category because some of its track crosses into Saskatchewan which means it still remains in the federal jurisdiction, but we do have two, actually one central Manitoba operating two different shortlines. We now have operating viable shortlines, and we have other places in the province, Mr. Speaker, where the shortline railroad may become a very important operating alternative for those communities. So we have the first act and we had amendments made to it as we actually got some experience in it. Last year I think we brought in some more and as Manitoba gains experience, and it is not just on how you set it up, Mr. Speaker, there are issues around workplace and safety inspection, a host of things. We do not want to re-invent the wheel. There is a great deal of expertise out there now.

I know when I was minister and our inspection—I believe we had the power to contract with the federal inspectors to do the kinds of things that had to be done. Why re-invent the wheel at a relatively small department? So here is the Minister today facing the next regulatory step in this chain, which is what do you do if a shortline operator wants to abandon the line because it does not work for them. Well, I think his initial reaction was we have a federal process in place.

* (15:00)

Well, the difficulty that we all face, and I want to say to the Minister that we on this side are recognizing that this is not really apart as an issue. This is a dilemma facing this legislature of which he is the lead person in it, because where I think we all have agreement is we do not want to lose the development of shortlines in Manitoba. We do not want to have a regulatory framework, Mr. Speaker, that is going to be discouraging to any more shortlines setting up. We do not want to kill shortline railroads by a regulatory scheme that discourages investors.

On the other hand, the other side of this dilemma—and we all face it because we all have, most of us at least, have some rail line in our constituencies if we are rural or northern. We know that if a shortline railroad comes and goes, communities are going to say, well, we have to

have some process to ensure that someone else can get a kick at the cat, that a buyer of a shortline through a federal process can operate it for a year or two, six months, whatever, and say: Well, I cannot make a go, I am going to sell off the tracks, sell off the salvage material, pack up my bags, I have made some money and away I go. We do know that, particularly in the initial start-up years of a shortline railway, there may be more value in the salvage of that line than in operating it.

Now, the communities who depend on that line, the users of that line, the businesses who ship through that line, they are saying: Well, whoa, wait a minute here. We want to make sure that that cannot happen. Now that we actually have some operating shortline railroads in Manitoba, this is an issue that has to be dealt with.

So here is the Minister of Highways and transportation with another dilemma. How do I ensure I provide some regulation here which does not discourage further shortline growth or, even worse, does not drive the existing ones out of business, while at the same time providing for some assurance to communities and shippers that if one does not make it others will be able to have a chance to make it work. That is the balance.

Now, some might argue, why do we not just adopt the federal regulatory scheme? Well, the federal regulatory scheme is somewhat onerous. It is designed for large railroads, obviously operating in more than one province, that have a host of operating lines, and they are not choosing to shut down their whole operation but in essence are shutting down a part that is not making money.

So they do, at least one would assume, and this is probably unfair to them, they would argue, they may argue that it is not a valid argument, but for them at least one could argue that they have some ability to live with time frames for abandonment and process to give others a chance, while probably still losing money because they have other areas to write that off against. Well, I am not going to argue whether that is right or wrong, but that is probably the reality.

There is also probably an argument as well that in the case of many of those railroads, the land grants that may have initially been given to them had value that they have extracted on sale of property or buildings or other things that came with them that came from public lands that at least give some requirement that they take time to find another buyer. But that is not the case with shortline railroads, because they, in fact, are operators who have one operating entity. If they are losing money, which is the reason they would want to get out of the business, to have a long period to give others an opportunity to come in without compensation to them means in essence that they—which means—

An Honourable Member: I am listening, Darren.

Mr. Praznik: Thanks, MaryAnn. You understand. Which means in essence, Mr. Speaker, that they do not have a financial ability to carry that; that, if they are losing so much a week or a month in operating and we expect them to stay for 980 days, we are asking them to continue to lose money in order to give someone else a chance to take over the rail line. They have not been the beneficiaries of some century-old grant of public lands that they sold to settlers, et cetera. So the logic is not there.

They also recognize that if they have a salvage value, they have paid for that value, that to have their railroad sold for a lesser amount of money at the end of the day is really confiscation of what is their equity and their value. So this is the set of dilemmas within which the Minister of transportation must deal.

My concern here with this particular bill, we saw today, and I give full credit to the Minister for practising what he preached—I would not say "preached;" that is not a fair word—what the Minister always said to me that, you know, if you have amendments, share them with your counterparts, and he did that today. I know in some conversations I have had with him privately, and those will remain confidential, but I certainly got the sense the Minister recognized this dilemma and struggled with this dilemma, just as I would if I were still the Minister, and

trying to get it right and yet it is not difficult to do.

So he brings in the Bill. He has recognized that there are problems in this. By the way, one should never criticize a minister for bringing in a piece of legislation and then saying: Well, maybe we made some mistakes in it; we need some amendment; this is not quite right. I think that is a very good way to do it in a democracy. You bring forward the Bill. It is there in written form. When I was minister, I used to like to do it with a draft on it before I brought it in so that people could see what it would look like in legal form, but he has done that. It has had response from shortline operators. We know that he has concerns expressed to him about this bill. So, as part of that process, he provided our critic, the Member for Minnedosa (Mr. Gilleshammer), today with a list of amendments.

Now we have had a chance this morning to have a look at a number of those amendments. They still give us some concern, and we think that they may have, in fact, opened up some other issues that may be there. Now where am I going with all of this, Mr. Speaker?

An Honourable Member: Good question.

Mr. Praznik: And it comes to a conclusion.

An Honourable Member: Unlimited time. Designated speaker.

Mr. Praznik: Mr. Speaker, I am not quite yet the designated speaker. *[interjection]* Yes, the pick for today. Well, I had wonderful times in Pikwitonei, and I have to tell you the Mayor, Cecil Thorne, was a strong supporter of mine, former mayor, in the leadership bid that I made. However unsuccessful it was, I had support in the North. Pikwitonei and in Thompson, I had very good support and people I had worked with over the years who know we could get things done like bringing in land line power. It was there, and I thank them today.

Where I am going with this, Mr. Speaker, is the Minister is advancing our shortline regulatory scheme the next step. He has to do that. He has some very legitimate interests on both sides. They are concerns that are both

legitimate, on the side of the shortline railroads ensuring that their losses are not prolonged, that their equity is protected, that they have sufficient freedom of action to realize that. On the other side, communities and users of those railroads wanting to ensure that, if one cannot make it, there is an opportunity for others to do it. I say to the Minister, in all sincerity, that we share exactly the same dilemma. We are not here to push the interests of one of those sides versus the other. We recognize that the objective is to have more shortline railroads in Manitoba if they work in Manitoba. We share the objective that we need a regulatory scheme that is going to strike the right balance that will not lose the shortlines and yet provide some ability to ensure that, if one cannot make it, another can before tracks are torn up.

* (15:10)

So we share with him, I believe, at least 100 percent of the same objectives. The Minister is caught in the same vice as we find we are in here too. Two different sets of interests, how do we make this work? I say this to the Minister that the Department of Highways, and I know it reasonably well, does not have within its administrative scope a great deal of depth and understanding of railroad issues. It is building it, and I do not say that in any offensive way to the Department. The reality is it has not been part of their regulatory scheme until just recently, and it is all very new for them.

So what we believe on this side of the House, having had a chance to look at the amendments, is that we think that this area needs more work. I want to make this invitation to the Minister of Highways and Transportation. We think it may be a very good move on his part to have this particular bill perhaps taken out of this legislative session. I would even suggest to him, on a personal basis, he may want to consider putting together some form of round table of stakeholders. I think we would be prepared to be part of that, if he would like us involved in it. I am sure some of his colleagues on the upper benches, perhaps the Member for Flin Flon (Mr. Jennissen), who has had some experience, I would strongly recommend to be one of those people. I would suggest as well that the Minister may want to consider getting the Association of

Manitoba Municipalities, representatives of the shortline railroads, representatives of any other of the stakeholder groups and give them a mandate to come up with. And I say this not to take his discretion away, but give them a chance to sit down and deal with this.

I know he is listening to my remarks. I think this one is an important one that he take note of. I know that he has to, to his colleagues, that if he were to take us up on this suggestion and strike that kind of task force to do this work that it could not be an unlimited amount of time. Ultimately, it has to come back to him and his discretion as minister has to be applied.

I say this to him, from all accounts, we understand that at some point this session will adjourn, whether it be in a few weeks or longer, but it is the intention we understand of the First Minister to call at some point a fall sitting for another session. That has been the tradition.

If the Minister were to take us up on our offer and assign a kind of working group—perhaps he does not want any MLAs on it. That is his prerogative as well. Perhaps it should just be stakeholders. But if he were to take us up on that particular offer and do this work over the next number of months and reintroduce this particular bill in the next session, I would strongly recommend it. I think my colleagues would agree. If we had that process to develop this, if this House were to sit for two or three weeks or four weeks in the fall, I think the Minister would have speedy passage of that bill and have it in place by the end of the year.

I am prepared to say to him today that if he takes us up on that offer and puts this into kind of a stakeholders group to work through these amendments and this scheme, which we would be prepared to assist on—we have the same dilemmas as he does with this legislation—and bring back a bill, and it may not get a consensus of everyone, I think it would be somewhat stronger than where we are today, that we could on this side of the House, and I look to my colleagues, I think we would ensure that there would a speedy passage of that bill in a fall sitting of this Legislature and that he could have it as law of this province by the end of this

calendar year. I think that is a reasonable offer to make.

Mr. Speaker, to do that we would like to recommend that—in fact I am going to make a motion. I am going to move, seconded by the Member for Carman (Mr. Rocan), that the motion be amended by deleting all the words after the word "THAT" and substituting the following therefor: Bill 14, The Provincial Railways Amendment Act, be now read a second time. Mr. Speaker, I will just amend that correctly. I have a change.

I would move, seconded by the Member for Carman (Mr. Rocan),

THAT the motion be amended by deleting all the words after the word "THAT" and substituting the following therefor:

Bill 14, The Provincial Railways Amendment Act/Loi modifiant la Loi sur les chemins de fer provinciaux, be now read a Second Time but that the Order for Second Reading be discharged, the Bill withdrawn from the Order Paper and the subject-matter thereof referred to the Standing Committee on Industrial Relations.

Mr. Speaker, in so proposing, it would be our intention that that committee then would hear from the Minister and we could put that over to a task force. I say to him very sincerely in moving this particular motion, it is I think something that he and I have tried to pioneer in this House, some movement to developing issues that are really not partisan issues but have a larger public interest. This is one that certainly fits that. We think, given the large number of amendments that he has made, which I give him full credit for trying to address in this Legislature—

Mr. Speaker: Order.

An Honourable Member: Just change that one word to "not."

Mr. Praznik: Mr. Speaker, because I want to be accurate in my motion, I repeat it again for you, Sir.

Mr. Speaker: The Member for Lac du Bonnet to re-read the motion.

Mr. Praznik: Thank you, Mr. Speaker. I would move, seconded by the Member for Carman (Mr. Rocan), that the motion be amended by deleting all the words after the word "THAT" and substituting the following therefor:

Bill 14, the Provincial Railways Amendment Act, be not now read a Second Time but that the Order for Second Reading be discharged, the Bill withdrawn from the Order Paper and the subject matter thereof referred to the Standing Committee on Industrial Relations.

Motion presented.

* (15:20)

Mr. Speaker: The Honourable Member for Lac du Bonnet has moved a motion for the referral of the subject matter to a committee. *Beauchesne's* Citation 666 advises that this type of motion is in order at second reading.

The amendment is in order. The Honourable Member for Lac du Bonnet.

Mr. Praznik: Mr. Speaker, I have made my remarks on it, so I will only just say to the Minister that this is an opportunity for us as a Legislature to do something new, and I would reconfirm our commitment that should this committee or a committee that he strikes develop a bill that is acceptable to the Treasury bench, acceptable to the Government, we would help afford speedy passage of that bill in a fall session so that the Minister would have a bill in place by the end of the year.

We just believe that, given the complexity of the issues, the number of parties trying to get a proper, workable consensus, the number of amendments the Minister has now flagged with us, some of the issues that are there, we think this might be a better way. We have to commend the Minister for taking this issue on. So we say to him, as well, it is an interesting and, we think, far more productive way of dealing with this.

The last point I make, Mr. Speaker, is that, if we do not gather this kind of consensus, any

time something goes wrong with this, if we lose a shortline because of something in this bill that was overlooked, the Government, the Minister is going to be held responsible for it. I think this is a way of ensuring that we get it right the first time and, more importantly, that all the stakeholders have a piece of that so that they are brought into what is in essence non-partisan regulation. We understand where the Minister is. We hope that he would give it his consideration to support this motion.

Hon. Steve Ashton (Minister of Highways and Government Services): Mr. Speaker, I appreciate the comments of the Member for Lac du Bonnet (Mr. Praznik), the critic and other members that have spoken. I think it is important to note the fact that we do not currently have any provincial legislation in place to deal with the abandonment of shortlines.

One of the concerns, and I realize the balance that has been referenced, is on the one hand, obviously, to not create a barrier to people being able to take over a mainline and convert it to a shortline. We do obviously have to deal, however, on the other side with the shortlines and make sure that we protect those shortlines from a hasty movement to salvage because that is essentially the next step. So one of the concerns I have is certainly in terms of the timing of this bill.

I have brought in amendments, which I have given to the critic this morning. In fact, I gave them to the critic within a half an hour of them having gone through our caucus, so I thought that was important.

I do believe it is important on issues such as this. I mean, there are obviously going to be political differences on any bill. There should not be issues of great partisan disagreement. I think it is important to share the information. I want to indicate to the Member that one of the intents that I had in terms of bringing the amendments to the Opposition is to get those amendments considered by members of this House and also by members of the public and particularly stakeholders. My preference on this, I know our caucus's preference would be to send it to committee at this point in time.

Many of the amendments, I can indicate to the Member, have been requested by stakeholders. They are fairly significant amendments. I think, if the Member has looked at them, members opposite, certainly the Opposition critic, they deal with what we feel were legitimate concerns that were put in place. I will certainly take the suggestion of the Member for Lac du Bonnet (Mr. Praznik) under advisement, perhaps even more of a general context because I think this is an example of perhaps other areas as well, in transportation, where there may be some advantages to a common approach.

I know I have talked to the Member from Lac du Bonnet about an issue that certainly he raised as Minister of Highways in his period in that portfolio, that of the fact that this province gets virtually nothing from the federal government for our highways system. I know he has made a number of suggestions, which I will consider in terms of trying to get a multiparty approach on this. I mean, let us face reality here. We are all Manitobans. You know, we pay our gas tax, and we get some benefit back from it when it is provincial. When we pay to the federal government, we pay 10 cents, and it disappears off in Ottawa.

I can tell the Member the latest information I have received in terms of the National Highways Program is that the number that we are likely to get, the amount of money is decreasing every time we get a meeting with the federal government to the point where I think it is pathetic.

An Honourable Member: Do not send Rosann. She will walk out of the meeting.

Mr. Ashton: Well, I can tell you, with the amount of money that is being talked about by the federal government, walking out or not walking out might not make much of a difference in terms of highways because there is not much on the highway.

I was trying to give this as an example of an area where we might have some common ground. I notice we are now getting off into the usual back and forth. I tried, Mr. Speaker. I tried. I want to you know that. I say to members opposite with respect, I think the motion is well

intended from the Member for Lac du Bonnet (Mr. Praznik). But what is important, I think, is to get this matter into committee. I will be releasing the amendments at the start of the Committee. I will be looking forward to feedback from presenters at the Committee, and I look to members opposite as well. I would prefer to be able to get this into committee with some degree of notice. We have already received a request, I believe, from somebody in Montreal who would like to attend the hearings. I do not know who they represent, but I think it would be a courtesy in this particular case to do that.

So I would urge members opposite if we could get this matter into a set date in committee with some notice period. I think that is something that the two House leaders have done an admirer job on other bills. *[interjection]* Well, I think it is important, and I say this to members opposite as well. On the one hand, and I know the critic and the former minister are aware of this, we want to be careful not to create too many barriers in terms of entry in the shortline operations, but we also want to make sure there is not too hasty a decision to get out of a shortline operation. I would note, for example, this bill has been the subject of a fair amount of lobbying support from rural municipalities in areas that do have shortlines.

So we are trying to look at a balance. I think we all share the same goal. What I would urge with respect is that we not proceed with this particular motion. I suppose we will have to, if it does come to a vote, regretfully vote against it. But I think our intent is somewhat similar. The difference, I think, is that we want to get it into committee as soon as possible. I think it is important to have on the public record support from stakeholders. I want to say to members opposite that the best way to do that would be to pass this through on second reading at this point in time. Let us take it to committee. Let us hear from stakeholders and members of the public. I think at that point in time we can get into a debate on whether we have a bill that is improved and does have that balance in place.

So I would urge that we not support this particular motion, but at the same time I think that in moving it to committee, what we are doing is we are accommodating much of the

spirit of what has been reflected by members opposite. I will note that I have taken under advisement a number of the concerns that have been expressed. I particularly want to credit the critic. We have had a number of discussions on this. He has identified a number of areas that we have tried to deal with in the amendments. There are a couple of other items that he raised in his speech which are not dealt with. My sense by the way is that the amendments will probably receive all-party support at committee stage. Obviously, there will be debate on whether there needs to be further amendment.

Since I believe we are making progress on this particular bill, and I consider the debate that has taken place today to be an excellent part of that, I guess maybe having spent 11 years in opposition I do remember those days. It is a classic case of where—*[interjection]* Oh, I remember the days as House leader, as well, and I love sitting back watching the current House leaders negotiating and juggling all the different items. It is a nice change watching it from a side line.

* (15:30)

I want to say that what I found was useful in opposition is where there was this type of process involved. The amendments that are in place reflect stakeholder input, reflect input from the Opposition. That is why, what I would like to suggest and I know our caucus would like to see is this go to committee with adequate notice. I would like to see—and I throw this out. I have raised this with the House leader—if we were able to pass this today theoretically, to at least have it not take place before Tuesday, and, if it passes a later date, to have a couple of days notice in place.

So, with regret, we will not be supporting the motion, but largely because we want to get it to committee now. We want to get the input. We want to get the response of the public and stakeholders on this very important issue. We do want to end up with I think a balance. I think we are getting there, and I thank members of the Opposition for their contributions and the debate on this. I think they have been a very useful part of the public debate on what is a very important

issue in Manitoba, particularly in rural Manitoba.

Mr. Speaker: It has been moved by the Member for Lac du Bonnet (Mr. Praznik), seconded by the Member for Carman (Mr. Rocan), that the motion be amended by deleting all the words after the word "THAT" and substituting the following therefor—

An Honourable Member: Dispense.

Mr. Speaker: Dispense.

Is it the pleasure of the House to adopt the motion?

Some Honourable Members: Yes.

Some Honourable Members: No.

Voice Vote

Mr. Speaker: All those in favour, say yea.

Some Honourable Members: Yea.

Mr. Speaker: All those opposed, say nay.

Some Honourable Members: Nay.

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

Formal Vote

Mr. Marcel Laurendeau (Opposition House Leader): Yeas and Nays, Mr. Speaker.

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

* (16:30)

The question before the House is that the motion be amended by deleting all the words after the word "THAT" and substituting the following therefor: Bill 14, The Provincial Railways Amendment Act (Loi modifiant la Loi sur les chemins de fer provinciaux), be not now read a second time but that the order for second reading be discharged, the Bill withdrawn from the Order Paper, and the subject matter thereof

referred to the Standing Committee on Industrial Relations.

Division

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

Yeas

Dacquay, Dyck, Enns, Faurschou, Gerrard, Gilleshammer, Helwer, Laurendeau, Loewen, Mitchelson, Penner (Emerson), Penner (Steinbach), Praznik, Reimer, Schuler, Tweed.

Nays

Aglugub, Ashton, Asper, Barrett, Caldwell, Cerilli, Dewar, Doer, Friesen, Jennissen, Korzeniowski, Lathlin, Lemieux, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Nevakshonoff, Reid, Robinson, Rondeau, Sale, Schellenberg, Selinger, Wowchuk.

Madam Clerk (Patricia Chaychuk): Yeas 16, Nays 26.

Mr. Speaker: I declare the motion lost.

* * *

Mr. Speaker: To resume debate on second reading on the proposed motion of the Honourable Minister of Highways (Mr. Ashton), Bill 14, The Provincial Railways Amendment Act, standing in the name of the Honourable Member for Steinbach, who has 31 minutes remaining.

Mr. Jim Penner (Steinbach): It gives me a great deal of pleasure to speak again to this Bill 14, The Provincial Railways Amendment Act. I do so because I feel that the Bill has been inadequately conceived, poorly planned, and lacks study.

Mr. Speaker, we see the grain elevators across the Prairies being imploded and taken down and destroyed because the shortlines are disappearing. We are sorry to see the landscape change in this manner. The grain elevators are beautiful. I do not know why we should have to change our environment in that way. Also, I

think that it has an effect on the family farms. We know that family farms are very dear and near to many people in this country. By eliminating the shortlines, by destroying the railways into communities, small communities, I think we do a thing to our culture, we do a thing to our country, we do something to our environment that is hardly acceptable, in view of the fact that we love to be Canadians, we love to have our culture, we love to have the environment, we love to have family farms, we like the little communities, but shortlines are certainly near and dear to us. It is quite evident that this bill is threatening shortlines, it is threatening rural railways, and I believe that we need to amend this bill substantially.

The Government introduced this bill on May 2, the Provincial Railways Amendment Act. It was intended to encourage investment, address community concerns on line abandonment and prevent the removal of infrastructure without allowing an opportunity for its continued operation in the public interest. Mr. Speaker, the proposed changes seem to really challenge the very items that it was structured to achieve, and so I think that the proposed changes would remove the requirement that railway operators would have to prove that the economic liability of a line needs to be qualified for licensing. I think that the proposed changes would revise the process for the approval of rail-line abandonment and remove the conditions that the Motor Transport Board can only issue a licence for a railway that is considered to be economically viable.

It also prevents the issuing of a license for unprofitable rail lines even if there is a potential for profitability through increased traffic. The proposed changes would revise the approval process for rail-line closure which, under current legislation, permits rail-line abandonment if the operator demonstrates to the Motor Transport Board that the railway is no longer economically viable or alternative transport is available.

The proposed changes would prevent abandonment and removal of a rail line if communities or other interested groups wish to purchase the line for continued freight shipments. Mr. Speaker, the likelihood of community groups purchasing a railroad line is

extremely limited, and the likelihood of abandoning a rail other than bankruptcy is also extremely limited, so I think that this bill really lacks study. It really needs more planning and study.

Presently, there are only two shortline railways in operation in Manitoba. We have the one running parallel to Highway 23 west of Morris, which we refer to as the SMR. Then we have the one running to Churchill, which we refer to as the Cando, that is run by the OmniTRAX out of the U.S.A., so we are creating a bill that in effect is targeting two existing railways. This bill is targeting the potential expansion of shortline railways and discouraging such. This bill does not address the fact that investors have spent really good money getting into business. They have spent really good money buying a shortline. They have spent good money developing a business that serves people, that serves consumers, and so this money now that has been expended and invested is at risk because of the lack of thought. The amendment that we proposed was only to give the capability of re-thinking a few of the issues that we do not think are favourable to the people of Manitoba.

SMR, which is the shortline running through west of Morris, has indicated that, where the parties cannot agree to the net salvage value, its determination should be by the Canadian Transportation Agency in accordance with the principles and procedures employed by it instead of appraisal of arbitration as now proposed in Bill 14.

Arbitration may be a friendly clause in many situations and is becoming more common as the courts become more difficult, but arbitration and business procedures really is like flipping a coin on many occasions. People who have been in business will understand what I just said. Arbitration will depend upon emotionalism. Somebody who has the ability to speak with great emotion will influence the arbitrator, so the arbitrator, although well-intentioned and dedicated to what he is doing, tends to be emotionally influenced and consequently a real hard-nosed business decision cannot be made.

I know members opposite may not appreciate business, but in fact, they invest the

union pension funds into businesses for their gain. The businesses that are profitable will benefit all Manitobans, bring jobs to all Manitobans. To threaten the environment of the shortline operators, when this could actually turn into an opportunity, to take an opportunity and destroy an opportunity seems unnecessary.

We also feel that the Minister involved understands and probably wished that things had gone differently at this point. So I have to stress the fact that I am extremely disappointed that the amendment that we had proposed is not being accepted, that in fact the common sense issues have become, again, political issues, when that certainly was not necessary. I think that when you talk about railway lines, I do not know how many of you people have travelled by rail. *[interjection]* Yes, Mr. Sale.

* (16:40)

I grew up in a town in Rosthern, Saskatchewan, where we had a rail line. Every so many hours the whistle blew and the train came through. Of course, that gives my age away, but I have been driving a steam engine since 1971. I love steam trains, and I am still wishing that I could get—yes, I am a licensed engineer, and I love steam and I love what happens when the whistle comes through. I like the smell of steam and oil. I will tell you, guys, this is just a—so as a child I grew up just about two blocks from a railway track, and then, as I grew older, I was moved to a town in Manitoba, but my grandmother who moved with us preferred to visit the relatives every few months. She would not travel alone, so every few months I would travel from Manitoba to northern Saskatchewan on a train with my grandmother. Then I would travel all the way back by myself, and then when she wanted to come home, I would travel all the way back and pick her up and I would travel all the way home again. So I got a lot of miles on me in a train.

We also did something in the rural areas probably that city people are not familiar with. We would take my children to Woodridge or La Broquerie in southeastern Manitoba, put them on a train with Mother, then Father would drive madly to Ste. Anne's and pick them off the train,

so that the kids could have the excitement of a train ride.

I guess that is just a dying thing, although I think that if we really looked at the efficiency of the rail, there may be situations, given that the rail lines are there, and given that the transportation needs are there, we should rethink some of the views that we have about rail lines.

My own colleagues have criticized me for speaking to this issue because Steinbach does not have a rail line, but we actually think there are a number of really good reasons for that. I spent four years in Chicago living with a rail line running across my back yard, and those of you who have been to Chicago know what the El line is. It is the elevated line. And so that ran right across my back yard. Underneath it ran another train with freight and passenger services. So I have been close to the train business in a sense, and I really think that Giroux, La Broquerie, Steinbach, Woodridge and Highway 23 going west of Morris, there is a real issue here for future development. Probably the development of these rail lines at this point is not a big consideration because the issue is rural. We know that the media focusses on urban issues.

Mr. Speaker, I would like to say that I am seeing less and less differential between the concerns of rural and urban people. If you consider the rural rail lines, the rural people in sociology texts are often referred to by a German word from a German sociologist as "Gemeinschaftlich." The word is now in an English dictionary, and also the city people are referred to in sociology as "Gesellschaftlich." Now the word "Gesellschaft"—ja wohl mein Herren, the word "Gesellschaft" is a loose association of people, which is urban. Is that right, Harry? "Gemeinschaft" is a very tightly knit group, which is rural.

A lot of things have changed, Mr. Speaker, over the last years. One of them is that rural people have really become more urban in many respects. Urban people, would you believe it, have become more rural. They want acreage. They want an estate. They want to live in the wide open. They want parks. They want green space. The rural-urban separation has diminished. We watch the same TV programs. We

drive on the same highways. The highways have improved. The cars have improved so we are all closer together.

The needs of the rural people, as far as rail transportation is concerned, should not be foreign to the urban people because we have far fewer differences today than we had, let us say, 50 years ago. Even if you go back 100 years, rural people were 90 percent of the population and urban people were 10 percent of the population.

Today that figure has completely turned around and actually more than turned around. Today, actually, rural people are probably 4 percent if you want to consider the farming population. We also understand the need for farmers to transport their goods because often there is a lack in today's infrastructure of dealing with the transportation problems. The transportation problems today are such that we are dealing with larger and larger farms.

Mr. Speaker, we have farms today that easily encompass four sections of land. I do not know what that is in hectares, but there are large, large farms with large amounts of product that needs to be delivered. The traditional way of just having a three-ton truck and bringing it to the feed mill is pretty well gone, so the reinvention of the need for better rail lines, the need for stronger connections between communities.

I would like to speak a little bit to the Churchill rail line. Just recently I was up in Churchill. I could not believe how fascinating those facilities are in Churchill, where they sort the grain. The wheat comes in there, and they know which farmer each carload came from. They grade each farmer's wheat and that is where, in Churchill, they determine the price of the wheat.

This is a shortline owned by the United States that is servicing Churchill. I am amazed they are giving us such good service. I am amazed that we can make a shortline tick again. This is an opportunity for business to thrive and survive in Manitoba by using the existing rail lines that are not being properly used.

I saw where they loaded this wheat into ships. It went to foreign countries after being graded by farm and the farmers being paid according to their grade in Churchill. That same wheat was loaded into ships and wheat of similar grade was put into similar bins, the same bin, and sent on its way overseas.

I know that members opposite have been very interested in the last few years of seeing oil and gas coming in from Churchill, that Churchill should be our source of supply for oil and gas coming across the North and into Manitoba's densely populated area so that the rail line would supply us with an efficient supply of oil and gas and the Churchill-to-Winnipeg line would be occupied.

I noticed in my concerns with Consumer and Corporate Affairs that one of the members opposite has frequently spoken to the issue in the last two years, that the Churchill line should become the supply for Winnipeg of oil and gas, that it would be much more efficient to buy oil and gas supplied through Churchill than any other way.

I have not studied it, so I would say that maybe the Honourable Member from the opposite side has probably got a correct diagnosis here of what needs to be done. However, in talking to the Opposition in today's environment since their recent election, they have taken a different stand. They say it raises environmental concerns to use the Port of Churchill for substances such as oil and gas.

So I am afraid that what happens very often when people get elected is that they get a new view on things, in fact maybe a more realistic view. Although I can support the use of the shortlines as business, I can also support the view that our environment is precious to us. When we think of our children and our grandchildren, who want to enjoy our environment, we need to continue to protect it. I am a strong supporter of environmental considerations.

We would wonder again why the amendment would not have taken hold, because the amendments that we would like to put forward, by delaying this bill, would include

something along the line of a government or a municipality accepting the offer to a licence holder where they could salvage value within 90 days.

* (16:50)

Now, Mr. Speaker, this is a timing concern. We are really concerned that the person who has invested good money, good capital, borrowed money probably, joint venture money, whatever, in trying to make railway lines survive, that person is coming under some awesome restrictions, restrictions that would endanger the investment and cause that person to be delayed by laws that create a time gap that is unrealistic in the business world today.

I can remember when as a businessperson I would write a letter to my lawyer and a few days later he would write a letter to me and I would get a letter back. I would write a letter to a tenant and a few days later they would write a letter. In today's world, I have family living in Europe. Using e-mail we write each other, would you believe, three times a day each. I write them in the morning when I get up for breakfast, and at noon, I get home, I have a letter back. I write them in the evening and, you know, like two, three times a day, I will get a note back from my daughter, who lives in the former Soviet Union teaching English.

Now, in that kind of a world, we cannot have these tremendously expanded lengths of time for making a decision. You can add 90 days here and 90 days there, and they want the salvage value within 90 days, but the Government wants 120 days. In fact, what the provincial government wants is totally out of line with what the federal government wants. The provincial government wants a whole lot more time. So I see it as a real threat to investment in this province. I think this province needs investment, it needs investors, it needs jobs. I would love to see us take a view and a standpoint that was favourable to investment.

I have read about the New Zealand financial fiasco. I have read about the Ireland financial fiasco. As members all know in this House, when they reduced the taxes, they increased their income. This is what actually happened. They

lowered the taxes, and the income to the Government increased, and you know why? Really, really smart thinking.

I used to do this in the grocery business. I would lower the price of a pound of ham and it would make more money. Do you know why? Because, instead of selling one pound per customer, I could sell three pounds, and so I made twice as much money by lowering the price. I think that the Government in Canada needs to accept this as a way of raising money if we want to treat people this way and that way.

We have a government today that talks about a balance: balance, balance, balance. They have two kinds of balances, and we have to recognize this when we are talking about railway lines that there are two kinds of balances. There is a positive balance and a negative balance. Now I do not know when you use which hand, so it would go like this: negative balance, positive balance. In any event, I love Manitoba and I would love for this province to really, really do well and I would like to see, you know, when you say the word "positive" now, we do not know whether it is a positive balance. When you say the word "balance," I do not know if it is positive or negative, because now we have three words. We have balance that could be negative, balance that could be balance and balance that could be positive. It is like off-loading an airplane. It is new terminology. I am not quite used to it yet. I guess I am too old.

In any event, apparently it is GAT, general approved terminology for accounting, but whatever the principles are that govern our verbology, I would say—I am just making one up there—that we have a situation where we have an opportunity today to accept a revision, an amendment where I think all members in this House really want this bill to pass. It makes a lot of sense. It just lacked a little bit of planning. It lacked a little bit of study, and my goodness, you know, we offered that we would all work together as a joint committee and get this thing through as quickly as possible because there are needs for legislation in shortline and we are not opposing shortline. So one of the questions if this ever comes up in Question Period is how this will affect the Prairie Dog Central.

As I said before, my heart lies with steam engines. I would love to buy a shortline and just put a steam engine on there and see if I could sell tourists in Manitoba on going on a train ride on a steam train. That is so much fun. Those of you have done it in B.C., maybe you have done it in Nova Scotia, there are places in the States. There is so much opportunity for tourism if we re-invent, revitalize those shortlines. They do not need a lot of work, but somebody knowledgeable in caring for moving stock, like the trains and the cars, needs to be there, and maybe we could invite people that do not have to—they do not have to go to casinos or maybe we even want a casino on the railway line. I noticed in Mississippi last week that they have casinos on the river. I understand that the building that I am standing in today is a heritage building. I am not allowed to put an air conditioner in my window because it is a heritage building. I am not allowed to put a screen window on the windows because it is a heritage building.

Well, I think our rail lines are almost like a heritage building. They are an opportunity to improve communications, transportation, and I think it is a tourist opportunity and just to surrender them and make provision to surrender them is probably not appropriate at this time. So, in closing my comments, many, many communities in the southeast of Manitoba have underused rail lines. My friends in Giroux, La Broquerie and Woodridge have rail lines, and we certainly wish that all of Manitoba's rail lines would be reconsidered. But under a law that cannot be grandfathered at this point, even the two existing shortline railroads seem to be at risk from this law, and as a die-hard Manitoban, I have travelled many countries in this world, and I love to come back to Manitoba. I love the people. I even love the climate. I like a four-season climate. If you study history, you will find that almost all the creativity in the world happened in a four-season climate.

I would like to see us move forward in this province with some good investment in our facilities that we already have. I consider our rail lines almost like a heritage building. That may be an extremist view, but I have that feeling. I have walked many rail lines as a hunter, whether it was gophers or deer, and I sort of feel like tearing up the rail lines, selling them for salvage,

but that is a sin. So there are many good things about this legislation. We need to rethink a few things, so we do not become discouraging to potential investors or existing investors.

With that, I close my speech, Mr. Speaker.

Mr. Speaker: Prior to recognizing the Honourable Member for St. Norbert (Mr. Laurendeau), the Honourable Government House Leader on House business.

House Business

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I would like to announce that the Standing Committee on Public Accounts that is meeting on Friday, tomorrow, at 10 a.m., will also deal with the following matters: the Provincial Auditor's Report on Value-for-Money Audits, Autumn 1997; An Examination of Governance in Manitoba's Crown Corporations, June 1998; the Provincial Auditor's Report on Value-for-Money Audits, Spring 1998; the Summer 1999 Report on Value-for-Money Audits; the Provincial Auditor's Report on Value-for-Money Audits for the period ending June 2000.

Mr. Speaker: It has been announced that the Standing Committee on Public Accounts that is meeting on Friday, July 21, 2000, at 10 a.m., will also deal with the following matters: The Provincial Auditor's Report on Value-for-Money Audits, Autumn 1997; An Examination of Governance in Manitoba's Crown Corporations, June 1998; the Provincial Auditor's Report on Value-for-Money Audits, Spring 1998; the Summer 1999 Report on Value-for-Money Audits; the Provincial Auditor's Report on Value-for-Money Audits for the period ending June 2000.

* * *

* (17:00)

Mr. Marcel Laurendeau (St. Norbert): Mr. Speaker, you know, it is interesting when we get to this discussion around rail-line abandonment that, within my constituency, we have the CN line that runs directly through the middle of what used to be—part of it is no longer in my

constituency. They have moved part of it to Whyte Ridge now *[interjection]* Fort Whyte. Whyte Ridge, Fort Whyte, other people have called it worse. It is interesting when we get into it, because people along the line have been promised for years that this line will be shut down, this line will no longer be in existence. For so many years, we have said: Be very careful because the amount of time that it takes to shut down this line you will probably no longer be living here when this line does shut down.

When I was on City Council, we looked at the possibility of not only closing the line, but the possibility of moving the line over so that we would have a transportation corridor. I know the Minister of Finance (Mr. Selinger) was there during some of those debates or some of the meetings that we had on City Council in those days. We acquired the rights to the properties from the University of Manitoba right through to downtown, and that is a right-of-way which would make the transportation corridor for the south Winnipeg corridor down to the University very proactive and work better for not only my community but for lessening the traffic on Pembina Highway.

What we have there would be a corridor that the emergency vehicles would be able to go down, the buses, and we called it a green-light zone where the lights would all turn green as that traffic on that transportation corridor would be activated so that they would always have the first right-of-way. It would take you approximately 10 to 15 minutes to get anywhere from downtown out to the south end of the city.

We did not always believe in what Mayor Juba wanted, and that was—what did they call that?—the sky train that actually ran down that same corridor. That is where Mayor Juba wanted to build his sky train concept which he had seen in Disneyland, and everybody said: Well, it is a wild dream. I am still believing that one day we will see that in my lifetime, Mr. Speaker; we will see that corridor transposed so that we can at least have buses, if not the rail being used.

Mr. Speaker, I want to give you a story. I used to own a home on Villeneuve, which is backed right onto the rail line. Basically that was

my alarm clock every morning. One of the engineers, his name was Crazy Miller and he was a friend of mine. Every time Crazy Miller used to come by he would start laying on the horn somewhere around Ducharme and would not let up until he passed by Des Trappistes and he was three-quarters of a mile past that and outside of the city. So he did wake all of us up. Of course my neighbours would make a point of phoning me because they knew who was driving that train.

So when I was on the Council, and I think again the Minister of Finance (Mr. Selinger) was there, we brought in and put in place the whistling by-law. We had to put some money into the infrastructure to make sure that we had marked corridors at each one of the rail crossings, but we eliminated the blowing of whistles coming through the community, which gave some people a lot more peace and quiet.

When it comes to rail-line abandonment, Mr. Speaker, I know that I have got about 90 percent of my constituents who would love to see that line moved. I do not think I would be opposing it too much. I do think that there is a double use here, because there is the use of track on the CP going south that they could probably capture just outside of the city and we would only have to have the one line running through. It could maintain the traffic according to what CN and CP had said. I know they are in negotiations. Hopefully, they will settle that in the next number of years. I will be speaking in favour of the closing of that line. I hope it does not take that long period of time to close it, because I think the transportation corridor is a thing for the future and something that my community needs.

Mr. Speaker, when it comes to this bill, I do think that the Minister had the right intentions. My only concern is that the consultation process was not there. I do believe that there are some people that had some plans on their own and brought forward initiatives that this minister did not quite do enough consultation on.

I do believe this bill needs some more consultation. There is no reason that we would be coming in, not even finishing second reading, and having nine or ten amendments already

before we have even had the public consultations or the committee hearings. I do believe this bill would be much further and better dealt with if we sent it off to a committee, had the proper consultation, and passed it sometime this fall. I do believe that the community out there believes that it is necessary that we do have some legislation, but this is not the proper legislation. In this legislation we are going to penalize some of the people who have made investments in the shortline rails in this province. I do not think that is proper.

Mr. Speaker, they started this game with a certain set of rules. We have not hit the second inning yet and we are changing the rules on them. I do not think that works in any sport and I do not think it works in any business when we turn around and penalize somebody halfway through the game and say we are going to take something away from you. That is what this legislation does. So for us to be passing legislation when they are halfway into the game and just trying to make a success of a certain industry, I think that is wrong. I think we have to have that consultation with that community that has invested the millions of dollars to make sure that we do not penalize them for having come to our province.

We are trying to make the economy grow in this province. By bringing forward legislation that shuts down somebody after they have made an investment, we are telling other people, do not invest here, because after you have come, we are going to change the rules. These are the rules when you come, but after you are here and we have got your money, we are going to change the rules and we are going to make it a little bit more difficult for you to get out of here after you have already started.

So I understand where the Minister is coming from and I think the Minister is on the right track, pardon my pun, but I do think that this bill needs to have further discussion and further debate.

Mr. Speaker, I know I have a number of my colleagues that want to debate this bill, but I want to see that this bill does have that further time and further discussions. So I will be moving a motion. This motion is not to defeat the Bill.

This motion is to give the public an opportunity to have the discussion that is necessary and not penalize the people who want to invest millions of dollars in this province after they have done so.

I only hope that the Minister will take this opportunity to look at the opportunity he has today to table this and come back this fall and put in place. We are willing to give it speedy passage after we have had the opportunity of working with the Minister and putting together a piece of legislation that they are looking at.

So today I would like to move, seconded by the Honourable Member for Pembina (Mr. Dyck),

THAT the motion be amended by deleting all the words after the word "THAT" and substituting the following therefor:

Bill 14, The Provincial Railways Amendment Act, be not now read a Second Time but that it be read a Second Time this day six months hence.

Motion presented.

Mr. Jack Penner (Emerson): Mr. Speaker, this bill, I think, is an extremely important bill and the debate on this bill, I think, is an absolutely important debate to ensure that the members opposite, the Government of the day, realizes how imperative it is that there be proper consideration given to the amendments that they are proposing and the danger within those amendments in not ensuring that our shortline opportunities will in fact be diminished.

The advice that I have received has clearly demonstrated to me that if these amendments in fact are put forward as proposed, and I think the Minister of transportation has also recognized publicly that there are some dangers in these amendments, that it would in fact impede the further development of shortline railways in this province. Of course, those of us that make our living in rural Manitoba, especially in those commodities that need to be transported long distances to get to their destination, recognize the importance of maintaining a proper transportation system. All options in transportation

lead to a better competitive system in the marketplace.

* (17:10)

When one looks at the evolution of the agriculture industry over the last 20 or 30 years, maybe we should look back 50 years, one recognizes the immense changes that have already taken place. When one looks forward, one can even see a much greater degree of evolution taking place yet. We have talked much about the livestock industry and the potential for livestock industry development in this province. Yet we hear constantly, and my good colleague from Steinbach referred to ensuring the protection of the environment, one constantly hears question about the environment.

Change always does this. Change creates uncertainty. Uncertainties bring with it a mindset that resists. We have those in society that will constantly warn against change. We have those in society who constantly instil fear in the minds of those that are not quite as knowledgeable about the entire changes that are happening. So those that are not knowledgeable will pick up on the fears that are being instilled by those that have an agenda. Very often, those agendas are driven with absolutely no regard to the very issue that they are either promoting or demonstrating against.

So, I say to legislators here in this Chamber, we have to be very careful when we hear the detractors on any given issue. Similarly, on the transportation issues, when the abandonment of the rail lines—and some abandonments bring efficiencies into the system—I will be the first one to admit that. Other abandonments lead toward a greater cost to the entire system over the long run.

So I think the federal government might have chosen the wrong path in directing the changes that were made in allowing the railways to move much more quickly than the previous federal government had indicated originally.

If I remember my history correctly, it was clear that there would be no abandonment allowed under the agreement made under Brian Mulroney. There would be no abandonment

allowed until the year 2000. Yet we have seen a greater degree of abandonment of spur lines and branch lines in the last 10 years, in the last 5 years, 6 years, than we have in all of history. Clearly that was totally not in keeping with the original agreement struck with the mainline railways.

So there was obviously a closer tie between the Liberal Government in Ottawa and the railway hierarchy than there had been previously under the Mulroney administration. I would suspect that because the ties were relatively close to Prime Minister Chrétien and his cabinet, between the railways and the railway management team, there was an agreement struck that would speed up, we all know that happened, the abandonment of the branch line.

Yet at no time were the lobby groups that were supporting agriculture, the Canadian Federation of Agriculture, the Keystone Agricultural Producers, and many of the other provincial farm organizations, whether it was the western Canadian wheat growers or others, able to convince the federal government to put in place a support mechanism that would underpin the losses and the damages that would be caused by the changes to the branch-line abandonment process to pick up the cost of that and put in place an underpinning to the municipalities and the provinces that were affected by rail-line abandonment.

I think that for that reason we need to assess very carefully how we move from here. I give some credit to the Minister of transportation for wanting to speed up the process of legislative changes to really—not accommodate, and maybe not even to be detractive on this whole matter of branch lines or shortline railways—but I think he is catering to a very small group of people that have convinced him that if he moves on this kind of legislation it will help them. It might.

We know that there are some municipal groups that want to call some of these branch lines heritage lines. We know that. We are not opposed to that. However, one must be very careful to ensure that the investments made by a couple of the branch lines, Southern Manitoba Railway, and on the tracks, and a few others that might be looking at running shortlines in this

province—we must be very careful that we do not put in place an impediment to the long term and longevity of their business plan.

I say to you that, when these investors come in and buy these rail lines, most of them are bought at salvage value. I think they make the investment based on the fact that, if this business plan does not fly, if it is not viable over a number of years, then we can walk away. At least, we are assured a salvage value. We can recover the salvage value, and therefore recover our initial investment. I think, that is what they are thinking is behind us. Yet, if the Minister proceeds with putting this legislation in place, there is doubt cast over this because this legislation apparently would allow for the establishment of lines under a heritage process and keep them in place as heritage lines.

* (17:20)

Now if you do that, then of course, it becomes a situation where there is no value to the salvage, and there is no salvage. So I think one must be very careful that you do not put in place legislation that would impede and detract the investor from coming to this province. That is the fear I have. Of course, that puts into a whole different kind of mentality the whole investment in transportation systems and puts a much greater degree of responsibility and liability on the provincial Treasury because we know that the federal government will not cost share through any kind of program in a meaningful way in upgrading our transportation system. That has been very evident.

Ms. Bonnie Korzeniowski, Acting Speaker, in the Chair

Unless there is a change in administration in Ottawa, maybe if a new government came in, maybe if the Alliance Party were elected, there were a greater degree of western representation within government, there might be a stronger will created within that grouping. Or, if a Progressive Conservative government were elected with a strong western representation in Ottawa, maybe there would be a greater degree of will to cost share some of the upgrades of the transportation system. Now if that were the case,

then of course we would have a different scenario to face again.

The Minister of transportation I am sure would welcome significant cash injection from the federal government. We have had, I think, one indication about five years ago or six years ago, whereby the federal government injected some money into the highways program. I think that served well because it allowed the provincial government to top up that amount and double the amount of dollars they could spend in capital on highways. That is, of course, what is required. Yet it became woefully inadequate by the time all the branch lines were being abandoned. It did not even come close to the requirements in highways to build new bridges that would carry the weights of B-trains and very often C-trains, and heavy loads that are required today from farmers, because most of the farmers today do not even need an elevator anymore. They do not need these concrete monuments that we are currently seeing going up in the province. The cost of those will only be added to the cost of input to agriculture. Once you have loaded a B-train, you can just as easily run to Minneapolis or to Thunder Bay as you can to your nearest elevator. It is only a matter of time. Once you have got the truck loaded and started, you might as well take it to a final destination and save the amount of money of transferring your load from one load into a cement transfer house into a railway, and then back into transfer houses at Thunder Bay again. That is really what is happening. That is the system we have got and it is a hugely costly system.

Farmers have built enough storage on their own farms today that no longer require these large elevators or transfer houses, I call them, that we see today. Many of the elevators that are being built, transfer houses that are being built close to the American border, really serve two purposes. They will probably have in the near future as much American grain coming in north to run through those systems as they will have grain going either east or west coming off of Manitoba farms. We know that at least one of the facilities not too far from here imports a significant amount of corn which goes into the feed grain system. Corn being subsidized as highly now by the Americans as it is creates a very substantive disadvantage, non-competitive

advantage to the feed production in our province. There I think will come a time when farmers will demand that this provincial government really look into the highly subsidized feed grain commodities coming in and what that does to the grain farmer in this province.

But in all aspects of the transportation system, there is none more important than the maintenance of a good highway system and the building of bridges that will carry the loads required now coming off of our farms, not out of the elevators, but off of our farms, and ensuring that those transportation routes will have adequate load carrying capacity.

I say to you, Mr. Minister of transportation and Highways, that you have a very significant task ahead of you. Your Premier as well has a very significant task ahead of him. In order to ensure the long-term viability of the grain industry in this province, that need must be taken to Ottawa. I think Ottawa must be made aware of the very significant requirement of assistance to building that kind of a load carrying capacity in our highway system. This province, I am convinced, cannot bear the economic brunt of that alone. The huge amount of money that Ottawa takes out of the province of Manitoba in fuel excise taxes and puts nothing back is simply no longer tenable. It was not under the previous administration and it is not under this new NDP administration.

I feel sorry, really, for the Premier and his cabinet, because they are going to have to make that case to Ottawa. Unless the ears change in Ottawa, it is going to be very difficult to convince Mr. Chrétien. I know Mr. Doer has done, I think, a very credible job in trying to convince Manitobans that he and Mr. Chrétien will have a better relationship than the previous premier and his Cabinet. I think he has found out lately, though, that you can talk as long as you want to. That does not change the atmosphere. To negotiate with Ottawa is a very difficult task, an onerous task.

I think the proof is in the pudding. I think when the Minister of Agriculture came back spouting that she was very really proud of the new farm disaster aid program that she had

signed on to, when we finally found out what was in it, we found out there was anywhere between \$280 million and \$480 million missing from the last year's program. That is the difficulty in negotiating and making sure that we get our fair share. This Minister of Agriculture was not well enough prepared to go to Ottawa to negotiate and to negotiate hard to ensure that Manitobans would receive their fair share.

I say that the Minister of Highways and transportation should take time, should set this legislation aside and take time and prepare to go to Ottawa and make the case, based on actual numbers, base the case on actual numbers, and then negotiate hard and long. The Premier needs to, I think, be at his side when he does that. I think this is not a one-man show. This will take the entire cabinet of the Province of Manitoba to try to encourage enough members of the federal cabinet to support the initiative of funding, putting federal dollars into funding the transportation system in this province. Therefore, Madam Acting Speaker, I would strongly encourage the Minister of transportation to look very favourably on setting aside this legislation for at least a six-month period of time, giving him a bit more opportunity to familiarize himself with the issue. That is only fair; after all, he is brand-new at this game. I am sure he is not aware of all the aspects of the transportation system, nor all the policies in place, nor all the impediments of negotiation. That is only being reasonable, admitting that.

* (17:30)

I would suggest to the Minister that, if you did set aside this issue and put the final decision on this legislation off for a while, I think you will be doing yourself a favour. Come the spring of the year, we can again debate this legislation, and I am certain that the Minister might have a different view of how the legislation should read in order to maintain and ensure an atmosphere of investment that would encourage the expansion of the shortline railway system in this province.

Thank you very much, Madam Acting Speaker, for allowing me these few comments.

Mr. Ashton: Madam Acting Speaker, I want to indicate that I took the previous motion in the

spirit it was intended in. This is really just a return to a more traditional version of the previous resolution that was brought in, in terms of the six-month hoist. I want to stress to Members opposite that I think it would be unfortunate if we delayed dealing with this issue, delayed the next step in terms of this bill, which is to go to committee. When I say go to committee, go to public hearings and listen to presenters. Before members opposite get the idea that there is going to be a huge committee, I thank the Government House Leader for advising that we have two presenters. I think members opposite might want to put in perspective some of the concerns that have been expressed. I take it seriously.

Quite frankly, one of the reasons I want to do this and go to committee, one of the reasons our caucus wants to go to committee, is because we want to hear from the stakeholders and from the public. I say to members opposite that they may wish to talk to particularly the Member for Arthur-Virden (Mr. Maguire) to get a balance on both sides of this issue. This issue is a balance between making sure that we can have people come in and remain in the shortline side of the operation, but also it is very much a concern with local municipalities and municipal leaders, particularly in areas where you do have shortlines, who want to make sure that there is not a hasty move to abandonment of rail lines.

I want to say to members opposite that one of the reasons I would suggest they consider dealing with this matter at committee is because the amendments will go a significant way to deal with concerns that have been raised. But, quite frankly, if we delay, I say to members opposite that one of the concerns will be expressed by municipal leaders, particularly in the area of the shortlines, will be the potential that we may lose shortlines. Indeed, I would point to what is happening now with the Cowan line, which is under federal jurisdiction, where you have actions going on with the municipalities. That, I think, is their right, and I appreciate that.

I appreciate, quite frankly, the position of CN as well. Obviously, they have made a decision to abandon it. They are going through what they feel is their legal right under the process. I say that because you will find the

same thing within provincial shortlines. Once again, our position is let us get it to the committee. Let us get the representations from the stakeholders and the public. Let us see the reaction to the amendments. I think the amendments our caucus has brought forward and our government has brought forward go a long way in dealing with the concerns. That is why I would urge members opposite to not proceed with hoist. This is not, I think, going to help the situation. It will, in fact, create further difficulties in terms of shortline.

It is time to go to committee, and that is why I urge we defeat the hoist and move on. Thank you, Madam Acting Speaker.

Mr. Ron Schuler (Springfield): Clearly, we on this side are concerned about Bill 14, and thus we have the amendment to the Bill. It comes from probably a concern that we are getting from the public from a lot of individuals. The legislation coming forward, in a large part, there is a grouping of bills that are showing themselves to be fairly controversial. They are bills that are causing a lot of concerns in various quarters of our society, bills that, rather than being bills that build and help to move our society forward, in fact do the opposite. They cause divisions. They cause problems with various groups, not just Bill 14. There are many other bills.

We know that there is a great amount of disagreement with Bill 44, for instance, and we have seen an awful lot of public outcry, certainly within various sectors in our community. We have seen that reflected not just within the communities; I think we see that in the media on a daily basis. If you crack open a newspaper, you read in *Winnipeg Free Press*, on July 7, "Biz leaders call labour law changes pretty scary stuff." *Winnipeg Sun*, July 7, Friday, "New law 'attack on business.'" You move on, *Winnipeg Free Press*, Saturday, July 8, it talks about "Bad all around" and it goes on to talk about the bad relations that are being built. It deals with Bill 14 and the kinds of things that we have been doing here in this House.

The Acting Speaker (Ms. Korzeniowski): Order, please. The Honourable Minister of Highways and Government Services, on a point of order.

Point of Order

Mr. Ashton: Straying a little bit, in terms of relevance because, as much as there has been criticism of this bill, I do not think any of the quotes he was referring to referred to this bill whatsoever. We are talking about Bill 14, The Railways Amendment Act. I might say, in terms of relevance, I think it is important to deal with it. We have had a fairly good debate in this House on the specifics of the Bill, and I would ask that you bring the Member to order on the relevance question.

Mr. Laurendeau: On the same point of order, Madam Speaker, I am sure I clearly heard the Honourable Member refer to Bill 14 at least twice. He is tying the labour around the theme, Madam Speaker. I think, given the opportunity over the next half-hour, I am sure we will find what that theme was and how he ties the labour issue into the railway bill of Bill 14.

The Acting Speaker (Ms. Korzeniowski): On the point of order, I would encourage the Honourable Member for Springfield to have his remarks relate to the principle of Bill 14.

* * *

Mr. Schuler: That is certainly where we want to go with this debate, Madam Chair. I would like to point out to the members opposite that sometimes just the kind of media hits that they look for, those little 30-second clips that they are so used to, it is the kind of thing that they live on. What I am actually trying to do is get some depth to the subject and really round out the theme. I am sure they would understand this, having come from an academic background. Certainly the Minister of Finance (Mr. Selinger) would understand that when you start into this, you have to develop the background. That is certainly what we are going to do. Bill 14, I do not think there is wisdom in dealing with it just in a vacuum.

What you want to do is you want to sort of develop a theme around all of this. Manitobans are very concerned about the kinds of things that they are seeing coming down from this government. The fact that I have pointed out various sages in the media who talk about this,

and Bill 14, just while we are on that, actually cannot in reality be separated from Bill 18 because they both basically deal with the same issue.

Certainly on this side, not just have we heard of concerns about the bills, we have also listened to them. When you listen to the concerns, you find out that there are grave, grave errors. In fact, I would have to suggest that one of the greatest shortcomings, one of the greatest shortfalls of this bill is the fact that the bill has not even come to committee and already we are talking about nine amendments. Nine amendments.

Perhaps, and I think this fits perfectly. The *Winnipeg Free Press*, July 18, Saturday, what do they say? Bad all around, when they are talking about the kind of legislation that this government is bringing in. Bill 14 has not even gone to the Committee and already we have nine-count-nine amendments which clearly shows that the Government is not comfortable with what they are proposing.

* (17:40)

They are not even comfortable with what they have here. I would suggest that the more we deal with this issue and the more we deal with the other bills that are before this House, we are going to find that that nine might even double. By the time this government and this minister is done with Bill 14, we are going to see so many amendments it will not even be the original bill that came through. That is why the amendment we have put forward is in fact a very good amendment. I would recommend that all members in this House would support it, this side and the other side.

Again, it goes down to the difficulties that this government is having with the legislation. I think we have heard "draconian" mentioned which is a very good description. We have heard all kinds of descriptions of the legislation. In fact, on other bills there is *The Winnipeg Sun* of July 8, described it as, Doer's labour pains in dealing with another bill that is before this House. With great empathy one has to say to the First Minister, we did not want it this way. This is not the way we wanted it for him. We wanted

him to have this honeymoon continue for more than a month, but, alas, we have to take the Government to task. Bill 14, already nine amendments on the table.

The *Winnipeg Sun* points out here: Premier Gary Doer turned back the clock to the 1980s this week saddling Manitobans with the most one-sided pro-union labour law changes since the Pawley regime.

Mr. Speaker in the Chair

That is also the way—[interjection] You have to have a little bell when you change. Bill 14 is in the same league. As this article says, it is bad news. That quote is an excellent description of the way this government has handled its legislation. As a matter of fact, I would recommend that not just should Bill 14 be withdrawn but also Bill 44. In fact, this morning I had the opportunity to have a rather spirited discussion with the Minister of Labour (Ms. Barrett) on our Premier's favourite radio station Chuck Adler Live. I know the Premier (Mr. Doer) lives and dies, politically speaking, by that particular show.

The Minister of Labour and I certainly had a discussion, and I recommended to the Minister in all seriousness that Bill 44 be withdrawn. It, like 14, for which we have seen already nine amendments—Bill 44 is so flawed. Bill 14, just like Bill 44, is just so flawed.

Mr. Speaker: Order, please. I should like to remind the Honourable Member when debating relevancy to the bill, you are debating the principle of the bill. We are debating Bill 14.

Mr. Schuler: I would like to thank the Speaker on that one, and certainly that is something that we are concerned with on this side of the House. We are concerned with Bill 14, as we are with Bill 44, as we are with all the bills that have come forward, in particular a grouping of them, and we would like to see the Government certainly withdraw 14 as well as Bill 44.

Thank you, Mr. Speaker.

Mr. Harry Enns (Lakeside): Mr. Speaker, I want to be very careful because I know the First

Minister is not really a bad guy, and this is not blasphemous when I say: they know not what they do. They simply know not.

I mean, we all heard—and there is the Chairman of the Committee last night. We were assembled to talk about penned hunting. Now, did this government actually expect that this was going to become an attack on canaries, on parrots, on all the little ladies, that we now have people, 300—by tonight there will be a petition of 5 000 bird lovers signing a petition, mad at this government because their minister is threatening 82-year-old grandmothers with budgie birds. They know not what they do.

It was another NDP government that knew not what they did. When they were going to get into the mining business, they passed a little bill, Bill 14, that simply said that when the entrepreneurs travelled through the North and spent money on exploration, when they found a mine, then the government of the day, the NDP Government of the day reserved the right to take 51 percent interest in a mine. Then they wondered why after a relatively few short years all exploration dollars dried up. Of course.

I want to say this kindly to them. They do not understand, regrettably. They do not understand the sensitivity; they do not understand what does generate entrepreneurship and what makes business investments go.

Even in Bill 5, if I get to Bill 5 and to the Minister of Conservation (Mr. Lathlin), the mere fact that now another agency of government has control over such animals, like our growing successful bison industry, the fact that they are now coming under the possible control of another piece of legislation says to a credit manager at a bank or at a credit union, to that farmer that is looking for \$50,000, \$100,000, \$200,000, it is declined. It is declined.

That is what we have here in Bill 14, Mr. Speaker, regrettably. We should be doing everything possible to encourage shortline developments in this province. I regret, in fact, and I will take some responsibility because some of it certainly happened under my watch and other governments, we have allowed too much abandonment of railroads. Some of those

railroads could have been left, even in disrepair, in the hope that an entrepreneur would come along and find some way of making it work.

Bill 14 now is going to ensure that that gets less and less possible to do. As my colleague from Emerson indicated, a businessman, an investor tries to cover off as many of the risks possible in any venture. When he comes and says he is going to take over the operation of a piece of rail-line track after the mighty giants, CNR, CPR, have given up on it because they have lost money on it, now you are going to expect an individual Manitoban or, as in the case in the North, an American from Denver, that says: Okay, we will take over the shortline. We have an idea. We think we can make it work. We are going to work with the local chambers of commerce. We are going to work with the farmers. We are going to see if we can pool together enough traffic on that 200, 300 miles of track and make it work.

* (17:50)

They have no guarantee, particularly in the rapidly changing field of agriculture. But at least they have had, up until we pass this bill, the little bit of comfort that there is some salvage value if the enterprise goes belly up.

We are going to take that away. That is what we are taking away by passing Bill 14. Now, why are we really doing this? That is why I go back to my opening statements. Where does this fit into the philo-sophy of the New Democrats? Why are you doing this? Why are you making it that much more difficult for shortline operators to attempt to make a success of it?

I am absolutely dumbfounded, because I would like to think that, for any number of reasons, it is in our public interest. It is in our public interest that every effort should be made to encourage shortline development. Particularly the person most aware of this interest would be the Minister of Highways (Mr. Ashton). Every time we have a shortline railway running, it means a little less pressure on his highways budget. It means that some tonnage somewhere would be running on the track, on the iron track,

instead of on the highway. Surely he should be aware of that, should be sensitive to that.

I have listened. I have tried to understand who is responsible for motivating the Government to bring this legislation forward. I would not like to believe that they have fallen subject to the American lobby. I mean, would this government be falling to the American lobby? I know that the one successful shortline operator that we have—God bless them. As much as I would have preferred maybe a Manitoba-made, or Canadian option—we did have some. We had a group of Brandon entrepreneurs that were very interested in that piece of track. But, as the ball bounced, it was a group, I believe out of Denver, the OmniTRAX people that took over like that.

Now, are they putting pressure on this government because they do not want to see the success of any other shortline development in the province, so that it takes away from that? Is that the motivation behind Bill 14? I would like not to think so. I would like to think that my friend from Elmwood there would not allow his caucus, his government, to kowtow to that kind of Yankee pressure. Hey, come on, come on. Is this American imperialism waving its big stick in our Legislature here and denying the opportunity for potential other Manitobans? It could be a group of farmers, could be a local Chamber of Commerce that decides to keep a particular shortline track open for one reason or other. You are making it just that much more difficult for them to do. What is the rush in this?

I do not see a great number of people. I wish I could see more that are lining up to develop shortlines. What I see here is, quite frankly, unexplainable and, again, a lack of knowledge of what goes on when investment decisions are made. Passing legislation that will force a small enterprise—now let us remember, we are not talking government-subsidized CNRs and CPRs anymore. We are talking local home-grown businesses. Now, all of a sudden, we are going to spell out in legislation how much longer they may have to run a losing enterprise, how much more money they have to put into a sinking ship. Then, when the ship sinks, as some of them will, we are taking away, by Bill 14, a little bit of recovery in the form of the initial capital investment involved in acquiring the shortline in

the first instance, simply not fair, simply not sensitive to how business and how investment works.

I feel better, I feel more comfortable, Mr. Speaker, when my socialist friends opposite come at me full bore in the light of day. I expect it. I know it. Like, when they come at us with labour legislation, we know it is coming. We know what they are doing. We expect it. When they come at us with some of this other social engineering tinkering little bits of legislation that they are so fond of, we expect that from our socialist friends, but I simply cannot understand this kind of legislation. I mean, where does it fit into their agenda? What are they accomplishing with this legislation? What they are accomplishing, or what the potential for accomplishing is, making sure that it is going to be that much harder for shortlines to develop in Manitoba, it just does not make sense.

Mr. Speaker, I have every confidence that you play that neutral role as steward of the House, but you still have some connections with the Government caucus. Maybe you could send them a little note and tell them that they should back off. Tell them they should back off and accept the amendment, the six-month hoist that has been moved and that is before us right now. We would not see that as untoward if you decided to do that. We would not comment on that.

Seriously, the Minister has not put down a case why this legislation is before us. I cannot recall it. I mean, we have heard so often about other things that they have done. Oh, this is an election promise. We promised five casinos, so five casinos are going to be there. We promised this and—*[interjection]* Well, they promised a

few other things, too. They said that hallway medicine would disappear, but that is still here, unfortunately.

Again, this is the kind of thing that an opposition can deal with, and we understand it. We just do not understand where they are coming from on this particular bill. Why would not a cooling-off period, six months of reconsidering, you know, meeting with a few more people, finding out what the lay of the land is. Then, if still convinced it is the right piece of legislation, well, bring it back in the House.

They have the numbers. I am well aware that they have the numbers. If it is their will to pass this piece of legislation, they will pass it. But it is our responsibility, we are trying to carry it out, as the Official Opposition, that this is simply wrong-headed legislation. It is not in the interests of future development in the transportation field and in the rail transportation field in the province of Manitoba. The Government would be well advised if they would step back and reconsider and take advantage of the opportunity that we are giving them to think this matter through a little longer.

Mr. Speaker, I honestly believe that this government does not have a grasp or an understanding of what this relatively small, it is not a big ticket item on your agenda, or quite frankly on our agenda.

Mr. Speaker: Order. When this matter is again before the House, the Honourable Member will have 27 minutes remaining. The hour being 6 p.m., this House is adjourned and stands adjourned until 1:30 p.m. on Monday.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, July 20, 2000

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