



First Session - Thirty-Seventh Legislature

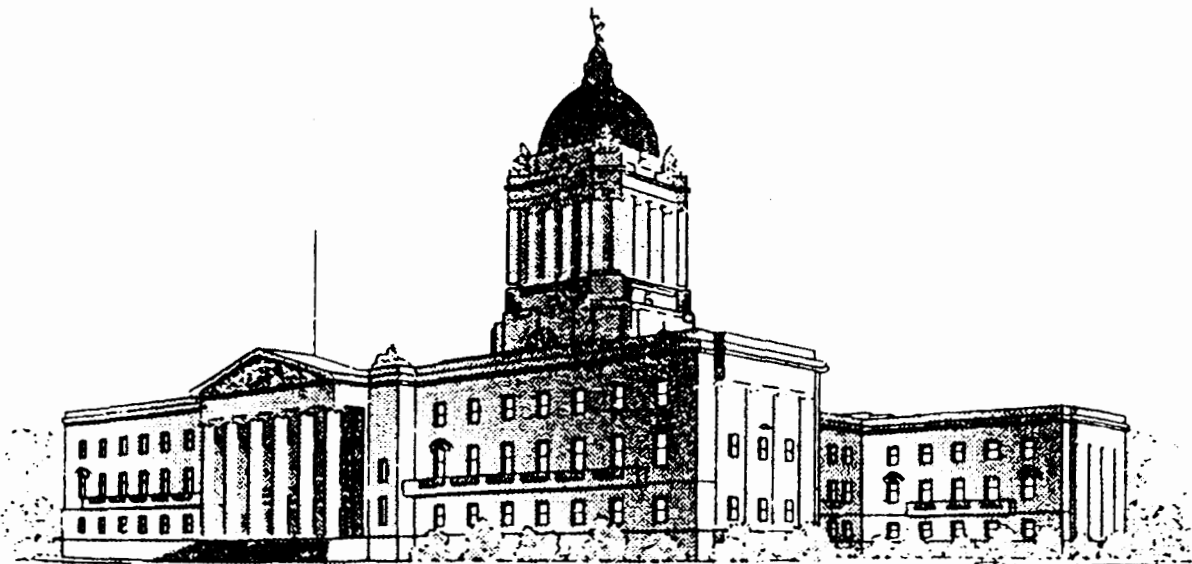
of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

**Official Report
(Hansard)**

*Published under the
authority of
The Honourable George Hickes
Speaker*



Vol. L No. 72 - 1:30 p.m., Wednesday, August 2, 2000

ISSN 0542-5492

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Seventh Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, August 2, 2000

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

MINISTERIAL STATEMENTS

Conflict of Interest—Legal Opinion

Hon. Gary Doer (Premier): I have a statement for the House.

Mr. Speaker, today I am pleased to rise to table a copy of a legal opinion from the firm Arvay Finlay, clearing the Minister of Consumer and Corporate Affairs, Ron Lemieux, of any conflict whatsoever at any point during the First Nations Gaming Initiative.

The allegations of conflict involving his wife have caused a great personal distress and hardship, resulting in his request to have the gaming file removed from his portfolio on July 4 of this year. In a written legal opinion, Mr. Finlay states: "It is our opinion that neither you or your spouse have any pecuniary interest in the casino issue and as such you are not in conflict or apparent conflict of interest that would disentitle you from participating in the casino issue."

I would also like to indicate to members opposite that we chose to seek the legal advice of Mr. Finlay, a reputable Vancouver-based firm, due to the fact that the Government-designated lawyer for examining potential conflict situations, of course, was a partner of Martin Freedman and, of course, was therefore unable to offer an opinion on the members of the First Nations Selection Committee.

I would also like to indicate that Avray Finlay specializes in providing advice and opinions on conflicts of interest in the public and private sectors. In addition, Mr. Finlay has worked as counsel to the British Columbia and Yukon commissioners of interest.

I am pleased that this legal opinion vindicates our government's position that at no time was there any conflict of interest and confirms the integrity of the Minister and the credibility of the First Nations Gaming Initiative. Thank you, Mr. Speaker.

Mr. Darren Praznik (Lac du Bonnet): Mr. Speaker, at long last this Premier has done the right thing, to seek a legal opinion. If this Premier had done the right thing in the first place, this day would not be necessary. What happened is the Premier of this province, when asked about an issue, when on this side all we asked them to do was to seek a legal opinion, but he was too stubborn to do the right thing, just as he is too stubborn to deal with labour legislation, to have proper consultation, just like he is too stubborn to make changes in his office to ensure that he is not in violation of The Conflict of Interest Act.

Mr. Speaker, I will endeavour to study this particular opinion because I notice it makes reference only to whether or not the Minister had been in a conflict of interest. The issue that we raised was, as minister dealing with a First Nation who had retained his wife, was that a violation of the Act?

I will endeavour to study this opinion, but I say this to the First Minister (Mr. Doer), the lesson I hope he has learned in this whole exercise is that he should have got this opinion in the first place. We hope that he will do it in the future when these issues do arise.

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

Mr. Speaker: Is there leave? [*Agreed*]

* (13:35)

Mr. Gerrard: I welcome the Premier getting a legal opinion and tabling that so it is available for everyone. I think that is a solid move. I still

think there is a role in future to have whether it be an ethics advisor or counsellor who can provide some independent advice on this situation so that it can be handled in a preventative up-front way in the future.

TABLING OF REPORTS

Hon. MaryAnn Mihychuk (Minister of Industry, Trade and Mines): Mr. Speaker, I am pleased to table the Annual Report of the Economic Innovation and Technology Council for the 1999-2000 fiscal year.

Mr. Speaker: Notices of Motions. Revert back to Ministerial Statements and Tabling of Reports. Is there leave? [*Agreed*]

Hon. Greg Selinger (Minister of Finance): I rise to table the Manitoba Hydro-Electric 49th Annual Report for the year ending March 31, 2000, as required by section 52.27(1) of The Legislative Assembly Act.

ORAL QUESTION PERIOD

Labour Relations Act Amendments—Withdrawal

Mrs. Bonnie Mitchelson (Interim Leader of the Official Opposition): Today we hear that the Premier is starting to listen, finally starting to listen. He says he can actually hear the concerns of the business community, that Bill 44 will be a poison pill to Manitoba and Manitoba's economy.

Mr. Speaker, but we are a little cynical on this side of the House, and we are wondering whether the Premier is really listening or whether he is trying to save himself some embarrassment in his own backyard when the premiers meet here next week. There is some concern, given the track record of this government on listening.

My question for the Premier is: If he is serious about listening to the business community and what they are saying about Bill 44, will he commit today to withdraw Bill 44?

Hon. Gary Doer (Premier): Mr. Speaker, it was pointed out to me by a citizen listening to part of the debate the other day that the former government had made a commitment to consider legislation to control third-party advertising, and that is dated August 16, 1999. I guess that was a day before the election.

Mr. Speaker, there was a further commitment from Peter George Dyck welcoming the limit on third-party advertising, so when members talk about—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. May I remind all honourable members that all members in the Chamber are honourable members and will be addressed by their constituency, ministers by their titles, even if using a quote from papers or letters.

Point of Order

Mrs. Mitchelson: On a point of order, Mr. Speaker, I wonder if the Premier can really hear or not. The question that I asked was around Bill 44, and the answer that he is giving is around Bill 4. I think there is something in *Beauchesne's* that indicates that answers should respond to the questions that were asked. Clearly, the Premier is indicating that he does not listen to anyone. He does not listen to the questions, and he is not listening to the business community.

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

Mr. Doer: Mr. Speaker, when the Member opposite asks a rambling question as she is wont to do, when the Member speaks about the cynicism of the Conservative Party, are members on that side being cynical, it is certainly something I am willing to answer to and confirm that she is right. They are a cynical group of people.

I am also able to deal with the other matters raised about, on the one hand, being asked to withdraw the Bill and, on the other hand, hiding from some meeting that is taking place some time next week, another contradictory comment

made in the rambling question by the Member opposite. So a rambling question allows for a response to deal with all parts of the ramble, Mr. Speaker.

Mr. Speaker: Order. On the point of order raised by the Honourable Interim Leader of the Official Opposition, I would have to rule that she does not have a point of order. It is a dispute over the facts. Also, in making my ruling, I am referring to what Manitoba practice has been with leaders' latitude. Unless I am given directions by both House Leaders, I will allow that to continue as a practice of Manitoba.

* * *

Mr. Speaker: The Honourable First Minister, to please continue with the answer.

Mr. Doer: Yes, and I do apologize for using the individual name. I certainly concur with his ruling and apologize for using that terminology. The Member for Tuxedo (Mr. Filmon) and the Member for Pembina (Mr. Dyck) were quoted before the election last year confirming that they wanted to see third-party limits on advertising.

* (13:40)

Dealing with the other part of the question raised, Mr. Speaker, we know the work of this Legislature must proceed to deal with the business of Manitobans, and we are also very confident that the work of Canada in dealing with the restoration of the CHST, in dealing with the vision for health care for the future of Canada, a vision of post-secondary education, decent social services, those items will be on our agenda next week. We believe this Legislature can deal with this work, and we can deal with Canada's need to restore health care in our country.

Mrs. Mitchelson: Mr. Speaker, I am sure the business community will be listening in interest to the Premier's answer. Not once did he mention business or the economy in his answer. That indicates quite clearly the hidden agenda he had during the election campaign, during his Throne Speech and during the Economic Summit where he did not give the business community an

inkling that he would be introducing legislation like Bill 44. You know, in the heat of the summer, he snuck the Bill into this Legislature when he thought no one would be watching. Well, I know that the Government is very sensitive to this issue. I know that they are sensitive, but they have not listened. They have not listened in committee on the education bills. They have not listened on Bill 5, when the Minister of Conservation (Mr. Lathlin) I guess brought in an amendment, but he does not even know what the amendment means. I guess I have to congratulate the Minister of Justice (Mr. Mackintosh) for listening, and he did bring in an amendment that would not throw law-abiding citizens in jail for not picking up their mail.

My question—[interjection] Well, Mr. Speaker, I think it is important that—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mrs. Mitchelson: Mr. Speaker, maybe the Premier would answer the question this time. Will, in fact, he listen to the business community, and will he withdraw Bill 44?

Mr. Doer: Mr. Speaker, we listen to all Manitobans, and we continue to listen to all Manitobans. The Member wants to talk about the economic news. A recent report of Stats Canada projects the highest overall private capital investment in Manitoba history. That projection was made on July 19. The projections are up \$123 million since our budget was tabled in February. Wholesale trade is up 10.9 percent, mining and oil and gas extraction up 113 percent. These are all new projections since the budget that was released by our Minister of Finance (Mr. Selinger) a couple of months ago.

Having said that, Mr. Speaker—[interjection] Well, the public made their—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

* (13:45)

Mr. Doer: Thank you, Mr. Speaker. Just last week Dominion Bond Rating agency praised the

Government for having greater transparency to not have a situation where there is a greater transfer from the Fiscal Stabilization Fund than the debt repayment. They really actually called that a deficit instead of a surplus, and they called our surplus a surplus. That is the kind of development we are having. We clearly believe that while we are rebalancing the changes made by members opposite, while we are dealing with the proposals to rebalance legislation here in Manitoba, we are listening to all Manitobans to make sure that that rebalancing is not tilted, and that is what we are listening to.

Mrs. Mitchelson: Mr. Speaker, while the Premier is patting himself on the back, I think that he should be congratulating business because business is the vehicle that creates the jobs in Manitoba. It is government that creates the investment climate for economic growth and prosperity, something that this government does not understand with the kind of regressive legislation that they have brought in in Bill 44. We are seeing this province move back to the Howard Pawley days, and the Bob Rae days are now sort of coming to Manitoba.

My question for the Premier is—*[interjection]*

Mr. Speaker: Order.

Mrs. Mitchelson: Mr. Speaker, will the Premier today congratulate business for the good job that they have done and commit to listen to them—they are the ones that are going to create the jobs into the future—and withdraw this regressive legislation before it is too late for business growth and continued growth in this province?

Mr. Doer: Mr. Speaker, I want to congratulate all Manitobans in having the lowest unemployment rate in all of Canada. I want to congratulate the farmers, the businesses, the consumers, the workers that work with businesses. All Manitobans deserve credit. That is the difference between members opposite. We believe that all Manitobans should take credit. As the economy improves, as the rising tide, I think it was Kennedy that said, should raise all ships, we believe government should try to work with all Manitobans to make sure that every ship rises with this rising tide here in Manitoba.

* (13:50)

Labour Relations Act Amendments—Picket Line Violence

Mr. Mervin Tweed (Turtle Mountain): Mr. Speaker, one of the biggest concerns of Bill 44 is the fact that employers will be forced to hire back employees who make—*[interjection]*

Mr. Speaker: Order.

Mr. Tweed: Thank you, Mr. Speaker. One of the biggest concerns of Bill 44 is the fact that employers will be forced to hire back employees who may break the law while on the picket line. Many are saying this simply may be a red herring. Many are saying perhaps the Government has included this objectionable component simply to deceive the public. By scrapping it, they can say to the thousands concerned, we hear you.

Mr. Speaker, could the Premier explain to Manitobans why he insists on protecting criminals?

Hon. Becky Barrett (Minister of Labour): Mr. Speaker, we have no intention of protecting criminals. We are working and listening, as the Premier has said, and as I have said in the House on many occasions in the last few weeks, we are listening to Manitobans. We have been in consultation with labour groups, with individuals, with the business community, with individual members of the business community, with organizations in the business community. We are listening to their concerns.

We are prepared to listen to the concerns of, I gather now, over 50 Manitobans who have asked to speak at public hearings, in the public consultation process, concluding in the public hearings. We will listen and pay attention and have a bill at the end of this process, a very important component of which is public hearings, that will provide balanced, fair, progressive labour legislation that will improve the climate for Manitobans, whether they are business people, employers, workers or regular, all citizens of the province of Manitoba.

Mr. Tweed: Mr. Speaker, it is certainly nice to hear that the Minister is going to compromise and make some changes to this legislation.

Why does the Premier insist on creating fear among both employers and employees by putting into law provisions that give employers no recourse against employees that commit violent or unlawful acts during a strike?

Ms. Barrett: Mr. Speaker, I would suggest that it is the Opposition that is putting fear into the hearts and minds of Manitobans. We have stated, since the beginning of the discussion, the public dialogue and the debate on Bill 44, that we are not in favour in any way, shape or form of criminal conduct or violent acts being accepted in any way, shape or form. As soon as we have been able to hear the suggestions and the concerns of Manitobans in the public hearing process, I am sure the members opposite will see that this bill is a very fair, balanced bill, and I expect them, at the end of the public hearing process, to support the Bill.

Amendments—Withdrawal

Mr. Mervin Tweed (Turtle Mountain): Mr. Speaker, will the Premier now stop scaring the public with this provision that he has no intention of following through with and withdraw Bill 44?

Hon. Becky Barrett (Minister of Labour): Mr. Speaker, in an earlier question today, the Interim Leader of the Official Opposition (Mrs. Mitchelson) called Bill 44 regressive legislation. Now—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Ms. Barrett: If this is regressive legislation, most of the provisions in Bill 44 are regressive legislative provisions that were regressive legislative provisions in the 1970s, the 1960s, the 1950s, the 1980s and the 1990s in the terms of Sterling Lyon, Duff Roblin, and the Member for Tuxedo (Mr. Filmon). We believe this is fair and balanced legislation and that when this bill comes out of the public hearing process, Manitobans will see that it is fair and balanced,

that it will produce a positive labour relations climate which is good for workers, is good for employers, is good for all Manitobans.

Labour Relations Act Amendments—Picket Line Violence

Mr. Harold Gilleshammer (Minnedosa): Mr. Speaker, in 1994 there was a strike at Trailmobile Canada. There was picket line violence, including assault and criminal mischief. Employees were prosecuted and convicted. The Labour Board forced the employer to hire these convicted criminals back. This was all done under the legislation this government now wants to return to. Why does the Premier want to return labour laws that protect duly convicted criminals?

* (13:55)

Hon. Becky Barrett (Minister of Labour): Mr. Speaker, the issue, the situation that was referred to by the Member for Minnedosa is the only time since at least the early '70s that this particular provision was invoked. I am using that as context that this is a provision that has been used on only one occasion in at least 27 years. When Bill 44 comes back from the public hearing process, when we have had a chance to hear not only from the business community that we have heard from, from individual business leaders, from workers, from labour unions, from ordinary, if I can use that word, Manitobans, all Manitobans, when we have had the opportunity to expand that hearing process through the public hearings, I think the members will recognize that we have listened to Manitobans and the piece of legislation is a fair, good and balanced piece.

Mr. Gilleshammer: Mr. Speaker, the labour position is that this behaviour is okay because picketers are often provoked or intimidated. Why would this government encourage picket line violence by giving employees a shield, the comfort that the employer has to take them back to excuse what would otherwise be inexcusable behaviour?

Ms. Barrett: As I have stated in this House repeatedly, as the Premier (Mr. Doer) has stated in this House repeatedly, we have no intention of

allowing individuals, whether they are from management side or workers, on a strike line or a picket line in a protracted labour dispute or any labour dispute, Mr. Speaker, who are breaking the law, who are violent, who have perpetrated violent acts, shielding them from the legal system, from the Criminal Code.

As I have said, we will listen to Manitobans in the public hearing process as we have listened to leaders in the business community, business owners, workers, leaders in the labour movement and other Manitoba citizens on this element of Bill 44 and other elements. Let us take it to the Committee hearing and get more suggestions from Manitobans. The Bill that comes out of the Committee hearings will be a fair and balanced piece of legislation.

Amendments—Withdrawal

Mr. Harold Gilleshammer (Minnedosa): I would ask the Premier, who understands very well what picket line violence is, who understands very well the management position on this bill—they have presented it to him—I would ask him, given that knowledge, will he withdraw this bill today?

Hon. Becky Barrett (Minister of Labour): As we have said in this House since we introduced Bill 44, we want to listen to and are prepared to listen to and have listened to many Manitobans on this issue. But there are also a number of Manitobans who have said, by putting their names forward for the public hearing process, that they want to have their views aired. They want to make presentation to the Committee, they want to see the dialogue and the discussion that takes place, and they are interested in seeing what changes, if any, would be made to the Bill after they have had their opportunity.

We feel it is only fair for those Manitobans and any others who wish to make presentation before this committee to have that opportunity.

Labour Relations Act Amendments—Picket Line Violence

Mr. John Loewen (Fort Whyte): Mr. Speaker, Bill 44 eliminates the democratic rights of workers to cast a secret ballot. As well, it takes

away the democratic rights of business owners and managers to manage their business affairs. I fail to understand what the First Minister seeks to gain from ramming through this capricious and undemocratic legislation so quickly.

Why is this Premier so intent on penalizing business that he has allowed his minister to introduce legislation that will force business to hire back workers that commit violence on the picket line?

Hon. Becky Barrett (Minister of Labour): I would suggest that the Member take a look and talk to the Member for Tuxedo (Mr. Filmon), under the first eight years of whose watch most of this legislation in Bill 44 was in place. So, if he is concerned about "capricious and undemocratic legislation," he need look no further than the individual two seats down from himself.

Amendments—Arbitration

Mr. John Loewen (Fort Whyte): My question to the Premier is: Why is he so intent on penalizing business that he is taking away the rights they have to manage their business by allowing unions to force them to arbitration instead of negotiating in good faith?

* (14:00)

Hon. Becky Barrett (Minister of Labour): Both sides of the Labour Management Review Committee recognized that protracted strikes and lockouts were a problem for the people of Manitoba, economically and socially, for the workers of the province of Manitoba, for the employers of the province, and the social fabric and the economy of the province of Manitoba. There was not agreement on what should be done about that issue, but there was a recognition that there was a concern.

The elements of Bill 44 that have been introduced are our balanced and reasonable approach to dealing with those very few protracted labour disputes. Mr. Speaker, we have consulted with and been in dialogue with members of the labour community, individual workers, labour leaders, Manitoba citizens, business leaders and business organizations. We

have been listening, and we are prepared to listen further to the concerns of Manitobans in the public hearing process on this and every other issue.

Amendments—Consultations

Mr. John Loewen (Fort Whyte): Mr. Speaker, my second supplementary to this minister is: Why, in light of the fact that she did not consult with business, is she so intent on jamming through legislation, and will she not agree to remove the clauses that deal with arbitration, violation, and democratic rights until this bill has had proper consultation?

Hon. Becky Barrett (Minister of Labour): Mr. Speaker, since this bill was introduced, prior to this bill being introduced, we have had a great degree of consultation. We have had the input of the Labour Management Review Committee, and I will say again, Bill 44 reflects, to far greater an extent than any of the three changes to the labour legislation that occurred under the former government, the findings of the Labour Management Review Committee.

In 1996 when Bill 26 was introduced, the Labour Management Review Committee came up with some very hard-fought consensus positions. They were forwarded to the then-government of the day, and Bill 26 reflected not one single element of that consensus position of the Labour Management Review Committee.

Bill 44, contrarily, reflects the consensus position that was reached on seven of the issues that were sent to the Labour Management Review Committee, a record that we are very proud of and appreciate the input from the Labour Management Review Committee. We recognize and respect the work of the Labour Management Review Committee.

Labour Relations Act Amendments—Withdrawal

Mr. Ron Schuler (Springfield): Mr. Speaker, over the past several months, members from this side of the House have watched the Government tinkering and meddling with our strong economy. Their mantra seems to be if it ain't broke, break it. Bill 44 will do for our strong

economy what Howard Pawley did to Manitoba in the 1980s. Actions speak louder than words.

Mr. Premier, are you listening? Mr. Premier, can you hear? Will you withdraw Bill 44 and stop the "voodooer" economics?

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. May I, once again, remind all honourable members that when referring to members in the House to refer to members by their constituency or ministers by their titles. I would ask the co-operation of all honourable members.

Hon. Becky Barrett (Minister of Labour): As I said before, actually at least once today and at other times in Question Period, if this is the regressive—[interjection] I believe the Speaker has suggested to all honourable members that they are not to refer to members by their names, and I would suggest that the Member for Springfield (Mr. Schuler) take your admonishments under advisement and pay strict attention to them, Mr. Speaker.

These articles in Bill 44 reflect, in the vast majority of them, the elements that were in The Labour Relations Act under Duff Roblin, Progressive Conservative; Sterling Lyon, Progressive Conservative; and the first eight years of the former Progressive Conservative government under the Member for Tuxedo's (Mr. Filmon) tutelage. Why is it horrible legislation, horrible things that are going to ruin the economy for Manitoba today, when four years ago it was good labour legislation, as the Member for Lac du Bonnet (Mr. Praznik) stated in 1994?

Mr. Schuler: My question to the Premier: With the fastest dropping unemployment rate five years running, will the Premier drop Bill 44 and put an end to the socialist experiment called voodoo economics?

Ms. Barrett: Mr. Speaker, the origination of the term "voodoo economics" originates, as far as I am aware, in the United States where the right-wing George Bush was talking about the even more right-wing economics of Ronald Reagan. It is passing strange that the Member for

Springfield calls Bill 44 voodoo economics when the vast majority of the elements in Bill 44 are elements that were in the labour legislation under the former Progressive Conservative government, under the former, former Progressive Conservative government, the former, former, former Progressive Conservative government and the Progressive Conservative government four times ago. If it is voodoo economics now, it was voodoo economics then.

Mr. Speaker: The Honourable Member for Springfield, with his final supplementary question.

Mr. Schuler: Mr. Speaker, Will the Premier take the advice from the 170 000-plus member coalition and put an end to Bill 44, another contribution to his voodoo economics?

Hon. Gary Doer (Premier): "Voodoo economics" is a term, as the Member opposite just heard from the Minister of Labour, used by George Bush to describe Ronald Reagan's theory of economics where he would give tax breaks to the rich and that would trickle down to all the public of the United States and that would result in a growing economy.

* (14:10)

Now here we have members opposite accusing us of giving tax breaks to the rich as part of our economic strategy. Mr. Speaker, our budget is not voodoo economics, because it gives tax breaks to all Manitobans, and that is why we are doing well.

Health Care System Funding—Provincial Comparisons

Hon. Jon Gerrard (River Heights): Speaking of tax breaks, Mr. Speaker, my question is for the Premier. The Canadian Institute for Health Information statistics show the public sector expenditures for health in Manitoba are \$2,250 per capita. This is more than \$250 per person higher than the average of B.C., Alberta, Saskatchewan, Ontario and Québec. I ask the Premier whether he has any evidence that the additional \$250 per person spent in Manitoba has any improvement in the health of Manitoba citizens and whether the Premier will ask his

fellow premiers next week for advice on how to better organize health care expenditures so that Manitobans can have a more efficient, cost-effective health care system.

Hon. Gary Doer (Premier): Mr. Speaker, it was surprising that members opposite applauded because the statistics quoted by the Member opposite are the '99 statistics, and when we came into office, it is clear that the base of spending—and it would continue on in this first year's budget, because we were not going to cut \$250 million out of health care to get below some other province when we came into office. It is clear that, in our view, Manitoba spent more per capita on health care without receiving the appropriate services to the public in terms of patient care. One only has to look at frozen food or one has to look at SmartHealth and some of the attempts to privatize home care as cavalier, whimsical and capricious initiatives by members opposite that were expensive and did not result in positive patient care.

Mr. Speaker, one of the great examples that other premiers will be looking at, I would suggest, and the federal government I believe promised in the last federal election they would initiate is—I remember, and the Member opposite probably promised this—a national home care program. Well, Manitoba's home care program, started by the former Premier, the Right Honourable Ed Schreyer, costs approximately \$19 a day per patient versus a hundred dollars for an extended care home or a little more than that for a personal care home and up to \$600 for an acute hospital care bed. We need more of those initiatives, more community-based health care. As we stabilize the acute care side, we do acknowledge that the \$300 million in over-expenditure made by members opposite is unsustainable without working in preventative community-based health care.

Mr. Gerrard: My supplementary to the Premier: I asked the Premier whether at the conference next week he will seek help from his fellow premiers to improve Manitoba's health care system while making it less costly.

Mr. Doer: Mr. Speaker, at the western premiers' meeting and at the premiers' meeting in February and again at the premiers' meeting, I expect, next

week, we will be talking about a vision of health care for Canadians. But the Member opposite may want to be excusing some of the decisions he was involved in in reducing the CHST funding by billions of dollars.

One of the areas that is identified in the cost-driver report is the fact that Canada has a very, very high shortage of diagnostic equipment and staff. The report also identifies that the MRI portioning here in Canada is below that of the United States. We certainly are focussed in on returning a national vision of health care for Canadians at that meeting next week, and beyond that, to return the partnership, the partnership with funding that was cut by the federal government, in September with the First Ministers' meeting in Ottawa.

Mr. Gerrard: My supplementary: I ask the Premier when he will stop trying to spend, spend, spend and ask for more, more, more and get some good advice from his fellow premiers on how to have a more cost-effective health care system.

Mr. Doer: I am not going to break my word, break my word, break my word. The Liberals promised to maintain the Mulroney funding in 1993, and they broke their word in '95, and the Member opposite was part of that decision.

Mr. Speaker, last year's health care budget was double digits. This year's health care budget is certainly a significant amount of money, but we are putting it into places—first of all, it is lower. I think it is approximately 6 percent compared to last year's double-digit amount. That is a definite reduction in the year-over-year cost to Manitobans. Secondly, we are investing in common-sense programs to reduce hallway medicine. We are investing in common-sense programs to return the nursing training program.

Members opposite got rid of the RN program. We think reinstating a combination of the LPN, the RN, the BN is the way to go for the future of Manitoba. That is just one example where we are more cost-effective and more common sense than the members opposite.

Labour Relations Act Amendments—Picket Line Violence

Mrs. Bonnie Mitchelson (Interim Leader of the Official Opposition): I think it is important

that I ask the Premier a question following up on his Minister of Labour's answer.

Point of Order

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, the Member for Springfield (Mr. Schuler) cannot seem to make his point orally, so he is using, contrary to the rules and practices of this House, an exhibit. It deserves your attention.

Mr. Speaker: The Honourable Opposition House Leader, on the same point of order.

Mr. Marcel Laurendeau (Opposition House Leader): On the same point of order, Mr. Speaker. If the Honourable House Leader wants to stand up on a point of order and say that our members are displaying any articles, I ask him to just turn around and look at his members. He might see some of the same stuff, as of the Member for Transcona (Mr. Reid).

Mr. Speaker: Order. On the point of order raised by the Honourable Government House Leader, I would like to take this opportunity to remind and caution all members that, according to *Beauchesne's* Citation 501, "it is improper to produce exhibits of any sort in the Chamber."

I ask that, if the members are, I have not seen them, but if members are, to please cooperate.

* * *

Mrs. Mitchelson: I feel it is important to ask the Premier a very direct question, given his Minister of Labour's response around the rationale and reasoning for changing legislation around picket line violence, Mr. Speaker, in 1996, and that was as a result of a 1994 incident where employees were charged and convicted with assault. The same provision that this government is putting back in the legislation is one that would allow the Labour Board to make a decision on whether or not those employees should be rehired or that employers should be forced to rehire those individuals. At the time, when that issue went to the Labour Board around Trailmobile, the Labour Board determined that the employer had to hire back individuals, employees, that had been charged

with assault. His Minister of Labour stood up in this House and indicated earlier that one instance of violence was okay.

Mr. Speaker, I ask—

Some Honourable Members: Oh, oh.

* (14:20)

Mr. Speaker: Order.

Mrs. Mitchelson: Thank you very much, Mr. Speaker. The Minister of Labour (Ms. Barrett) did indicate that it only happened once, so we want to bring that kind of amendment back into law. That is our government's policy and that is our government's decision.

Mr. Speaker, I ask the Premier directly: Is one act of violence okay, and does he transfer that into his policy around domestic violence?

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I would just like to remind all honourable members that *Beauschesne'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.

Time for Oral Questions has expired.

MEMBERS' STATEMENTS

Cranberry Portage Trout Challenge

Mr. Gerard Jennissen (Flin Flon): Mr. Speaker, it is with pleasure and pride that I rise in the Legislature today to acquaint all honourable members with the fact that my home town, Cranberry Portage, is hosting the 11th annual Cranberry Portage Trout Challenge this weekend. This well-known annual fishing event runs simultaneously with the Cranberry Portage Wilderness Weekend. Therefore, apart from great lake trout fishing in Lake Athapapuskow, there will also be plenty of family entertainment.

The Cranberry Portage Trout Challenge starts with a boat parade on Friday, August 4, at 7 p.m. Event organizers are hoping for a hundred

boat entries, two persons per boat. The fishing fun begins at 8 a.m. on Saturday, with a shotgun start. Boats must be back at the dock by 4:30 p.m. The next day, Sunday, there will be again a shotgun start at 8:30 a.m., and boats are expected to be back by 3:30 p.m. Catch and release rules are in effect.

Each two-person fishing team is issued a measuring panel, and each team submits its four best pictures per day. There are 11 main prizes. The first prize is \$3,500 for the largest lake trout caught; the second prize is \$3,000; the third prize \$2,000, and so on. There are also trophies and prizes for the smallest fish caught, for the team having travelled the longest distance to Cranberry Portage, and so on. Presentations will be made at 7 p.m., Sunday, at the beer gardens.

I want to thank the many volunteers who have put so much effort into the Trout Challenge and the Wilderness Weekend this year and the many years before that. In particular, all of us owe a great debt to Pauline Shpiruk, who was the organizer and volunteer par excellence for at least a decade. In many ways, she was the real spark plug behind the Trout Festival.

I invite all honourable members and their families to the Cranberry Portage 11th Trout Challenge. Enjoy the Wilderness Weekend, enjoy the sand, the sun and outstanding northern hospitality. If you visit our friendly community, I am sure you will understand why I think it is one of the best places in the world to live and why I am so proud of Cranberry Portage. Thank you, Mr. Speaker.

Sunflower Festival

Mr. Jack Penner (Emerson): Mr. Speaker, I rise today to congratulate the organizers and the Chairman of the Manitoba Sunflower Festival for the tremendous success of the Sunflower Festival in Altona, Manitoba.

The Sunflower Festival originated to celebrate the success of the town of Altona and surrounding communities. The sunflower was a plant that was brought along by emigrants from the Ukraine, and then, of course, was developed into a very substantive industry by farmers and people that really thought that we could build an

industry based on the oil that was extracted from sunflowers.

The Sunflower Festival came about, and the queen contest came about, by the twinning of an Australian town, an area which also grows a significant amount of sunflowers, and the queen from Australia and her parents were in Altona to help us celebrate.

I think the tremendous involvement by volunteers is in large part due to the fact of the Chairman who took on the organization of the Sunflower Festival this year by name of Mr. Chad Friesen. The queen contest had 11 contestants in it this year. The festival included a large midway. It also had a very significant number of exhibits and Mennonite food. Above all, it had a motocross race, at which my grandson won three of the events in motocross racing. I am very proud of my grandson for having won.

Again, congratulations to all the organizations and the community of Altona for a tremendously successful Sunflower Festival.

Icarus 2000

Mr. Jim Rondeau (Assiniboia): Mr. Speaker, I rise today to highlight a wonderful, innovative community fundraising event that will be held this weekend. This Friday, Saturday, Sunday, the Village Clinic has an annual fundraising skydiving activity named Icarus 2000 this year. This fundraising activity is used to raise awareness and create information on AIDS and HIV and sexually transmitted diseases. It also creates money so that people living with AIDS have some money for an emergency assistance fund in case they need funding for housing, for medical reasons or, of course, for just emergencies.

AIDS has affected over 34 million people around the world. In Canada, we have numbers of people, about 43 000 people living with HIV and AIDS, including over 630 children. In Manitoba, we have 767 people living with AIDS, with 131 deaths. This is a disease that affects the young, and it is very, very sad.

Therefore, I am very, very pleased to say that I am jumping in the parachute activity this

weekend in order to raise money for this most worthwhile cause.

I would like to thank a number of other jumpers: Shirley Lord, Amber Anderson, Buzz Collins, and Eva Kovacks. I would like to thank the organizers who are Caroline Rickey and Gabrielle Hamm. Thank you very much for this wonderful activity.

* (14:30)

CanWest Global

Mr. John Loewen (Fort Whyte): Mr. Speaker, I rise today to congratulate CanWest Global and the Asper family, in particular Izzy Asper and his son Leonard, for completing the acquisition of the newspaper chain from Hollinger, which now not only sees CanWest Global headquartered in Winnipeg as the largest newspaper chain in all of Canada but also the second-largest private broadcaster in all of Canada headquartered right here in Manitoba.

I congratulate Mr. Asper and his cohorts. I think it is a remarkable feat when one looks at the history of this organization, from where Mr. Asper started and where he has taken it today. We all know that, of course, Mr. Asper served two terms in this House and served this province as a public servant very ably. But he has certainly made his mark, not only in Canada but around the world in terms of his business acumen. He has brought fame to Winnipeg.

But, most importantly, he has been determined, throughout his business career and throughout his whole life, to ensure that Winnipeg not only remains the headquarters of his vast business empire, but he himself and his family reside in the city of Winnipeg in this wonderful province of Manitoba.

So I would like to congratulate CanWest, I would like to congratulate the Asper family, and I would like to thank, in particular, Izzy Asper for having the vision, the foresight and the strength of character to build a company such as CanWest. It is a company that serves this province well in many ways, including his generous donations, both to the artistic community and to a variety of other activities,

whether education or recreation. I pass these words of congratulation on to Mr. Asper. Thank you.

Minister of Health

Hon. Jon Gerrard (River Heights): Mr. Speaker, I extend congratulations to Izzy Asper, to the Asper family, and to people at CanWest Global.

However, the primary purpose of my remarks today concerns the Minister of Health (Mr. Chomiak), and I would like to offer my sympathy to the Minister of Health, who I understand, has had a death in the family.

I would, at the same time, like to pay a compliment to the Minister of Health. A few days ago in the House, I had asked a question of the Minister of Conservation (Mr. Lathlin) as to why there had been a two-week delay in notifying nearby residents of the high levels of E. coli in Sturgeon Creek. The Minister of Health, in the heat of the moment had blurted out that that was a silly question, and there has been some repartee around that.

But I would like to let members know that the Minister of Health had realized very shortly after Question Period that indeed this was an important question, that people in Manitoba are very concerned to know as quickly as possible about E. coli levels, and the Minister had called up to offer an apology. I want to compliment the Minister of Health for doing that, for realizing quickly, and I want to compliment at the same time the Minister of Health for working with his colleagues to ensure that all the rural schools in Manitoba will be tested before September. Hopefully, we will have rapid announcements in terms of any high levels of E. coli in the future.

Committee Changes

Mr. Gregory Dewar (Selkirk): I move, seconded by the Member for Brandon West (Mr. Smith), that the composition of the Standing Committee on Public Utilities and Natural Resources meeting August 1, at 6:30 p.m., be amended as follows: Fort Rouge (Mr. Sale) for Radisson (Ms. Cerilli). This change was moved and agreed to last night in committee. I am now

moving it in the House so the change can be properly reflected in the House records.

Motion agreed to.

Mr. Dewar: I move, seconded by the Member for Brandon West (Mr. Smith), that the composition of the Standing Committee on Privileges and Elections be amended as follows: Rossmere (Mr. Schellenberg) for Selkirk (Mr. Dewar); Interlake (Mr. Nevakshonoff) for Inkster (Ms. Barrett).

Motion agreed to.

Mr. Peter Dyck (Pembina): I move, seconded by the Honourable Member for Charleswood (Mrs. Driedger), that the composition of the Standing Committee on Public Utilities and Natural Resources meeting of August 1, 6:30 p.m., be amended as follows: Portage la Prairie (Mr. Fauschou) for Turtle Mountain (Mr. Tweed). This change was moved and agreed to last night in committee. I am now moving it in the House so that the change can be properly reflected in the House records.

Motion agreed to.

Mr. Dyck: I move, seconded by the Honourable Member for Lakeside (Mr. Enns), that the composition of the Standing Committee on Privileges and Elections be amended as follows: Ste. Rose (Mr. Cummings) for Seine River (Mrs. Dacquay); Southdale (Mr. Reimer) for Carman (Mr. Rocan).

Motion agreed to.

ORDERS OF THE DAY

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, I understand there will be Royal Assent at 2:45 p.m.. In the meantime, as business for today, would you please call debate on second readings for Bill 44?

DEBATE ON SECOND READINGS

Bill 44—The Labour Relations Amendment Act (2)

Mr. Speaker: On the proposed motion of the Honourable Minister of Labour (Ms. Barrett),

Bill 44, The Labour Relations Amendment Act (2) (Loi n° 2 modifiant la Loi sur les relations du travail), standing in the name of the Honourable Member for Lakeside, who has 18 minutes remaining.

Mr. Harry Enns (Lakeside): Mr. Speaker, I am not sure if honourable members opposite realize the damage they are doing to themselves as a government with Bill 44. It is the kind of damage that is going to stick with them for the rest of their term. It reminds me of the kind of damage another government did to itself early on within the first six months of its mandate. I was part of that government, Sterling Lyon's government of '77 to '81.

Mr. Conrad Santos, Deputy Speaker, in the Chair

Mr. Deputy Speaker, after having enjoyed a robust economy in the early '70s, government revenues rising in double digit numbers, we were cruising to a difficult time, to a fairly serious slow-down in the economy. We knew that when we came into government. So we put a freeze on government spending. Unfortunately, I am not so sure whether we invented it, or whether the media invented it or whether the opposition of the day contributed to that, but I am prepared to say that we probably contributed to it, but the words "protracted restraint" became the hallmark of Sterling Lyon's government.

With the benefit of hindsight that you know is always clear and 20-20 when you have that benefit of hindsight, I have no doubt that in doing so and in allowing ourselves to be so labelled we contributed to being a one-term government. History will record we were turfed out of office after four short years.

Mr. Deputy Speaker, I do not know why I am particularly so benevolent in giving you, Sir, and other members of the Government this generous advice, but I am that kind of a guy. But you are putting yourselves into a position early on, within the first session, of attaching a similar label, a different one, but a similar one, anti-development, anti-business, anti-jobs and payoff to union bosses. I cannot understand that for a group that has its fair share of reasonably astute political thinkers, why you would do that.

What you are setting yourself up for now is every time a business fails in Manitoba—Bill 44. The actions of the NDP government are to fall. A taxicab goes out of office, a grocery goes out of business—Bill 44. Of course more important when major developments like the \$100 million-plus Schneider development, along with the 1200 that Bernie Christophe is counting on to be members of his union are not going to happen in this province, then Mr. Deputy Speaker, collectively over the next period of two, three, four years some honourable members opposite will recall and remember these few comments. I cannot understand why they are doing it to themselves.

* (14:40)

Mr. Deputy Speaker, I know it is not easy when we stand up on this side of the House and say withdraw the Bill or seriously modify the Bill, but it is not just us. We are a vehicle for some of the concern that is out there. I have never seen the business community mobilized in opposition in such short order, so early in the life of a new government.

Is there nobody thinking over there or have they become arrogant so early on in their mandate? That is something that you might expect a government of 10, 11, or 12 years to acquire. But it is beyond comprehension why this government, who must have a number of things that they want to do other than just fulfilling immediate promises made to special interest groups, in this case organized labour, surely they must have enough political savvy or something like that to be able to sit down with organized labour and say: Look, we know what you want. You are going to get it in time, but you are going to have to let us kind of mould public opinion. You are going to have to let us kind of, you know, just give us a little bit of elbow room.

Mr. Speaker in the Chair

Do not make us do that in the first six months in our first session of the Legislature, because if you do, we will get labelled, and that is exactly what is happening. You are getting labelled in the same way that Sterling Lyon's got labelled as a government of protracted restraint,

not caring, cutting back, and we could never shake it. Four years later we were turfed out.

Bob Rae, my colleague reminds me, made similar errors in terms of trying to do the impossible and labelling himself as a result in such a way that although he had a comfortable majority—quite frankly it was an unprecedented majority for a New Democratic Party government to be government of the biggest province in Canada, the first time it happened. What a disappointment it must have been for all New Democrats, whether they were in Manitoba, Saskatchewan or across the country, to see that government fail and falter within four short years.

Mr. Speaker, I am a realist in politics, and I certainly recognized on the evening of September 21 when my government was going down to defeat that we were going to have a new government. In general people tend to be benevolent and give governments a chance, usually electing them for at least two terms. Certainly on that evening if people had asked me for my quiet opinion or private advice, certainly going in to the first few months of the life of this government knowing what financial shape we were leaving them with, knowing the robust economy that we were leaving, that we get reminded of every day by the Premier (Mr. Doer), as we were today in Question Period, leading the country in investment, highest record of capital investment in the province, all of which is surely the legacy of the last government, and more importantly is happening under labour legislation as it now stands that they want to tinker with and that they want to fool around with.

So, Mr. Speaker—

* (14:50)

Mr. Speaker: Order, please. I am interrupting the Honourable Member for Royal Assent to be given. The Honourable Member will have 10 minutes remaining when we resume debate after the Royal Assent.

ROYAL ASSENT

Deputy Sergeant-at-Arms (Mr. Blake Dunn): His Honour the Lieutenant-Governor.

His Honour Peter Liba, Lieutenant-Governor of the Province of Manitoba, having entered the House at 2:52 p.m., and being seated on the Throne, Mr. Speaker addressed His Honour in the following words:

Mr. Speaker: May it please Your Honour:

We, Her Majesty's most dutiful and faithful subjects, the Legislative Assembly of Manitoba in session assembled, approach Your Honour with sentiments of unfeigned devotion and loyalty to Her Majesty's person and government and beg of Your Honour the acceptance of this bill:

Madam Clerk (Patricia Chaychuk): Bill 51, The Interim Appropriation Act, 2000 (2); Loi No 2 de 2000 portant affectation anticipée de crédits.

His Honour the Lieutenant-Governor doth thank Her Majesty's dutiful and loyal subjects, accepts their benevolence and assents to this bill in Her Majesty's name.

Mr. Speaker: May it please Your Honour:

The Legislative Assembly, at its present session, passed bills, which in the name of the Assembly, I present to Your Honour and to which bills I respectfully request Your Honour's assent:

Madam Clerk: Bill 11, The Winnipeg Stock Exchange Restructuring and Consequential Amendments Act; Loi sur la restructuration de la Bourse de Winnipeg et modifications corrélatives.

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.

In Her Majesty's name, His Honour the Lieutenant-Governor doth assent to these bills.

At 2:57 p.m. His Honour was then pleased to retire.

Mr. Speaker: Please be seated.

DEBATE ON SECOND READINGS**Bill 44—The Labour Relations
Amendment Act (2)**

Mr. Speaker: To resume debate on second reading of Bill 44, The Labour Relations Amendment Act (2) (Loi n° 2 modifiant la Loi sur les relations du travail), the Honourable Member for Lakeside, who has 10 minutes remaining.

Mr. Harry Enns (Lakeside): Mr. Speaker, I was providing honourable members opposite with some seasoned and sage advice that is in fact in their interest. I recalled not a particularly happy moment in my political life when I was part of a government that allowed itself early on in its tenure to be labelled in a particular way that proved itself non-acceptable to the people of Manitoba and paid the political price.

Actually, when I think about it, it is not a very happy experience, gentlemen. Thrice in my life I was asked to leave those spacious ministerial offices. You know, get all your personal effects out of them. Now when I walk by, whether it is the offices of Natural Resources or Highways or Agriculture, I do so with a bit of nostalgia. The fine office that the Minister of Highways (Mr. Ashton) has used to be the office of a former premier, Premier Walter Weir. All those memories go through my mind as I walk past those offices.

But I digress. What I am suggesting is that this is going to happen to this government in three and a half short years, because of something that they are doing in this first session, and they do not have to do it. Although I am always in agreement with what my caucus and what my members put forward here from time to time, I know that today at Question Period, whether it was from the Member for Fort Whyte (Mr. Loewen) or from the Member for Springfield (Mr. Schuler), there was the call to withdraw this bill now, immediately. Political experience tells me, no, that is not how you do it. You let the Bill kind of simmer, maybe at second reading, maybe even take it to committee, but then not report it to the House and let it just die, let it just quietly go away.

Do you know what would happen? I should not be telling you this. Your union buddies are not going to leave you. Bernie Christophe is not going to become a Conservative if they drop this bill. But I will tell you one thing, you gain a whole measure of respect from the business community, and you gain a whole measure of additional time from the business community and other people in the province of Manitoba if you demonstrate that you listen.

* (15:00)

So what more can I do? I believe that it is part of my responsibility to bring not just opposition to this House, or not just provide opposition to the Government, but to provide constructive recommendations to them from time to time. In this instance that would be extremely helpful to the present members, to give themselves a better than even chance of a second term. What they are doing now by pushing forward on Bill 44 is to diminish their chances. I am not saying wiping them out, but you see, you are doing that on too many bills.

I am speaking now to the backbenchers a little bit. I mean, the home-schoolers are not a large number of people. We have asked the Minister of Education (Mr. Caldwell), the Deputy Minister of Education, has there been any problem in home-schooling? None at all. So, then, why are you meddling with it? You have got 500 home-schoolers terribly upset. They think you have some hidden agenda. I do not understand it.

The same thing, I understand, like Bill 5, the wildlife bill. You wanted to do something about panned hunting. But why have you all of a sudden got budgie bird owners, canary bird owners, parrot bird owners, everybody is upset about what you are about to do? You guys in the back benches, are you not asking yourself what the front bench is doing? I listened on the second reading of Bill 5, and it was about hunting deer and hunting bison, these kinds of things. Where did the budgie birds all of a sudden enter the debate? Mr. Speaker, I could tell them but I am not going to be that kind to them. In fact, I contributed to it.

The point that I am making is governments, it is like the torture test of dripping water, you know. It is a little bit here, a little bit there; this particular group that gets deeply offended by government; that group feels that they are not being listened to, and governments, at their peril, move in that direction.

What I cannot understand is that this government would choose to do so, so early in their mandate. This, after all, is the first session. This is your first session, and you have now managed to alienate the business community in a serious way. You have alienated the school trustees in a serious way. You have alienated a host of other people in a serious way. You have not satisfied agricultural people in the southwest by your indifference to their problems of just a year ago. So when all that adds up, it adds up for a very, very positive outlook for Her Majesty's loyal opposition to in fact prepare for the return to office and a return to responsible government. Thank you.

Mr. Jim Penner (Steinbach): Mr. Speaker, I have been taking copious notes about the answers to questions on Bill 44, and one of the things I noticed was constant references back to the good old days. They talked about the '60s quite often. So I will, too. I would like to just put on the record that maybe we can go back and talk about labour legislation, labour law, unions, strikes, go back in history and see how the process has developed, so that we can apply some of the processes of change instead of the processes of going backwards.

Mr. Speaker, much is said about the early years of industrialization when factories sprung up. Maybe a hundred years ago, factories were springing up. Slowly the nations were becoming industrialized instead of strictly agricultural. I remember a time when they talked about a time in history when 10 percent of the people lived in urban areas and 90 percent in rural. Today, it is estimated that maybe only 3 or 4 percent of the people live in rural areas and 97 percent or 96 percent live in urban areas.

I mention that because the industrialization of Europe and North America brought on the need for correction and the treatment of labour, of employees, of staff, of the workforce. The

rapid industrialization had no experience and no knowledge in how to run and manage employees for the best benefit of all people. There were times when absolutely the only solution was for the staff to join forces to, what we call organize, because the mistreatment of children and child labour, the mistreatment of minority groups and the working conditions that these big factories brought in required a remedy. We have all watched movies of the industrialization period when there were large strikes and riots because employees got fed up with the treatment that was coming their way.

Mr. Speaker, I venture to say that some of that was legitimate concern. There was much of that that had to address the inequities in society as far as treatment was concerned. People gradually got a reasonable work week. When I started to work, we still had a six-day week. I remember the coming of a five-day week. Unions held various roles throughout the industrialization period, and we recognize the need, that intervention was necessary or people would be treated almost like animals. So during those periods of history that there was rapid industrial growth, people's rights were not respected as they should be.

We can go back even further to the time when there was slavery, when people took other people into bondage and treated them really badly. We know that there was corrective action taken by various governments to do away with slavery. That was probably a forerunner to the bad treatment of the early industrial age. It took a huge sociological and physical toll on thousands of slaves. They were subject to cruel and sometimes deadly punishment.

The child labour laws in England probably were addressed there at the earliest. We know that people who were poor were often subjected to work teams. People who were unable to meet some of their commitments were put into work gangs. Some of these people, clearly, they lost the joys of their youth. This was cruel and unusual treatment.

So, when the union movement, the organization of labour, in many cases, tried to change that, we recognize that as a necessary change. We indeed have respect for the safety of

our employees, for the proper sustenance of their needs. We respect their needs for education and health. We respect their needs for a proper income and the sharing of the fruits of their labour with management. Many of these times when this workforce was not respected, these wrongs were met by actions of organized labour. I think, very often, the trade unions contributed much to exposing the mistreatment of labour.

However, times do not stand still. Society did not condone the poor treatment of our employees. So gradually there was change. Some of the change for the better was clearly a result of trade union activity, so trade unions did serve a purpose in contributing to the improvement of working conditions, probably in much of the world.

Mr. Speaker, much has changed in the last number of years. There are laws now in place protecting citizens, all citizens in the workplace. There are laws now in place for minimum wage, although I think it is too low. There are laws in place for the amount of weight that a person can lift. There are laws in place for vacation time. There are laws in place for work week, work hours, overtime.

I will tell you I have been a manager of a business for 36 years. We have had as many as 800 employees, and I feel qualified to speak about the relationship between management and staff. I can only say that I was extremely proud of my staff, and I miss them a lot, now that I am not in the business. But the misuse of staff members by management is a serious offence. I support proper training of management and enforcement of laws so that the employees get a fair break, that they get recognized for what they are doing and that they get appreciated.

This social safety net for those in poverty is a reasonably effective safety net in today's world. I am sure we will never eliminate all the ills of mistreatment of people, whether it is managers or employees, but we will have to continually focus on upgrading our laws and being sensitive to what is happening in the environment around us. We should all treat people the way we want to be treated.

* (15:10)

But today we do not face the same concerns of slavery and rapid industrialization that the mass-production movement introduced to this country. It seems unusual for a government to encourage the same tactics of 50 or 100 years ago in today's environment. We are living in a world that has changed substantially, and I am just amazed that we want to be regressive in our legislation instead of being progressive. I am sure there are ills and I am sure there are solutions, but trying to go forwards by going backwards does not work, or to break something that is not broken does not work.

Now I am going to tell you, Mr. Speaker, about a little incident that happened actually to me in the management of my business. This is one of my stores in Winnipeg. I came to work one morning, and would you believe it, the employees were in the lunchroom crying. They were very upset. They were very angry. So I said what happened here? They said, well, during the night—and I am going back to the '60s, like the Government likes to do—three well-built individuals went to each of the homes of our staff members and pushed a card and a pen in front of them and said sign that. If you do not sign that, you will not have a job in the morning.

This is why we want democratic process. This is why we are so opposed to doing away with a vote. When the staff came to work that morning and they started talking to each other, they found out they had all been duped into signing it. Well, was I upset too. My goodness, I had not seen such a thing in my life. I had been a union member in Chicago, where I worked in a grocery store. I managed a union store, but I had never seen such tactics of fear and intimidation. It just blew me away that this would happen in a civilized country.

An Honourable Member: Whose union was that?

Mr. Jim Penner: That was Mr. Christophe, yes. So I went to my lawyer and I said: Now my employees have signed cards. What happens now? The lawyer said, well, I am not going to represent you because that just complicates things. You have to go now and negotiate a contract. That is the law. You have to negotiate. Well, negotiate I did. I think, according to my

records, I spent over 100 hours face to face with the head of the food clerks' union, and we worked hard. We worked long hours to try and establish a contract.

Finally we had agreed on everything except one thing. The wages were okay, the pay scales were okay, the raises were okay, the working conditions were okay. We agreed on everything. But I did not believe that it was proper for me to take the money out of the paycheques and pay the union dues. I think this is called checkoff, so I did not. I said I will not pay the union dues. I will not collect the money from the employees and pay the union dues.

Mr. Speaker, do you know what happened? They called for arbitration. We have heard that word before. So, now we have arbitration, and that required that I open my books completely and show the arbitrator all of my records. We went to the office. We took out the payroll records. We showed them all the names. I was allowed to witness the union cards. I said, but I am not going to collect the money from the employees and pay it to the union. The employees have to pay that directly. They said, well, that is not the way it is done. So, Mr. Penner, the arbitrator will have to review everything in your books to see what the circumstances are here. Here is the hitch, the fly in the ointment.

Do you know, when the arbitrator looked at my pay scale, he found that I was paying more than the union had consented to. Yes, the payroll had been higher for a whole year. He wanted the members, and he wanted the members' dues, but he would not have the interest of the staff at heart. Consequently, one of the strangest things happened. The arbitrator said there will be no union in this store. That is because of an improper negotiation where the greed of the union to collect dues went beyond the common sense of negotiation.

Why would the union negotiator not check my pay scale? Why would he agree to a pay scale that was actually lower than what I was paying? Now this was just an example. You like to go back to the '60, there we are. I think it was 1966-67.

Now I have to tell you that I have a deep appreciation for my staff and my employees. I think sometimes the people felt like we were just one big family. We cared. As a result of caring for each other, we also cared about customers in our business. I will soon leave this personal story, but in our business, we did something I think that was extremely strange and unique in the business world: we eliminated all supervision. We decided in our business we did not need any supervisors. We had no shop stewards.

We had only two classes of people: facilitators, which was management; and staff, who served the customers. The promise on my part was: You look after the customers. I look after the staff. That was the system. So the customer was actually the boss. I know that works in today's world. If you read Tom Peters's *In Search of Excellence*, you will see that where the customer is the boss businesses thrive.

But you need a certain kind of environment before the customer is the boss. You need an environment of personal satisfaction from your job. You do not need intermediaries creating friction and fearmongering. You need a system with your staff where they know their responsibility and they achieve rewards from their responsibility. At the same time you need management that recognizes what those rewards should be and agrees with staff on how that should be done.

I am sure that we can find examples of intimidation by organized labour and how the card system had its faults. We can also find examples of how management has misappropriated their authority. I am sure this goes both ways. When I say that we do not need to go backward into the old days of the same type of organizations to enforce the laws which now are in existence, at the same time I believe that it is a tremendous opportunity in this day and age for managers to get with it.

I noticed when I was selling my business two years ago that our pay scale was better than the two major chains that were bidding on it. That was one of the hitches in selling my business, that nobody wanted to pay as much as

we did. We did that without supervision, and we did that without organized labour.

I am very proud of my staff. I will never forget the dedication that they had towards customers and the joy that they had in working. I have to tell you, Mr. Speaker, that for regular supermarket grocery store staff, in 36 years I never put an ad in the paper. We always had people waiting for a job. I am very proud of that record because that shows that the communication was there between employees and employers. I think that we need to recognize that the possibility is there that not everybody needs to sign a card.

Workers should be free to advance as well. I notice that one of the things we had frequently was supermarket employees came to our business who were coming out of a union environment. They said: We do not like the strife. We do not like the manufactured friction. We want to be able to work at our own pace. Some people were aggressive. They wanted to move quickly right up the ladder to management in three years. And they did.

* (15:20)

Some people said: Leave me alone. I work on a dairy farm on weekends and I just want this job filling shelves. Leave me alone. Do not make me fit a mould. People were allowed to move at their own pace. I think that is part of the system that creates job satisfaction.

I also notice that young people coming into the business were warned by myself and others that most of our jobs were not career jobs. They were stepping stones. So we did not try to keep people on a long-term basis. We said they should use us for what they could, but not stay there to the point where they would be trying to make a career out of a job that will never become a career. I think that created labour satisfaction as well, because people did not wake up ten years down the road and find out they were still pushing shopping carts. They had been told that this job was just a stepping stone to something better.

So we want workers to be free to advance in their place of employment. Management needs

to be committed to teaching and rewarding and facilitating staff so that they can fulfil their dreams and ambitions.

You know, the separation between management and staff is another issue that creates friction. There are so many functions that the staff can do without having somebody breathing down their necks. When they are given that responsibility, they take the responsibility.

I really recommend that we review what happens with today's people. Today's employees come to you, almost minimally, with Grade 12. We have university students working in our businesses. We have high school students. But we have people with good backgrounds, we have people with work ethics, and, as I said before, I am not denying that there are problems with management and I am not denying that there are problems with employees. But the solutions that we used in the '60s and the '80s, maybe they need to be re-examined, which makes me think that we are rushing into going backwards to old legislation without thinking about what new things we could do. I would not be surprised that, if we all sat down and really put our heads to it, we would find out that we did not have to go backwards.

I learned to listen to staff. We had a spirit of co-operation and a spirit of caring. One of the funny things in my early years in business was the way the raises were paid. You got a raise in pay when you graduated from high school. You got another one when you got married. You got more money when you had children. It was almost like it was on a need basis, because we did not have the proper pay scales in those years. However, it still had to be that the job was a sustenance for the family. So we always sat down with our staff and said: What do you need? Then we would also talk about what the company would need to do that. So there was an agreement between the funding required to the family and the performance required to the business. That was done about once a year.

Besides that, twice a year we examined the pay scale based on productivity. Our first annual review of pay was on productivity. Our second annual review was based on inflation. So there

could be two adjustments per year depending on how things were going in the economy.

Most importantly, I think, is that employees need an environment where they can recognize customers. The way a business grows is when customers walk out of the store and say: I am coming back here. You cannot do that in an environment of strife. You cannot do that in environment of manufactured conflict. You need to have an environment of friendship, caring and peacefulness. We know that sometimes organized labour does not survive where there are peace and love.

Our staff often said they appreciated the atmosphere of serving the customer. Many people who left us asked over the years if they could come back. We generally did not find that was a good thing to do, but we did hire people back. They simply wanted to work in that environment; that was a union-free environment where people cared about people. I think that, demonstrating the willingness of people in today's world with the education they have, people really care about people. We see more and more that people are socially responsible. We need to probe that direction in seeking solutions to problems with labour and management.

In the House on July 12, the Minister stated that the NDP, and I quote, "made an election commitment and restated that commitment after the election that all pieces of labour legislation would go to the Labour Management Review Committee." The LMRC was given three weeks to review the proposed amendments and, in a letter to the Minister dated June 21, 2000, indicated that, and I quote, "the Committee would have preferred to have had more time to study the matters more thoroughly and to consult more broadly with their respective constituencies."

Mr. Speaker, I wonder if the Minister thinks that that process was due process. It is clear that, had the Minister wished to truly affect balance changes with the input of all affected groups rather than merely to repay her union supporters, these amendments would not have been rushed through the Committee. We often hear so much about balance. But we also noticed in committee

that there is negative balance and positive balance. Since we have had those terms redefined and that balance does not mean the zero point, we often wonder what is meant when the word "balance" is used. I think balance is an excuse for something that we cannot describe.

This government has extolled the virtues of co-operation and working with both business and labour in order to build a better working environment within the province. It is unclear how the fairness and balance that the Minister speaks of in relation to this labour legislation are being carried out when only five of the eleven amendments were agreed upon by both labour and management, and of the remaining six, the Minister sided with labour's recommendation each time. Indeed, why bother having a committee at all if only one side is going to be listened to?

The flawed process is being illustrated by the fact that proposed section 23 of the Act was not even referred to the LMRC. Indeed, when the Minister asked for input on how best to deal with the issue of prolonged work disruptions, management requested a six-month period to study the issue, possible solutions, and the implications which existed for labour relations. This is what I was referring to in my long story about my personal experience with trade unions in the '60s. I feel that what they did then was a little outdated, and today we are still not trying to catch up with the times.

There are solutions, I think, and we should study the implications of the existing relations with staff. Not only did the Minister refuse to consider their request for the six-month study, she drafted an amendment based squarely on one of the labour's proposals, without even giving the business community a chance to respond. At least this time the Minister saved the business community the time and effort of making a proposal that probably would have fallen on deaf ears anyway.

Mr. Speaker, the NDP Government has proposed in Bill 44, section 23. They have referred to The Labour Relations Act, which drastically tips the balance of power in favour of the unions when it comes to the bargaining process. The proposed section 23 provides that

in the event of a strike or lockout following the expiration of a collective agreement either party may apply to the Manitoba Relations Board to have the Board settle the dispute or to go to binding arbitration. However, the unions essentially holds the power in their hands, as a request to settle a dispute must be ratified by a vote of the workers. In effect, the workers are given the unilateral ability to determine how the dispute will be solved, as they can veto management's request to refer the dispute to the board of arbitration, and management is unable to reciprocate if the union makes the request and the workers vote to ratify it.

Mr. Speaker, rather than helping to eliminate the problem of prolonged work disruptions, this provision may well serve to increase the number of work disruptions occurring in the province. Indeed, the system provides little incentive for the unions to bargain in good faith, as they need only strike and wait for the 60-day period to run out before they can force the matter into binding arbitration.

* (15:30)

As stated by Dave Angus, President of the Winnipeg Chamber of Commerce in the *Winnipeg Free Press* on July 7: Under the new scheme, if workers feel they can get a better deal by going to the labour board or to an arbitrator, there is little incentive for them to negotiate. That means we could have lots and lots of 60-day strikes.

Mr. Speaker, how can this minister say with a straight face that one of the three principles which they have tried to achieve with their proposed reforms is that of fairness, that: "the law should balance the needs of workers and employers," *Winnipeg Free Press*, Saturday, July 22, when clearly her government has placed the desires of their union bosses ahead of sound policy initiatives and consultation with all facets of the community.

In a report from the Labour Management Review, Mr. Speaker, the Labour Management Review Committee, dated June 21, management indicated that the matter of protracted work disruption was an important concern and indicated that the issue deserved to be reviewed

in a thorough manner to identify the range of possible options and an assessment of their implications. I agree with that statement. They recommended that the matter be evaluated over a six-month period. Once again, the Minister flouted process and showed her true colours by moving ahead with the drafting of section 23, modelled on one of labour's three recommendations on how to deal with the work disruption issue.

The least the Minister could have done was to solicit the opinion of management on the three proposals before she drafted the amendment to the Act. It is nice to talk about co-operation and working together, but it is obvious how little value this minister actually places on the views of the business community. But why should she when she is not making any sound policy decisions but rather paying back her union buddies?

Bill 44, The Labour Relations Amendment Act, certification, denial of workers' rights. The NDP Government has proposed an amendment to The Labour Relations Act which would strip workers of their democratic right to vote in a secret ballot for an agent for or against union certification. This amendment makes certification automatic when it has been demonstrated that 65 percent or more of the affected employees support the union. Winnipeg Chamber of Commerce President Dave Angus asked: "How can you argue against the democratic process of a secret ballot vote?" *Winnipeg Sun*, July 7. This is a question that we would all love to hear the Minister answer. Answers are hard to come by in this House. This government constantly spouts rhetoric regarding its grass-roots base and democratic values, but in fact a more appropriate moniker may be the non-democratic party, or like we have sometimes said in this House, no democracy please.

Mr. Speaker, Mr. Graham Starmer, President of the Manitoba Chamber of Commerce, calls this provision a regressive step, something backed up by the Minister's own words over and over again in the House when she indicated that this provision was a return to the way things had been in the 30 years previous to the Filmon government's amendments in 1996. So much for Today's NDP.

I remember 1966, as a businessman. I will tell you, we still need to take a look at going forward instead of moving things back to the old days. Today's NDP: Is this government capable of an original idea that did not stem from the Pawley years?

Small business owner Dennis Tanguay of Tanguay's Hardware store in Souris was quoted in the *Winnipeg Sun*, on Tuesday, July 25, as saying, and I quote: If you want to form a union, you should be able to sit down and mark a secret ballot; otherwise, we are going back to the Jimmy Hoffa days when they walked out there with baseball bats and intimidated the hell out of people.

I continue to feel very much that we need to look forward at possibilities of improving labour legislation, not going backward to outdated laws. This is particularly the case when I see section 4 on picket line violence. By amending section 12(2) of The Labour Relations Act, this NDP Government is supporting acts of violence on the picket line. Under the old legislation, which this NDP Government is intent on bringing back, the Manitoba Labour Board forced employers to hire back employees who were convicted of criminal activity for their conduct during a strike. How can that engender peace and love and kindness and caring? How can that engender the atmosphere in your staff that will make your business successful? This is why business does not want to move into Manitoba. This is why businesses are concerned about making further investments.

There are two ways in which business grows in our province. By far the largest amount of growth comes from reinvestments of existing businesses, but inviting new business is also very important. We cannot invite new business or expect people to reinvest their earnings to keep our low employment rate if in fact we are saying that crime pays.

How does the NDP Government support for picket line violence match up with their election commitment favouring safer work environments? Well, safer work environments, but you can knock somebody out with a baseball bat and you get rehired. Does this government not

realize that a strike is not a shield, an excuse for criminal behaviour and violence?

It is truly unfortunate that in the 21st century we see a government in Manitoba that is now enshrining violence as an acceptable form of behaviour into Manitoba law. Violence against any group in society or in any group in society is unacceptable. Why this NDP Government keeps insisting that picket line violence is appropriate in the 21st century is truly shameful.

First Manitoba workers lose their right to secret ballots and now Manitoba workers are losing their right to a safe working environment because this NDP Government is supporting the return of brutality and violence on the picket line.

Why does this NDP Government feel that a union card or even a membership card in the NDP is enough to protect you from punishment if you commit an act of violence? Nowhere during the election campaign, the Throne Speech or the Century Summit was the NDP's commitment to picket line violence discussed.

Mr. Speaker, nothing is more intimidating than violence. The fact that this NDP Government does not accept that fact is a very black mark on our province indeed. If investigators are still looking for Jimmy Hoffa's body they might find him in the NDP caucus room. It seems his spirit has definitely found a home there. And then we get to the next section here.

This NDP Government seems to be very confused about exactly how their attack on the foundations of Manitoba's democracy is taking place. In Bill 4, this NDP Government restricts union participation in elections by banning donations to candidates and parties. However, Bill 44 removes the right of workers to be consulted about their union dues being spent for political purposes. How do these things go together? Well, the only similarity I see is that one bill is Bill 4 and the other is Bill 44. Maybe that is the similarity.

It seems really strange that we would ban donations to candidates and parties under Bill 4 and then under Bill 44 remove the right of workers to be consulted about their union dues

being spent for political purposes. It is unbelievable.

These purposes include, as defined in section 76(1) of The Labour Relations Act, donating to candidates, parties and political advertising. Bill 4 does not prohibit unions from advertising either outside or during an election campaign. The NDP Government could have simply deleted clause 76(1) that allows workers the right to be consulted about political donations and left the clauses about political advertising.

* (15:40)

It is clear that this is not simply a housekeeping change required by the introduction of The Elections Finances Amendment Act. This NDP Government claims they are making a change in the name of democracy, but it is clear that democracy is the furthest thing from their minds.

Why does this NDP Government feel that the union members should not have the right to be consulted about the use of their union dues for political advertising?

Mr. Speaker, it seems like the only interest this government has in workers is the interest generated from the union dues being spent with declining accountability by the union bosses. It is unfortunate, as we enter the 21st century, this NDP Government is taking us back to the 18th century, when workers were to be seen and not heard.

There are economic risks that we are taking in this retrogressive legislation. The NDP Government stated in their election promises that it is time for a government that is in touch with the hopes and dreams of today's Manitobans. That is a really good sounding line, hopes and dreams of today's Manitobans. That is Today's NDP. It is unfortunate that when the Honourable First Minister made that statement he must have been speaking of Manitobans' dreams of relocation to other parts of the world.

The Minister claims that the amendments she is introducing will provide incentives and benefits to business owners to establish new

businesses and relocate to Manitoba by creating a stable labour relations climate. Why would we create a stable relations environment by going backwards? We have had a reasonably stable relations environment because we saw that in the numbers that the First Minister gave us today about all the progress in this province. That happened not in nine months, that happened in the last five years. Now we want to go backwards. So what we are talking about now is if it ain't broken, break it. Thank you.

Mr. John Loewen (Fort Whyte): I wanted to put a few words on the record regarding Bill 44, although I feel in a lot of ways it is unfortunate that we are standing here today debating Bill 44, at least this side of the House is debating Bill 44. It is interesting that we do not have any debate from members opposite. I wish to put them on notice that we are going to debate this bill very vigorously in second reading, as is our job and as is our prerogative.

It is unfortunate that we are here, because I think if serious thought was given to this bill and to the ramifications of this bill, what we would see is that this bill would be withdrawn. I believe that this bill should have been withdrawn prior to today. This is a bill that is ill conceived. It is a bill that is badly drafted, as was Bill 4, which we debated yesterday. It is a bill that will not achieve the desired outcomes which have been laid out in very public statements by the Premier, by the Minister, and by other members, not only in this House but publicly as well. I think that is very disappointing. Certainly the process that this bill has gone forward is extremely disconcerting. That led me today to call it capricious because I think intentionally this bill was hidden from the public agenda.

This government had many opportunities in the preceding eight months to introduce to the public, to introduce to the business community and to introduce to labour the principles behind which they thought they would move forward with labour legislation. We had the Minister, in Estimates, and the critic, the Honourable Member for Springfield (Mr. Schuler), on many occasions asked her pointedly if she was contemplating bringing labour legislation before this House during this session. Her reply was consistent: Well, we have not worked through

the details of the Bill. We do not know exactly which direction we are going to go. We have not worked everything out.

But lo and behold, less than two weeks after the Estimates process concluded with this minister, there we were in the House when she tabled this labour legislation. Obviously, there was something up her sleeve in terms of her responses.

The Government had plenty of opportunity to put the contents of this bill to the business community as well as to labour if in fact what they had wanted was a proper consultation on the clauses in this bill. Did they do that? No. They did exactly the opposite. They have done what we have seen many, many times in this House since they have taken office. Very arrogantly they have said one thing in here, they have said one thing publicly, and their actions have been exactly contrary. They have done something exactly opposite to what they have said in this House. They stood up and they bragged, waxed on eloquently about their economic summit and all the wonderful results that had come out of this great summit.

Anywhere in that summit, did they approach business and say: These are the types of amendments we would like to see to the labour laws. No, they did not. Did they give business an opportunity to respond before they brought this legislation into the House to the direction they were taking? No, they did not. I am very disappointed that this government has chosen this route to obviously pay back the unions for their support. That is all this bill is. It is a simple payment of debt. That has been recorded in national newspapers. I think it is unfortunate, because, as the Member for Lakeside (Mr. Enns) mentioned, this is going to affect the public and business community's view of this government forever.

An Honourable Member: Izzy Asper may fix that.

Mr. Loewen: Of course, we have members opposite who want to make wisecracks about Izzy Asper and about his success as a business person. You know, I know it upsets them to see someone succeed because obviously, through

their legislation, their principles are that it should be looked down on if you succeed. They are the great eveners. They want to bring everybody down. That is their objective with this legislation. That is their objective with this package, and we hear it in their comments today.

I think it is unfortunate, because what we need to provide this province with, the people of Manitoba, we need to provide them with hope and opportunity. We need to hold the Izzy Aspers of the world, the Izzy Aspers of this city, of this community up on a pedestal. We need to point to them and say to people: Look, you may be born in Minnedosa, you may think that you do not have all the advantages of life, but if you work hard enough, if you achieve some luck, if you are focussed and if you are dedicated, this is what you can succeed with. This is how you can make a go of it.

You know, not everybody needs to rise to that level, but everybody needs hope and everybody needs opportunity. I think it is unfortunate, by introducing this legislation and pursuing it as vigorously as they have, as well as some other legislation that we have seen before this House, that certainly there is going to be a lot of individuals with less hope in the coming years as a result of the actions of this government.

Nothing will speak louder to that than their policy on expansion of gambling. That is another issue that we will deal with on another day. You know, there is obviously contradiction on the issue in that cabinet room and that caucus because we know very many of the members opposite have put their words on the record how they feel that expanding gambling is contrary to the public interest, and I believe them. It is, and we know it is, but that does not seem to have stopped them.

I would like to refer to Bill 44 and conjure up an image for the people of Manitoba and for the members opposite of the mad scientists working away in the union halls at the same time that the economic summit was taking place. Here were these mad scientists, the Labour Minister (Ms. Barrett) and the Premier (Mr. Doer) of this province, trying to cook up their labour legislation to treat this province, to treat

the people of this province as a laboratory for their own self-purposes, simply for the ability that their union comrades across the country could point to Manitoba, and they could say: Look at the labour laws in Manitoba; we will go way out on a limb in Manitoba, because, hey, we have found a government that owes a big debt to the labour movement, and we are going to make them pay off on that debt. So that is what we have here. *[interjection]*

Mr. Loewen: Well, you know, this is not the first time the members opposite, the Member for Thompson (Mr. Ashton) and the Member for Brandon West (Mr. Smith) want to heckle me about the Manitoba Club. I know they have some real problems with the Manitoba Club.

* (15:50)

You know, I have been a member of the Manitoba Club since the mid-1980s, and I can assure these members that if they took the time to even look at the roster of the Manitoba Club, they would probably keep their heckling, cut it right down to nothing. Because the members in the Manitoba Club, they are successful people, but they are people from all walks of life. There are people that have come from rural Manitoba. There are people that come from the city. There are people that come from the inner city. What they have done is they have made a success of themselves. In doing that, all these members need to do is look through that list to understand how these people have contributed to the province of Manitoba and what they have put back into this province.

So I would recommend to the members opposite, in particular the Minister, that he should spend less time worrying about what goes on at the Manitoba Club and he should spend more time worrying about what goes on at the cabinet table, because what is going to be the downfall of this province is certainly not the Manitoba Club, this venerable institution that has been in place since 1874. What is going to be the downfall of this province is that government and that cabinet and its acts like Bill 44 that are going to lead to the downfall.

An Honourable Member: This comes from guys that have never been in a union hall.

Mr. Loewen: The Member from Brandon West (Mr. Smith) suggested I have never been in a union hall. Well, I can assure him, in the greatest of Manitoba traditions, I have been in many, many union halls. I have enjoyed many great social occasions, and that is a hallmark in union halls. That is something that we are grateful for, and I have also worked closely with the union movement. I would refer the members opposite to take a little look at the United Way literature and understand that in this community that is how we make progress, by people sitting down together and working hard for their community. There is no greater example than the United Way where everyone comes to the table and puts their politics aside, puts their personal agendas aside and work hard for the people of Manitoba.

So I can congratulate the union members, the business members and the members of the Manitoba Club that give of their time and effort to the United Way. It just goes to prove that, if we set aside the petty politics, people from all walks of life can work together to make this a better province.

Now it is unfortunate that we have to deal with this bill today, and I want to speak to some of the specifics. As I mentioned yesterday with Bill 4, there are specific clauses in this piece of legislation, which are going to have exactly the opposite effect that we have heard this government stand up in public and say. In particular, clauses relating to forcing arbitration on employers are going to be particularly damaging to labour-management relationships in this province. This, again, is something that we have seen on many occasions in this House from this government, the stripping away of the democratic rights of citizens of the province of Manitoba to determine their own fate.

What is happening here is that the Government has decided, on the advice of the unions, on the advice of the labour side of the labour-management committee, because they would not listen to management. All they wanted to do was to take the labour position. So what have they done? They said: Well, look, if there is a strike situation, which we all know is a situation of last resort, neither management nor employees want strikes. It is a situation of last resort when bargaining in good faith breaks

down. That is what happens under the labour laws as they are today. Unfortunately, sometimes management and unions cannot see eye-to-eye, and they do end up in a strike situation and nobody likes that. It has been documented many, many times that nobody benefits from a strike, or a lockout, for that matter. Certainly, the employer does not benefit as their businesses are hampered, and the employees do not benefit because very often it takes more than a lifetime of work to make up for the wages that are lost during a strike, even at higher rates. So nobody benefits.

So, instead of leaving the process open to the mutuality of agreement, what this government has done is it has tilted the playing field. What it has said to unions is: Look, what you need to do if you are contemplating a strike is you need to see if you can get the support of your employees to stay out for 60 days. If you can do that, well, then, we will give you the upper hand, and we will take away any incentive for you to bargain in good faith. We will take away the incentive for management to have a democratic say in how the negotiations proceed, because what will happen is the unions will look at it and say: Look, after 60 days, we can demand to go to arbitration, and if we just put a very unrealistic offer on the table, well, we will likely get more from arbitration than we will get from management. So, again, here we have the mad scientists cooking up a scheme to tilt the playing field in favour of their union puppeteers. I think that is very, very unfortunate. In its mad rush to pay off its debt to the labour movement, we have clauses in Bill 44 that are going to tilt the playing field to such a degree.

You know, they could have, in good faith, left the playing field somewhat equal by leaving in a choice. If both the employee and the employer had agreed that their good faith approach to bargaining just was not working out, that their differences were so great, and it exists right now, then both groups could come together and say, look, we cannot work this out. The union on its side is saying we do not have enough of a wage scale, we do not have enough benefits, we need more, we need more, and management can say, gee, we would love to give that but if we do our business is not going to be able to survive in a competitive world, and so we

just cannot cave in, we just cannot do it. In that case, both parties could come to the table and say, look, we would like an arbitrator. We would either like the labour board or we would like an independent arbitrator that we agree on to come into the situation, take a look at everything and tell us how to solve it.

Is that fair? I think the Members would have to agree that would be a fair and equitable way to call arbitration in to a process where good faith, safe bargaining had not reached a conclusion.

They decided not to do that. They decided to say, okay, union, all you have to do after 60 days is get the employees to agree to take it to arbitration and, boom, that is it, away it goes, and by the way, management, we know you like to think that because you have an ownership stake in your business that you have certain democratic rights to operate under; we are going to take those away, and we are not going to allow you to manage your business anymore. We are going to simply put it in the hands of arbitrators.

I think that is wrong-headed. I think anytime you take the democratic rights away from any citizen and from any group that is something this society will not tolerate, and that is something that the people of Manitoba will look harshly upon for many, many years.

I think the reason why this government is so bent on pushing this legislation through the House is they realize that. In their hearts, they realize, they know deep down that they should not be tinkering with the democratic rights of individuals; they should not be tinkering with the democratic rights of management to run their business.

That is why they have not consulted, that is why they are trying to rush this bill through the House and that is why we are here to day debating a bill which is going to cause great harm to the province of Manitoba, to the economy and to many, many businesses in Manitoba. We are hearing that every day from the Coalition of Manitoba Businesses that has come together in an unprecedented fashion to oppose this bill, that is speaking out on behalf of

over 17 000 businesses and many, many thousands of employees across this province, that is growing stronger every day, that is joined by the Manitoba Business Council, is joined by the Winnipeg Chamber of Commerce and is joined by many other groups in voicing their disdain with this bill.

* (16:00)

As the Member for Lakeside (Mr. Enns) pointed out, it would be wise for this government, and it would be wise for the backbenchers of this government in particular to step back and maybe talk to their cabinet members about whether this bill should not be withdrawn at this time or at least put off, tabled to the fall, until this government can go through a proper consultation process. You know, there is nothing to be lost in that. It is going to be a long time before another election. I think it would serve the Government well to take this bill to the people of Manitoba, to—*[interjection]* Well, I am glad that the members opposite, in their many numbers, are telling me that they will consider it, and I hope they will seriously.

Mind you, I am not too optimistic, because I have heard this from these members before, how they are going to take bills to committee and how they have a willingness to listen and adapt. But we have seen time and time again that really all they are interested in at the committee stage is using their majority on committee to shut down presenters.

We had a specific case where an individual came all the way from Montreal to present to committee, to explain to the Government the problems that the bills dealing with short-line railways had, and what did the majority of that committee on the government side do? They shut him down. They said: We are going to limit to 15 minutes. At the end of that 15 minutes, when we asked for leave, when we asked to ask further questions of this individual who had travelled from Montreal to present to this committee, they said no. They refused. They said no.

The members opposite keep going back to the past, as they have with this legislation. We are living in the future, and I would hope they

would have the good sense to understand that, as a government. The individual who came from Montreal was treated very, very rudely. I think it is a shame that, when someone takes the time and effort to come to this House to present a point of view, I take offence, I take offence to the Government shutting them down after 15 minutes.

One of the main issues with this bill is the fact that this government has tilted the playing field. They have taken out the mutuality of agreement, the incentive to bargain in good faith from the labour movement, and they have tilted it very skilfully to the hands of their union friends.

The second issue that I want to deal with is the issue of violence on the picket line. I guess my question to the opposition should be: How much violence is enough? We heard in the House today that, well, you know, the violence at Trailmobile was only once. So we have now established a point, and I guess it reminds me of the old joke of which the punch line is: Now that we have established what your position is, we are just negotiating. What we are negotiating here with this government is: How much violence is too much violence?

So, we have a situation, well documented, at Trailmobile that ended in violence, and those workers were required to be hired back by the Labour Board. As a result of that, legislation, which was passed in this province, dealt with that issue, so that, as the situation exists today, if somebody commits violence on the picket line and is charged with it, and is convicted of it, then they do not have the right to expect their job back. That is fair. *[interjection]*

The Member from Assiniboia (Mr. Rondeau) asks what violence is. Look into the information. Look into the violence that took place at Trailmobile. That was violence, and the result of that was that those people were—*[interjection]*

So that is what we have here. What we have here is a situation where this government is saying: Well, violence is okay. Somewhere along the line, we are going to come to you and say: How much violence is enough violence? So

we are back to the days where striking workers can feel free to commit violent acts on the line, knowing full well that, even if they are charged, even if they are convicted, the employer has no option but at the end of the day, to hire them back.

I do not think that is right. I do not think that would be expected in other segments of our society. But I think what we should do, I think what the Government should do is certainly withdraw the pieces of this legislation that deal with that, unconditionally, because there is no room in our society for violence. There is no room for people who resort to that type of activity to come back and demand their job.

I hope this is part of the strategy of the Opposition to put out some very, very offensive legislation and then at the end of the day, after committee, withdraw and say, oh, look at us. Are we not wonderful?

We may well see that. Quite frankly, if we see that in the case of these clauses regarding violence on the line, then I think that would be a good step and one for which we would all be happy.

When we go back to the issue of arbitration, maybe their solution would be to come back with final offer selection. That was the laboratory. That was the experiment of the Pawley days. Those were the mad scientists of the Pawley days coming forward and saying: Well, final offer selection. We are going to change the labour laws. We are going to tilt the deck. We are going to tilt the playing field in the favour of unions. I just ask the members opposite to take a few minutes, take some time, go back and research what happened to their party as a result of final offer selection, because that is the road that they are walking down with this piece of legislation. If they want to go there at the end of the day, that is their prerogative. But I urge them to go there at their own peril, because this is very, very damaging legislation.

So those are the first two issues that I want to deal with. I also want to deal with the issue of this government's decision to take away the democratic right that workers have to vote upon certification. I am appalled at that.

Mr. Speaker, members opposite and the Member from Brandon West (Mr. Smith) want to chide me about having the interest of the workers at heart. I want to assure all of the members opposite that I do have the interest of workers at heart. I want to remind the members opposite that for 25 years I was involved in a business, and for many of those years, ran that business, which had over 1000 employees. At no point did the employees of that organization ever feel that they needed a union to forward their cause. Never. There is a reason for that. The reason for that is, in that organization, there was no need for a union. People were treated fairly. People were treated honestly. People were paid competitive wages. People were recognized according to their skills and ability. People were involved in profit-sharing plans. So we ran a business and the business still operates today. I am glad to say that still today there is no talk of unionization of that business. There is no need. But I want to assure the members opposite—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. It is becoming very difficult to hear. I would ask the co-operation of all honourable members.

* (16:10)

Mr. Loewen: Mr. Speaker, I hope that you will bring some calmness to this House with your words.

But I do want to continue on that point, because I want to assure the members that if there were employees in that business, when I was running it, who felt there was a need for a union, who would have wanted to organize, I would not have stood in their way. All we would have asked is that they would have had a vote, a free vote, a democratic vote, a secret vote. If, at the end of that vote, when the ballots were counted, they had decided that they wanted a union, well, so be it, and we would have entered into negotiations in good faith. But it did not happen, and that is fine, too. That was their choice. It was not my choice. The only thing I would have asked is if the business had gone down that road that the employees would have been given the free right to vote. I think that is fair.

Mr. Deputy Speaker, in the Chair

The members opposite seem to think that management plays a huge role in whether employees will form a union or not. I want to assure them that is simply not the case. It is unfortunate that they do not have the business experience around their cabinet or in their caucus to be able to understand that relatively simple fact. You know, there are businesses where unions add a positive element. There is no doubt about that. I do not object to that. There are lots of them. Quite frankly, where workers decide to unionize, that is usually a result of actions by management. It usually can be pointed to management, and it can be said of management that they probably deserved it.

But, once again, the employees deserve to decide, and they deserve to decide by a free democratic secret ballot. That is all we are asking for. We are asking that this government uphold the standards of democracy that are in this province today, that are well recognized across Manitoba and across Canada, and give employees the democratic right to vote. It seems like a simple thing. I do not know how they can stand up and defend their position.

In fact, it is pretty obvious they cannot stand up and defend their position because they are unwilling to, during debate on second reading. They have no defence. They have no defence in Question Period; they have no defence in debate on second reading for taking away the democratic right of individuals to vote on the direction they want to go. There is no precedent for that anywhere in Canada, and I think that is shameful.

I think that is something that the people of Manitoba will recognize, have recognized, and they will bring pressure to bear on this government many, many times over the coming years to remove that, because the people of Manitoba are wise. The people of Manitoba have the ability to determine for themselves what direction they want to take. The people of Manitoba recognize the democratic right that they have to a free, unencumbered ballot.

So I would ask this government to step back from this clause and to give them a free vote. If

in fact the members of a workforce decide to vote, so be it. But instead what we have is another payback to the unions. There is a simple reason for this clause, and the simple reason is that union membership is in a downtrend. The individuals across have been told that specifically by the union bosses, and they know it. Unions are struggling to increase their membership. They stand up here. Well, they do not stand up today, because they are not willing to debate this bill. But they want to lead people into believing that people are clambering to get into unions when the facts prove exactly the opposite. So what do they do? They tell the union bosses, who are totally driven by increasing membership, and they are totally driven by increasing membership so they can increase their revenue.

In that respect, they are not different than a lot of businesses. I mean, their primary focus is driving the top line, as the Minister of Finance's (Mr. Selinger) primary focus is, because the more revenue you get in, the more revenue you have to spend. New concept.

I want to pause for a minute. The Minister of Finance is a beneficiary of that, because now, in this year in his budget, he had the opportunity to make a decision on whether he was going to decrease taxes or increase spending, and he decided to increase spending by over \$400 million. That is his choice. He is elected, and he has the right to do that, and his party has the right to do that. We have the right to debate it in this House and the right to argue it.

But in a simple demand of union bosses to help them increase their ability to increase the revenue that they take as a result of checkoff dues, they have asked this government to pay back a debt. What has this government done? They have caved in. What has the Minister of Labour (Ms. Barrett) done? She has caved in. They said to the union bosses: Okay, here we go; we are going to tilt the playing field in your favour. I hope at the same time that they have said to the union bosses: By the way, you have four years to do it, so you better act quickly. Because I believe that as a result of this and other legislation after four years that playing field is going to be levelled again and those

union bosses are going to have to go back and work hard to increase their membership.

Mr. Deputy Speaker, there are some other issues that I want to draw attention to on this bill. I sat here a week and a half ago. I mean, I was dumb-founded, but again it speaks to the lack of thought that has gone into this bill.

We on this side of the House asked the Labour Minister a number of times if she understood that by repealing section 76 she was taking away another democratic right. She was taking away the democratic right of union members to determine if they wanted their funds to be used, to be spent on political purposes. Again, here we are standing up for workers, standing up for their ability to have the right to vote. What is the Minister of Labour doing? She is stripping them of their democratic right to determine how their money will be spent.

You can look at that, and her answer to this House was, well, we are not doing that. It does not matter anymore because, in Bill 4, we have taken away the rights of unions to contribute to political parties. So that clause does not matter. Then we raised it again, and I saw the Premier (Mr. Doer) look over to the Minister of Labour and, lo and behold, there was the Minister of Labour going, I do not know. I mean, she did not even realize what this bill was doing to the democratic rights of workers. She did not have a clue. She did not understand what her own legislation was going to result in.

I think if she had, maybe she would have looked a little closer at that legislation, and she would have said hold it. Hopefully, her cabinet would have said: Well, maybe we should step back; maybe we should really examine whether our intentions are to strip democracy from society in Manitoba. Probably, if they would have done that, if they would have taken some reasoned time to think this bill through, and if they would agree to do that now, they would reach a far different conclusion than they have reached today. That conclusion would be far better for the people of Manitoba than this legislation.

So I want to go back to the start and say it is unfortunate that we are here today, at least this

side of the House is, debating Bill 44. I think it is a bill that is ill conceived. I think it is a bill that has been badly handled. I think it is a bill that is going to have a dramatic effect on the economy of this province.

* (16:20)

This government, the Premier stands up from time to time in the House and brags about the economic indicators. Of course, he wants to take full credit. He seems to think that the world turned on a dime the day he took office and all of a sudden we have all these wonderful things happening in the province of Manitoba. He needs to consider that very, very seriously, because what is happening in today's economy is a result of a number of factors, with certainly one of the significant contributors to our economy today the work that was done by the previous government.

They should take credit for that. They do not deserve all the credit. They deserve far more credit than this government seems to want to give them, and this government deserves far less credit than they seem to want to take. But what is going to happen as a result of this legislation and other legislation like it is that we are going to end up in a situation where our economy is going to stall. The economy is going to turn. There are a number of economic indicators out there already that point to the economy stalling. We are going to see a multiplier effect here when the U.S. economy slows down.

Unfortunately, at the time when business looks here, what they are going to see are the highest taxes. They are going to see the most unfavourable labour legislation. They are going to see a government that is determined on stripping individuals and groups of their freedom of democracy. People are not going to be able to speak out. Environmentalists are not going to have the freedom to speak out because the Conservation Minister (Mr. Lathlin) has stripped the MEC and drained them. We are seeing it all over the place.

So I think it is disappointing. I look forward to continuing this argument in committee. I would urge this government to come to committee with an open mind and to actually

listen. While you are listening, table this legislation, take a second look at it and come back at a time when you might do it right.

Mr. Jack Penner (Emerson): It gives me a great deal of pleasure to rise to put a few words on the record on Bill 44, The Labour Relations Amendment Act, because this, I believe, is the recipe for the end of the rule of the NDP in Manitoba. I think one only needs to look at Ontario and what happened to Bob Rae's government in Ontario when they decided to do virtually what the Province of Manitoba is doing today. They gave the people of Ontario the impression that they could actually spend their way out of debt, and by the end of the term that they were in they were so deep in debt that it will take another significant number of years before the current government, the Progressive Conservative Government, will be able to clearly state that the province of Ontario is in a good financial state.

I believe, Mr. Deputy Speaker, that this clearly should have been an indication to Manitobans, before the election, when they listened to Mr. Doer and company, the current Premier of this province, when they told them that they were a new New Democratic Party. Many people listened to that. They looked at Mr. Doer, and they had listened to Mr. Doer, and Mr. Doer had given them the impression that he could be trusted. Basically that is what Mr. Rae said to the people of Ontario before he was elected. We are a new New Democratic Party. We can be trusted. We will show you how to get this government out of debt in Ontario. By the end of the day, the Government was so deep in debt that they will suffer for a long time. And it has taken the Harris government in Ontario the last four years to bring the Government in Ontario to a position where people are finally again gaining some confidence in the economy in Ontario.

The markets are reflecting this. The business opportunities there and the investment opportunities and companies, investors, are really starting to take Ontario seriously again. You know, it took Bob Rae four years to bring Ontario to its knees. It is probably going to take the Doer administration less than a year to bring

this province to its knees. The business community is already reflecting this.

I was interested in the process that the Minister of Agriculture (Ms. Wowchuk) and the Minister of Intergovernmental Services (Ms. Friesen) were embarked upon. The Minister of Conservation (Mr. Lathlin), again, similarly taking action to cast doubt of the ability of this government and the intent of this government. When the Minister of Conservation, first of all, announced a public consultation process before they would introduce Bill 5, which would really take away the bison industry, the elk industry and many of the other so-called exotic species from Agriculture, move them out of the Agriculture portfolio and put them under the auspices of Conservation, it caused a question to be asked in rural Manitoba: What is this government up to?

Then the Minister of Agriculture announced a series of public consultations on the Livestock Stewardship program. When you look at the document she put out, the centrefold of the document casts a very negative view on our whole livestock industry, or so she thought she was. But it was not the livestock industry that she was targeting. It was the economic backbone of the primary industry that had seen significant growth in this province over the last year. It was targeted directly at one industry and one industry alone, the whole discussion paper. It had cast a very negative shadow on that industry. It was the farming community, which was relegated to a position where they would have to change the way they did business from a grain-based industry to a livestock-based industry. One of the key elements of that change was of course the increase in hog production in this province, the increase in poultry production in this province, the increase in cattle production in this province.

I say to this specifically, because it is an agenda that we are looking at here and the agenda changed significantly when the Minister put that document out and targeted the hog industry. It was targeted in that discussion paper. I say to the Minister what I warned her about during the discussions and in Question Period, when I warned her that she would cast a very negative connotation within the discussions of

that industry, and it has happened. Every consultative meeting that I was at, and I was at one in Winnipeg here at the Winnipeg Convention Centre, and at a couple in Steinbach at that meeting, and the negative approach that was offered by people bringing forward presentations from the general public side—not from the industry side, but from the general public side—were almost identical to the negative tone that the Minister had put in her livestock review document 2000.

* (16:30)

Then the Minister of Intergovernmental Affairs came along and proposed a planning document, a very innocuous type of a little bill. But do you know what it did, Mr. Deputy Speaker? It removed further the responsibility for agriculture from the Department of Agriculture insofar as it relegated the Technical Review Committee as now being the responsibility of Intergovernmental Services. Took it away from Agriculture. First, we removed the entire livestock sector away from Agriculture's responsibility. Then we take away the review process and the technical review on livestock issues, further removing livestock from Agriculture's responsibility. Very dangerous move, but I think the government simply is not aware of what they really did. And then we come along and we introduce Bill 4. First we introduce Bill 42 and then we introduce Bill 44, and what does that do in the area of agriculture? Well, until now, this whole issue of labour and labour management in agriculture has largely been exempted from The Labour Relations Act.

The question in the agricultural community today is will we still be exempted? Well, one only needs to look at the NDP annual convention and resolutions debated at that annual meeting, resolutions brought forward by union members and the unions in general and relate that back to the current legislation that is on the table. And the question out there is then, how will we view the production of hogs? Will we view them as the Minister of Labour (Ms. Barrett) has viewed them when she got up in committee and said these were no longer farms, they were factories? I know that numerous members opposite have referred to these new hog operations in Manitoba as hog factories, and will we then relegate those

people working in those farm operations to the rules in Bill 44? Will those same rules apply to them? Will they now be subjected to unionization? It is relatively easy to unionize some of those people. I know that the Member for Interlake (Mr. Nevakshonoff), who represents a large area of the farm community, is a very strong proponent of bringing all farm-related labour in under the unions and subjected to The Labour Relations Act.

But, Mr. Deputy Speaker, it is not always that simple, and his ignorance is very evident in the comments that he makes of the agricultural community. That is fair ball because he has never been involved in agriculture, nor do I think he ever wants to be because he would find it far too difficult to make the decisions. I am not sure whether he has the wisdom to make the decisions that are needed today to manage a good agricultural business. So I would suggest that the similarity between a primary production unit and a manufacturing firm are significantly different. By the way, getting back to hog factories, I have never seen a little piglet being manufactured. I have never seen a 200-pound saleable market hog being manufactured—*[interjection]* I would say to you—Mr. Deputy Speaker, I am going to sit down and let the Honourable Member for Interlake put his words that he just—put them on the record.

Mr. Deputy Speaker: The Honourable Member for Emerson has the floor.

Mr. Jack Penner: I give leave for the Honourable Member for Interlake to put what he is saying about the farm community on the record, and it is not very complimentary, quite frankly. I think that if we would bring him into a public debate in a rural community, he would find the wrath of the rural community would exceed his expectations, I believe.

However, I have never seen, Mr. Deputy Speaker, a 200-pound hog being manufactured. I have never seen a 500-pound sow or a boar being manufactured. It simply demonstrates the ignorance of the members in government today when they put that kind of rhetoric on the record because, if they would be allowed into some of these new barns that are being constructed in rural Manitoba, if they would be allowed into

them, they would see that the normal process of reproduction takes place and that great care is taken, as a matter of fact, great care to the point where none of these members sitting opposite would be allowed into a barn for fear that they would not be clean enough.

Most of the large operations today are so cleanly, so clean that they would not allow a human into it without taking a shower and disinfecting the human being before walking into the barn. That is what happens today. Similarly, when workers come to work in a hog barn, they come to work, and they have to shower before they walk into the barn. They have to shower when they come out. I know the honourable members opposite are laughing at this, and that is fair, because they do not know, but that is a fact. See, the reason they do this, Mr. Deputy Speaker, is because they do not want to allow disease to enter their herd. Anybody that would have to clean out a barn because of disease would probably go broke. So it simply becomes unaffordable for them to allow members opposite into a barn, because members opposite might carry too many diseases into that barn. So, without having to be absolutely, totally sterilized, you could not allow government members into a barn.

So I say to you, Mr. Deputy Speaker, that the industry that we talk about today which employs thousands of people depends largely upon the good management, very significant investment, large investments and stability, labour stability. So what happens to get that? These members of government today say that it must be legislated. We must legislate these people into a union and then, only then, will they be treated fairly.

Well, I heard the Member for Steinbach (Mr. Jim Penner), and the Member for Steinbach has been in the retail grocery business for 30-some-odd years, talk about how he dealt with his employees. I think that is very typical of how good management deals with employees. I heard the Member for Fort Whyte (Mr. Loewen) talk about how he and his company dealt with employees in his company. I think, again, that is indicative of good management.

* (16:40)

I say to the members of government that we have far, far more good managers in our province today than we have bad managers. Just simply to change the labour laws to accommodate the union bosses and their increases in salary, their increases in take-home pay, I think, is no reason to bring the whole economy to its knees. This labour legislation has clearly been touted by the business community right across this province, by every editorial writer, by even labour itself as being rather draconian in its approach. Number 1, not to be able to voice ones opinion in secret on whether one should join or not is something that is inconceivable in this day and age.

There were people that fought long and hard, and we talk about the women's movement before they got the vote and the right to a secret ballot. We talk about the native community, the aboriginal community and their long fight to gain the vote, a secret ballot. Many people have given virtually their lives. Many of our people went to war, for what? For the freedom to a secret ballot, for the rights and freedoms of individuals. This legislation really says to those people, you fought in vain. No longer is the enemy a foreign nation. No longer is the enemy an army of a foreign country. The enemy to freedom for the right of that secret ballot has now become the Government itself. In passing this kind of legislation, you actually take away what many have fought for for a long time.

I know the Member for The Pas (Mr. Lathlin) and his people have fought long and hard for the right to a secret ballot. Many people, many of our relatives went to war and gave their lives for the right to a secret ballot, and yet, with one stroke of a pen, this Premier, who said we are a new New Democratic Party, trust us, took away the trust of the people of Manitoba, not of Canada, but of Manitoba, so the enemy has become the enemy from within.

I think, Mr. Deputy Speaker, the fundamentals of freedom are being challenged here. I go back a few years when I was the Member for the community of St. Malo and there was a contingent of about 20-some-odd people working at the housing development in St. Malo, seniors housing. The unions walked in and registered the employees in a way that many of

the employees were later on sorry that they had. They coerced them to sign a card. *[interjection]* I kid you not. *[interjection]* They were all adults. Yes, they were, but the tactics used there were, and I am not going to talk about the tactics used, but the tactics used there were more than just questionable.

I say to members of government, before you pass this legislation think very long and think very hard about what you are doing to the right, to a right that you hold dear yourself. If this government or any government of Canada would pass right into legislation that section that takes away your right to secret ballot, you would be furious, all of you would. You can today still vote at your ballot box in secret, go behind and nobody knows what you mark; yet you are going to say to the workers of this province, you no longer will have that right. *[interjection]* Well, the Member for Dauphin (Mr. Struthers) does not even know what his own legislation does. I cannot believe it. I cannot believe that the Member for Dauphin does not know that if 65 percent of an employee contingent sign a card, there is no vote, there is no free vote. Today that is not the case.

I would say to you, Mr. Deputy Speaker, that you should think long and hard before you support your colleagues on that kind of draconian legislation. You, Sir, have taught freedom. You have taught, at the higher school of learning, freedom and what it means. We govern under the auspices of being elected by a free and secret ballot, and yet this same government is going to say you cannot do that.

That leads me to another point. Look at the new legislation this government is trying to impose on people on election spending. That is another piece of legislation that should be very closely scrutinized. Election spending will allow individuals to contribute \$3,000, right? That is what your bill says, but it will not allow anybody to go beyond that. It will take away the freedom.

Now, I ask the question: Will union members be allowed to make contributions off their paycheques, every paycheque, until a \$3,000 maximum amount, that could be contributed under their name to an election fund? Will that be allowed? No comment. The

point is that the unions will use that legislation to gather huge amounts of election funds by doing a checkoff on employees, because it will be allowed. It will be allowed to a maximum of \$3,000. If you have, for instance, the Government Employees' Union—15 000 employees, right? How much is that? What is 15 000 times \$3,000? That is \$45 million, right? Is that correct? So \$45 million will be in the kitty by election time, or could be. Not will be, but could be. An election kitty that could be contributed to which party? Which party do you think it would go to? Mr. Deputy Speaker, which party would you think that that money might go to?

If you have the right to coerce people to become members, and then have the right to deduct money to put into a fund, even though there are limitations of the amount you can deduct, at the end of the day, you put in place the recipe for a dictatorship. That is what the last four pieces of legislation that we have discussed are doing. They are taking away individual rights and giving rights to government.

You look at the education bill, Bill 42, and it does the same thing. Bill 42 removes the right of school divisions to assess whether they can afford to pay, but it does give the government the power. It does give government power. And what are they going to do with that power? The Minister of Education (Mr. Caldwell) has already said that, if there is not an amalgamation or a merger of school divisions, he is going to do it for them. If you take away that right of individuals to make decisions, of individual school boards or citizens to make decisions whether they want to merge or not, if you take away that right—and that has been done by the legislation. This session is probably one of the most dangerous sessions that this legislature has ever had to deal with as far as individual rights. This is all about individual rights and freedoms.

* (16:50)

An Honourable Member: And the American way.

Mr. Jack Penner: The Honourable Members says "and the American way." Well, the Minister of Labour (Ms. Barrett) might want to speak to

that. The Minister of Labour might want to speak to the American way.

So I say to you, Mr. Deputy Speaker, we are in a very precarious time in this province, because your rights, Sir, are in question. Your rights are being eroded by your own government, Sir. Most of these members have no idea what they are passing, but I believe the Premier (Mr. Doer) does, because the Premier, being a former union boss, knows exactly what he is doing.

History has shown in other countries what that kind of legislation does. I know that the Deputy Speaker knows what I speak about, because he does study history and he knows what has happened in other countries when rights of individuals, rights of secrecy in the ballot box are taken away. He knows what that means.

Who gains from the labour laws? There was an editorial in the Steinbach paper. I know the Member for Rossmere (Mr. Schellenberg) sits and laughs. I know that he really would not like to, but he is making fun of the right of an individual to secrecy at the ballot box. I think Mr. Schellenberg needs to be very careful. The editorial in the Steinbach paper says: The business leaders and organizations across Manitoba pressing the Government to set aside proposed amendments to The Labour Relations Act should not be written off by pro-labour groups as merely knee-jerk reactionaries.

Then he goes on to say: The Government would lose nothing if it simply put its labour act proposals on the shelf for a time.

I think that is all we are asking. That is all we have been asking for. All we are asking for is take time. You have no hurry. You have another three years before you will be cast to the wolves by the people of Manitoba. You have three more years to wield your power. I would suggest that you set aside this legislation.

He goes on to say: There seems to be little urgency in passing the amendments. How many workers, or companies, for that matter, could conceivably benefit over the next year or two from these proposed changes? How many?

You see, it is odd, when I look at my own hometown, Friesens Corporation, the largest printing corporation in Canada now, Friesens Corporation this year alone hired an extra 130 employees, just this year alone, expanded and hired. Their whole employee contingent is now around 700 employees. In a small community such as Altona, of about 3500 people, that is a very dramatic increase in employment. As a matter of fact, many of the employees now drive many miles to come to work every morning. They come from as far away as Sprague and they come from as far away as Vita and Morris and Winkler and Morden, and they come to work at Friesens.

Friesens is expanding into the United States, the American market, to a very large degree. That is where their main increase in business has been. They produce, without question, the best quality books in the nation, probably in North America. That is why they are so successful. Are they unionized? No, they are not. Why are they not unionized? Do you know why they are not unionized? Because most of the employers are owners of the business. After two years of work at the Friesens plant, you can actually become a shareholder. Many of the initial shareholders that have now retired have done very, very well, because it is a growth industry.

So there are ways to ensure the well-being of employees. Many of the employees in many of our so-called, what the Government would call, hog factories are actually owners of those hog factories. It is amazing. Even the Minister of Agriculture (Ms. Wowchuk) has portrayed the expansion in the hog industry as a huge corporate takeover of the industry. Not true at all. I spoke to a group of people about three weeks ago. They were 100 shareholders in one barn. A hundred farmers got together and decided to build a barn. They each own 60 hogs. There are 6000 hogs that they produce. Small farmers. Small operators, 60 hogs each. But they got together and they wanted to hire one manager to manage their operations. So they got together and they built one house to house those hogs. Then they get together and they pool their resources and take care of the hogs. One operation.

Rather unique, is it not? It is the same principle that Friesens operates their printing

firm on, being an owner and operator and doing the work that needs to be done. Great concept, is it not? It works. It develops pride in what you do. It puts out a product that is far superior than a union-operated, union-owned shop.

The unionization effort—and we know that there is a debt owed here by the Premier (Mr. Doer) to his union bosses. That simply is we know that there was a commitment made that if the election would be won there would be changes to The Labour Relations Act. Going back 40 years, as the Minister of Labour (Ms. Barrett) has said, there is no other industry. There is no other labour movement in this country that even wants to think about going back 40 years. Yet this new New Democratic Party wants to take us all back 40 years in time. I think they will find how difficult that will in fact be.

I think there is another editorial in the *Morden Times* which starts this way: It should come as no great surprise that Gary Doer and his government have introduced legislation that is decidedly pro-labour. Say whatever you want about this legislation but do not act surprised. It was inevitable. While Mr. Doer may be scoring brownie points with organized labour in the province, he has stirred up quite a hornet's nest in the business and education communities, and it is difficult to blame those two sectors. School division trustees have been vocal in their opposition to the proposed changes, in particular to the one that allows arbitrators who ultimately rule on teachers' contracts to ignore the ability of school divisions to pay for whatever salary increases are awarded.

* (17:00)

The ability to pay. I find it very interesting that there are members opposite who want to pay no attention to the ability to pay. That takes us back again in time to the previous old NDP administration, Mr. Deputy Speaker. It takes us back to a time when the NDP Government said: We do not have to pay our bills. We can borrow our bills. We will borrow enough money that will generate an increase in revenue that can pay our bills.

When have you ever in your own lifetime, in your own business—oh no, I am sorry. I should not ask that question, because there are no business people on that side of the House.

Some Honourable Members: Oh, yes, there is.

Mr. Jack Penner: They said; yes, there is. I am sorry. I apologize. I truly apologize, because obviously I was not quite aware of who the business people are on that side of the House.

Could I have a show of hands on the Government's side for who the business people are? One, two. Oh, three. There is another businessperson. I would like to know what business he is in. I think he is in the business of organizing unions. I think that is his business.

An Honourable Member: I came from middle management.

Mr. Jack Penner: Then he says: I came from middle management. Very good. A union steward, union boss, good business. I wonder what the other businesses were.

An Honourable Member: My wife has a business too.

Mr. Jack Penner: The other one says: Well, my wife has one. It is interesting. I make a bit of fun of this.

But I think it demonstrates clearly that the business community will suffer greatly, but not as much as the labourers will in this province, because their rights as individuals are being taken away by this legislation. That, to me, is far, far more important than the right of that individual to equal negotiations.

Mr. Speaker in the Chair

The right of the individual to a secret ballot is the fundamental of our society; it is the fundamental of the freedom of this nation; it is the fundamental which most of our people that died in two world wars fought for. That right to a secret ballot. That right to indicate freely what your desires are; who you want to vote for; and what you want to support. That right is what

concerns me about this labour bill. That right we have no right to take away.

So thank you very much for allowing me to put my views on the record on this bill.

Mr. Mervin Tweed (Turtle Mountain): I rise today to talk a little bit about the Bill that is being presented by the Government, not only today, but in the last several weeks. I do want to open my comments just by complimenting the Member for Steinbach (Mr. Jim Penner). When I listened to his comments earlier—I would suggest, as I know everybody is busy and maybe we do not always get a chance to hear some of the debate—I think his comments were very relevant and very interesting in the relationship that he had coming from a business background and talking about his own personal experiences. I have had the opportunity over the last several months to get to know the Member. I find him to be a very honourable person. I suspect everything that he is saying is true. I think it is worth reading, because when you talk about experiences and how they affect you personally, as I think all members in the House do from time to time, it is important to hear a story that is true and shows a different side to some of the things that we are trying to do.

Interestingly enough, the Member for Fort Whyte (Mr. Loewen) talked about some of his experiences too. I think that that is what makes us good legislators. It is the experience that we have and the backgrounds that we have that bring different ideas and different approaches to it. I do not think that we should always just dismiss, on both sides of the House, some of the rhetoric that gets thrown around about being on one side of big business, being anti-worker, or being anti-union. I do not think that that is, in the long term, the intent of what we try and create legislation for, although that sometimes gets lost in that message.

I do want to open my comments in regard to the Bill about a lot of the discussion we have heard from members opposite. As a member of the previous government and fortunate enough to be a minister for a short period of time, you get a real close look at how things are developing in your province and the direction that it is going. The members opposite stand

from time-to-time, and I suspect they will throughout the entire term or their term, and talk about the good things that are happening in the economy. I mean, who cannot be proud of a province that can stand up and boast the lowest unemployment rate in the country, and have done so for the last several months. It is not something that I think we as a former government can take full credit for, but I do not think it is something that the new government can stand and take all the credit for too. It is building a reputation in a province and it is building a working relationship with our employees in our province and with businesses in the province, and trying to make it mesh and trying to make it all work so that we have all got the same objectives and the same direction with which we want to move forward.

Members opposite, and again I respect their position in how they see it happening and how they would like to achieve this. Obviously, on the other side, we look at it from a different perspective. We believe that the growth in the economy the last several years has been because we had to make tough decisions. We had to become more responsible in the way we collected taxes from people and the way we spent their tax dollars. I think that over a long period of time and I suspect that history will judge it one way or the other, but I think they will recognize that the previous government had a good term of government. They were good managers and good managers of the economy, and the province's success that we are experiencing today and hopefully into the future were as a result of the foundations that were laid over the last several years.

Today the Premier stood on his feet and talked about the tremendous investment that is happening in the province of Manitoba. We have identified that as being a target over the last five years, and we have really seen that grow. We have seen it grow year after year. We have seen private capital investment coming into our province because the outside world is taking a look at Manitoba. We are centrally located in the hemisphere. We have access not only by rail and by highway and by air but now, in the near future and as we develop it, we are going to do it through the air, through e-commerce, as the new minister is bringing in some guidelines for that.

We are identifying these are the areas that we can see and grow, and the opportunities are in those areas. We know that this growth does not happen overnight and neither will it end overnight. It is something that has to be worked and massaged and carefully manipulated at times to create those environments and those opportunities to grow.

We see where our business relationship with our neighbours to the south is growing again. I know it was a common concern from members of government in years gone by that we were dealing too much exclusively with the United States. They had a right to issue that challenge, but in the same breath, we on this side have seen that continue to grow. We will not criticize that because we recognize that they are the largest trading partner in the world, and we have to continue to maintain that working relationship with them while seeking others. But that is not to say that we should deny the opportunities to continue to grow and develop that business while we are searching. I suspect it is no different than any other type of operation. When you are dealing with one and it is a good working relationship, you cultivate it, grow it, and mature it, but you continue to look for other new opportunities to do the same thing. Eventually you have a balance in your system where you can withstand some of the changes in the economy that unforeseeably or predictably sometimes happen and you are in a position to respond to it.

So I do not think we have any problem standing with a lot of pride saying in the last 10 years we have produced good government for Manitoba, for Manitobans, and we hope that continues.

* (17:10)

I think of a story and to me it reminds me of what we are talking about with the development and how you build this type of industry and opportunity in the province of Manitoba. A few years ago my neighbour was telling me so proudly about this tree that he had been nurturing in his backyard for years. When we moved into the neighbourhood, he took great pride to come over and take us out of the house and show this tree that he had spent so much

time on. He considered it an investment of his time and his energy and was very proud of it, and it was a beautiful tree. Of all the trees in the neighbourhood, it did stand out because of the colours it would change into in the spring and the fall, and it was wonderful.

What happened to that tree was unfortunately a beaver gnawed on it one night and did not destroy it, did not knock it down but merely scratched the surface off it and chewed into the bark a little bit. The gentleman spent the next several days, just as you would a sick animal or a child that has injured himself, nursing that tree back to health. Over time, unfortunately, and that is the nature of the tree more than anything, but it died. The tree had to be removed.

What happened was that something out of his control or something happened that created this problem, and he was unable to fix it and bring it back. That is the fear, I think, we are hearing out there in this province when we are talking about labour legislation. I do not claim to fully understand all the labour laws in the province of Manitoba. I do not claim to be an expert on labour laws. I know as members of government and members in opposition, we have assignments in our portfolios and we trust that person to study the situation and come forward with resolutions to problems as best we see them. We trust and respect their opinions, and we hope that they are acting on everyone's best behalf.

I think, unfortunately, what has happened is when the opportunity to present these ideas to the public came, the members opposite, unfortunately, did not take advantage of them. We have talked in the House about the election, and yes, the members opposite won it, and day after day they stand and they say that we made commitments during the election. We challenge sometimes whether those commitments were made in the best interests of the province or in the best interests of individual groups, and that is a difference that we share in our philosophies and in our thinking. If that is the way the Government wants to respond to issues then that is their choice but they had the opportunity to present it to the public, just as they did when they talked about certain education issues and

certain finance issues, certain election issues. It is something that is big enough, I believe, to be an election issue and it should have been out there to be discussed by the public at the best time possible, which is during an election.

I think that, as I said, we hear every day about the commitments made in the campaign and nowhere did I see this being discussed as something that was going to be brought forward by the new government. I think that is unfortunate, because I think what happened was people out in the province did not even think this was a problem. They were not hearing from people that were saying this is a big issue, this is burning issue. Labour was not bringing it forward. They were not lobbying the previous government for these kinds of changes. It just struck me as something that was not talked about perhaps during the election, or if it was talked about the suggestion was let us not talk about it during the election campaign because we know that it will upset the public and perhaps hinder our chances for election.

I think they had that opportunity, and unfortunately, they missed it. I regret that. I think the people of Manitoba regret that. I think that after the election they perhaps met again with a small group and said, you know, we have some plans. Everything is starting to move forward. Now that we are government, some of the commitments that we made prior to the election that we did not want to talk about in the election campaign, we are going to talk a little more about it. Some of the things that they have done—and I am not too sure if they were not throw-ins or add-ons or whatever it was, obviously, as the discussion took place and grew, the options and things that were going to be changed and offered grew along with that.

We had, again, another opportunity. Shortly after the election, the Premier (Mr. Doer) spoke to the chambers in the province of Manitoba, spoke to the Winnipeg Chamber, met with the Manitoba Chamber. Again, none of this was discussed. When you have an opportunity, I always believe—and it is something that we hear from members opposite when we are talking about management versus labour—half the problem seems to be is that neither one will sit

down together and discuss the issues and try and work out a resolve.

I think what has happened here, unfortunately, is the new government with a plan for labour and with a straightforward idea of how they were going to implement it, had another opportunity to present it to the public of Manitoba and chose not to. I think that is unfortunate. I mean, for whatever reason or whatever motives you have for not doing that, it is unfortunate when you are dealing with the communities that are going to be most impacted by this type of legislation, it was not discussed. There was no public discussion. There was no public debate. There were no opportunities for input, and I think that is unfortunate. I think, again, those are the things that create the doubt in people's minds as to whether what is happening is good or bad, because unfortunately they do not know if it is good or bad. All they are hearing is one message from here and one message from here, and I suspect that they are making decisions based on one or the other and not both messages and an understanding of the entire issue.

It is something that I am sure after the meeting with the Chamber of Commerce, perhaps this small group of people, again, got down and sat down together and said: We are starting to get some momentum here. We have worked on a couple of deals with the union management, and they have talked quietly. They have talked quietly with each other, and they have talked about a 60-day arbitration period. They have talked about the right to go without a secret ballot vote. That was on the table and obviously discussed. They talked about the rights of members to donate to political campaigns or to have it diverted into a charity and receive the tax receipt benefits from that. The deal was continuing to develop and continuing to work itself out. But I think at that point in time, there was still an opportunity for the Government to present these ideas to the public to see what they think, that being the Throne Speech.

We listened intently to the Throne Speech, which is meant to be an opportunity for the Government to present its vision of the future—short-, medium-, and long-term, and to talk

about some of the things that they were going to do. Again, unfortunately, they did not talk about the changes that they were going to make to the labour legislation, and I think it is sad. But I think what has happened is that they have created a doubt in the public's mind about the real and true intentions of what this government is trying to do.

You know, you do not get that reputation, you do not get it back after you have given it away. When you have taken something and concealed it from the public and made it more mysterious, the public's attitude is they do want to find out more about it, and they do want to try and understand the issue more. When they find out about it, they are finding out that they do not like it. They find this legislation distasteful. They find this legislation unneeded at this particular time. The questions that we are hearing in our constituencies on a constant basis is, what is the motivation for bringing this type of legislation forward? Is everything in the economy not moving forward and being strong, as the members opposite continually advise us that it is? Is investment going down? Is unemployment going up? Are we losing capital?

* (17:20)

When the members stand and talk about their recent successes, you would indicate that, no, that is not happening. So, again, what public opinion and what people are asking is: What is the motivation for this?

We have had three opportunities, Mr. Speaker, for the Government to come forward with their legislation to the public, but even at that point, although it had been discussed and been probably written and rewritten and tested within a few members of cabinet, I suspect—I do not know for sure, but I suspect the members of the back bench found out about this in a different way, that they had some input and some development in the package. Sometimes that is regrettable too because a third voice or a third look at an idea sometimes creates the better idea than it all, but that said, what they chose to do was to again sit on this bill and continue to develop it and then bring it to the Legislature at probably, for them as a new government, the most opportune time, when people are starting to

take their summer vacations, when people of all parts of the working force, from management right down to everybody, everybody is looking forward to their summer holiday or have made plans. Even if it is only a few days off, it is still a break from the mundane. According to what I am hearing, the only ones that are not taking a holiday this summer are probably sitting in this Legislature.

So, before they brought it forward, they sat down with their little group and they continued to plot the presentation of the Bill. I think somebody said to them, you know, we are going to get pasted on this one. This is something that people, no matter how we have set the table, no matter how long we held it off to avoid the public interest, the newspapers, the media, they are not covering the Legislature at this time of the year. We have positioned it perfectly so that we can bring it in with the least confrontation and probably the best time of the year for the least public interest in what is going on.

I think people are traditionally enjoying times with their families right now.

An Honourable Member: As they should.

Mr. Tweed: As they should, as the Member for Lakeside (Mr. Enns) said, and we do not want them to break away from their holidays and break away from their families, but they are, Mr. Speaker. The business community of this province has got together, and, you know, it is something that probably has unified them more than they ever have been in the last several years. They have seen the issue. They now understand it, and they are now saying this is not good for the province of Manitoba.

But the group that was organizing and plotting the labour legislation that we are now debating, they said, you know, we are going to get people upset at us. Perhaps, they will be away and busy, but they are still going to be upset to a point where there is going to be some public interest, so I will tell you what. I can see this all shaping up in a little round room, with a dimly lit light.

An Honourable Member: Mad scientists.

Mr. Tweed: No, I would not go so far as saying mad scientists. I do not see any science over there. I would say that they were sitting and discussing it. They said, you know, remember that legislation back in '96, those Tories brought in? They said, you know, we are going to eliminate the right for people that create public acts of violence or break the law. We are going to bring back that law and say that, if they do that in a strike period, the employee will still be allowed to go back and work for his employer after the fact. I am sure, in their discussions, as they talked about it, it was great. You know, this is a great idea, and probably, initially, they felt that it was a great thing to do and a great thing to offer, so they went ahead with it. All of a sudden, we have the presentation of the Bill in all its splendour and trying to be explained off as being some housekeeping issues and details. Do not worry about it, it is nothing too serious.

What did happen was, again, the public interest was there, it is there today, and it will continue to be there, because it is an issue that people see as driving or, I am not going to say, driving down the economy of the province, but they see it as a possibility of something changing, and in the wrong direction. They are trying to prevent that. They are saying to the members of government let us look at some alternatives that will move it forward, not take it back four years ago, or to 1996, when the legislation changed, or even back to the '40s or '50s.

We heard today from the Member for Steinbach (Mr. Jim Penner), talking about exactly the same issues that the Minister of Labour (Ms. Barrett) is bringing forward, and his experience in doing business in the '60s. That is where this legislation takes us back to.

I complimented the Minister of Industry and Trade (Ms. Mihychuk) on her new e-commerce bill. Members brag and say it is a forward-thinking bill and it is looking to the future and the opportunities, and it is.

Is this legislation for labour following that path? I do not think so. I think what is happening is that people in the working community are recognizing that and saying we have to make our issues known to the public. We know, as well as

the new government will find out, that public support on certain issues is very important. Over time, when you make decisions, you are going to alienate groups of people. The trick to good management, I think, in politics is not to aggravate a larger portion of them than that support your position. I think that is where this legislation is going.

This strikes me as funny, but the business community is now organizing themselves to fight a bill, a labour legislation bill, that they find regressive and that they find not functioning in the best interests of the province. They are running a campaign to bring the attention of the public to this issue. Had this been in an election writ period, they would not be able to do that with the other legislation that this government is bringing forward. They would not be able to stand up and state their private and principled rights to defend what they believe is right or wrong. They would be stymied and they would be shut down by the new legislation that is going to partner this labour legislation and impact everybody in a far greater way.

Now, I go back to the plot where these people were planning this labour legislation. I think they also talked about election finances. I think they also talked about other labour legislation in the education bill. They are even getting to a point where they are going to force a shortline railway union to accept all the union and its goods and bads in the purchase of a deal. I mean, who has ever heard of that? It is going to shut down every opportunity for a shortline railway in rural and northern Manitoba. There will be no more. The Minister of Labour (Ms. Barrett) shakes her head, but I can tell you that is what is going to happen. The two that are there are going to fight and struggle to survive, and there will be no more shortline rail line opportunities in the province of Manitoba.

Anyway, I get back to the labour legislation. The Premier (Mr. Doer) goes out and he says to these business people—business people, although I know members opposite do not always agree, are trusting, believing people. They are meeting with the Premier on a daily basis. I am sure his docket is full of meetings with interested groups that are impacted and affected negatively by this Legislature. He is saying to them: Do not worry,

fellas. We are going to listen to you. Do not worry. I hear you.

The headlines today show the Premier is out there, listening to the public. *[interjection]* Which is a good thing, and I accept that. But, getting back to what I was saying, they have thrown out this violence, that part of the act, to bring it back in, and they are going to come back, I suspect, at the end of the Committee stage, and they are going to say: You know, we listen to business. We are going to withdraw that part of the Act, but everything else stays the same. They are going to be able to stand up publicly and say to the people of Manitoba: We listened. We responded to this part of the Bill, and we have listened to everybody in Manitoba. I could not say it any better, I suspect the Member for Elmwood (Mr. Maloway) is saying, and I am glad that he agrees with me.

* (17:30)

I think that what will happen is that that will disappear. The Government will send business away. At least I think this is the Government's thinking that they will send business away and say: Well, we made a bit of a compromise, and they are going to be happy with this deal. But this is something that will not go away. The only way it will go away is if the Minister takes it away, and that seems to be the message that she is getting from a lot of Manitobans, from thousands of Manitobans, not only business owners, but people that work for businesses, people within unions and generally just the population of the province of Manitoba. They are understanding the issues out there and they say that they are listening, but it reminds me of the days, and I would not want to go back too far, because I am kind of critical of the legislation going back so far. But it reminds me of the old-style Liberal politics in federal politics where they sent out five things that they were going to do and when the public fought them on one or two issues, they dropped one and everybody seemed to be happy, and everybody said: What is the big fuss?

We have got thousands of Manitoba businesses very, very concerned about this legislation. They are concerned that it is going to change the direction that the province was going

and affect the investment side, the business opportunities, the growth that was taking place, is taking place. We do not deny it on this side. It is still happening, but I get back and I remind you that it takes a long time to grow that tree and it takes a long time to make it bear fruit, but it takes one little mistake, one accident or one thing that is done with the wrong intent and that tree will stop growing. I think that members have to be very cautious about that. When they stand and brag about the provincial economy, I am proud to say that I was a part of that. In the bottom of my heart, I hope this province continues to move forward because everybody benefits if the province succeeds and moves forward.

I think what has unfortunately happened is that this government has made some commitments and made some deals, and in an attempt to honour them, and again it was something that was not discussed publicly by anybody. It was never out there on the table during the election. It was never out there when they became government. I would almost feel bad meeting with a group of people knowing what I was planning to do to them and not informing them of how it was going to work because maybe they would have bought into it in a different presentation or a different form. Maybe they could have contributed something to it, that they would have accepted and been better for. Instead of creating legislation that people want to get rid of, they would perhaps accept something that was more reasonable and more responsible.

It is interesting that we read newspaper editorials from the three major dailies in the province: the *Winnipeg Free Press*, the *Winnipeg Sun*, the *Brandon Sun*. The *Stonewall Argus*, this is reaching out to a lot of community newspapers that generally do not make a lot of comment on government policies. They print the government releases and inform people of what they are doing, but the editorials now are starting to take this government on with this legislation. They are working hard and working very diligently to get a better understanding and inform the public of what is actually happening. It is interesting that the editorial pages are condemning the Government and criticizing what they are doing and what is happening.

These are the wrong people. I mean, these people are the people that get the message to people. When they are upset, as I say, they become more active, and they certainly take more interest in a lot of the things that they are saying.

Mr. Speaker, I look for some guidance here. I want an oar. Perhaps I will just throw it at you, and you can rule it one way or the other. I presume when I am making a quote I can read the quote exactly how it is. So how do I quote verbatim without that?

An Honourable Member: You try it, and then let the Speaker rule against you.

Mr. Tweed: Well, I will try and be as polite as I possibly can because, again, it is not about what I am saying, it is about what the public are saying. I am sure as members go about their communities, they are being asked some of these questions too because there are people out there that do not fully understand or do not have the information available to them. But we have a Chamber of Commerce president saying, when he is talking about the secret ballot, he is quoted as saying: 'How can you argue against a democratic process of a secret ballot?' That was by Dave Angus, Winnipeg Chamber of Commerce president. So just for the edification of the members opposite. I know that they have quoted the Winnipeg Chamber as being onside on this issue. I think that is sometimes a little bit misleading.

Graham Starmer, the president, says: Today's NDP, is this government capable of an original idea that did not stem from the Pawley years? It is something. Just to show it is out there everywhere. Dennis Tanguay from Tanguay's in Souris says: If you want to form a union, you should be able to sit down and mark a secret ballot.

You know, labour issues in general are not a big issue in rural Manitoba. We have a very busy and active labour force, but it is becoming an issue. People are walking up to the MLAs when we are out in our constituencies and talking to people—[interjection]

Mr. Speaker, if the Minister would like to stand in her chair and speak, I would be happy to sit down and give her an opportunity. But I will wait. I was just curious if the Minister wanted to speak from her chair.

Anyway, I will carry on. I will talk about some of the quotes that we have seen and some of the concerns. I think that it is obvious, and we have heard it from pretty near every committee that has come forward into the Legislature in this session to present on bills that they are not being listened to, that they are not being heard. It is unfortunate because, again, everybody is interested in one thing. How we achieve it, obviously we are on two different paths, but we are supposed to try and find that co-operating balance between business and labour.

Mr. Speaker, and members opposite can stand and correct me if they so choose to, but again the question I keep hearing is: What was so wrong that they had to come forward that upsets everybody, upsets all these people? Why would you want to do that at a time when you are on the top of the bubble, when the economy is progressing at a tremendous rate? Again, the members of government stand and brag about that and take credit for it and cherish it. And so they should. But why would you want to change it? Why do you want to take a chance on reversing that trend with this type of legislation?

* (17:40)

We talk about how good it was during the '50s and '60s and '70s, and perhaps it was, but the world has changed, the economy has changed. We are talking about high technical jobs that are being done by highly trained professionals. I mean, they are wanted everywhere in the world. That is what the challenge is for the province, not to shackle them with legislation, but to let them be free and work in the province and grow and develop and create new opportunities. My fear is that this will do the opposite. It will send a message to the investment community that this province is not friendly to businesses, not friendly to new opportunities, to new ideas, to new things that will move the province forward instead of backwards.

I think that you are kind of on two sides on this issue, because I want the province to succeed. I do not offer this as anything more than what people are saying to me, and offering advice. I am simply passing that message along. I think it is unfortunate that we have the perception of being heard and being listened to, but unfortunately the business community does not feel that way. I have spoke to several of them. They just do not understand it. They are very concerned that these issues are issues that will impact the economy.

The Minister of Finance talks about the growing economy in the province of Manitoba. His budget has indicated this year that he is spending more dollars again in the needed areas, in the health care areas. No one was going to question that, but how do you sustain that? How do you sustain that and continue to have the revenue for the province grow when you bring in a type of legislation that upsets the people who are the job creators in the province? It is beyond me, and it is the question that continually is being asked out there. I think they want an answer. They will be at the Committee. The Committee will move forward. We will hear from these people, and I look forward to it. I only ask and I only hope that the Province, the government of the day, listens to the concerns. I hope members from the back bench try to influence their cabinet to re-look at this. You too have a right to be heard and represented. I would encourage you to do that. With those few words, I will pass the next comments on to my colleague. All I ask, on behalf of all Manitobans, is that the Government listens and responds to the concerns.

Mrs. Joy Smith (Fort Garry): I rise today to talk about and to put some words on record that reflect the kinds of dismay that Manitobans have across the province concerning the bills that have been passed and in particular Bill 44. The members opposite are going to have great labour pains in the future over the Bill that has now been presented to the public.

I want to talk first about democracy. We have had a long history in Canada and in Manitoba about the rights of democratic process. As one of the members on this side of the House said earlier in one speech, the First World War

and Second World War veterans spent a long time laying down their lives, a long time putting policies together following that, to ensure that we lived in a democratic society.

In the dead heat of summer evenings, when most people are away on holidays, wanting to take a break from the rigours of the school year, the rigours of their work, this government has introduced mind-boggling, earth-shaking-principle bills that will change the face of Manitoba. It is to a point right now where Manitobans have actually cancelled their holidays and stayed in the city to be able to present at committee.

Mr. Speaker, now we have to deal with a major labour bill, Bill 44. There is a thread that is going through all this. There is a thread of secrecy. There is a thread of muzzling or preventing the communities, the public, from having their say. There is a thread and documented evidence that recommendations that are made by the public are totally disregarded.

I will lead into this by giving some specific examples. In light of the fact that we will soon be looking at a very dangerous bill, which is Bill 44, dangerous to the economy of Manitoba, dangerous to the growth of business, dangerous to the labour force that works here in Manitoba, and it is something with which the Doer government is going to have to live, these labour pains, through the next years of their reign here in Manitoba.

I dare say, having said that, that members opposite are very, very closed to opening the doors to dialogue and collaboration. The Member for Turtle Mountain (Mr. Tweed) stated that actions speak louder than words, and the actions that this government has taken to circumvent the democratic process is shocking.

Mr. Speaker, when Bill 42 was presented, I was witness to the Manitoba Association of School Trustees, a huge organization, who has the umbrella over the educational system here in Manitoba, being totally shut down, unable to give their completed presentation on such an important bill as Bill 42.

As we went through the amendments, there were no new amendments accepted in. The amendments that were presented to Bill 42 were all rejected. The suggestions that came from the public were totally eliminated. To my surprise last Friday, I read a press release that indicated that there were some "changes to Bill 42," and that in fact the Minister of Education (Mr. Caldwell) had listened to the public.

On close examination of the accepted amendments, they were less than adequate. They were no more than housekeeping. As another example in Bill 12, I heard people from the home-schooling community come and they made presentation, heartfelt presentation about their democratic rights to make choices as parents of children in Manitoba. I heard great hyperbole across the way from the Minister of Education saying, I support home-schoolers. I listen to home-schoolers. We are a part of building the education of Manitoba students. In actual fact, Mr. Speaker, we found out very quickly that every single amendment that was drafted and presented to the Minister of Education was turned down. I daresay that collaboration and open-door policy of this government is lip service only. It is a sad day for Manitoba, because now we are faced with yet another major bill, Bill 44.

* (17:50)

It is seldom that a major bill is presented in the national media. I would just like to quote from the *National Post* on Thursday, July 20. This was from the *National Post*. In it it said Bill 44, as it is called, is part of a multi-bill legislative package dumped on the Manitoba Legislature by Mr. Doer. While citizens take the summer off—Mr. Speaker, I must say here even the *National Post*, even people in the national media understand that these very important bills are being slammed in on the Manitoba population in the dark of night, in the heat of summer, trying to get it past the population—the Government plans to push through a rash of new laws, including the precedent-setting labour bill. There is talk of imposing closure. The local business community is up in arms and now some of the national business groups are gearing up to fight what looks like an attempt to take pro-union lawmaking to a new level of distortion.

The Retail Council of Canada and the Canadian Restaurant and Foodservices Association, whose service sector members are now prime targets for new union expansion drives, fear Bill 44 could not only tilt the balance of power toward unions in Manitoba, it could also embolden governments in such labour gulags, as they call it, as British Columbia and Québec.

Having said that, this government is very disturbing, because it is always looking in the rearview mirror. We always hear about 10 years ago, 20 years ago, 30 years ago. In the transition team they brought in people like Mr. Kostyra, who years ago led this province to catastrophe in the financial sense. Now we have the same ghost of Howard Pawley lurking in the Cabinet here in the Legislature in Manitoba, the same goals, the same old policies that are being recycled in the year 2000.

It is very unfortunate, but in the year 2000 this does not work. In the year 2000 we need to have a spirit of collaboration. We need to be able to listen to the public. Governments have to demonstrate that they are listening to the public and that the public's ideas, when they come forward, are taken seriously and embedded in the bills and in the law amendments that we see in this Legislature. It is something called democracy.

This government is leading Manitoba into the Bob Rae Ontario and Glen Clark British Columbia province dilemma that has happened historically here in Canada. Across Canada you can hear from province to province people talking about Bob Rae's Ontario, people talking about Glen Clark's British Columbia simply because they are appalled at what has happened in those provinces.

We are on the brink of disaster here in Manitoba. This section—

Some Honourable Members: Oh, oh.

Mr. Chairperson: Order.

Mrs. Smith: Mr. Speaker, I understand this is a very sensitive point with the members opposite. I understand that the catcalls from across the way are indicative that they are listening to what

I am saying here this afternoon. I would say that they would be better to listen to the committees that come to present what their ideas are, because in Manitoba we still do have a democracy, and our government is a government that is supposed to be by the people and for the people.

Having said that, going across Canada, when you hear what happened under Rae's reign in Ontario and Glen Clark's provincial reign in British Columbia, both the economies have come to disaster. In Manitoba, we are going down the same path. It is a sad day when these worrisome bills are presented to the public and when no amendments are put forward that are credible in any way, that support what the public is saying.

For the first time in the history of the province of Manitoba, we have a coalition of business that have said: Enough. We are going to stand up. We are going to say this is not acceptable. We do not like this. You are going to ruin this province, and we are going to do something about it. Their motto: If it ain't broke, do not fix it.

Having said this, after talking to the business community, we are about to embark in the next couple of weeks or however long it takes, we are about to embark on listening to these presentations by these businesspeople. I want it on record that I fear for these businesspeople because at the Committee level when Bill 42, an extremely important bill that is going to change the face of education here in Manitoba, and I daresay in a very negative way, I dare say in a couple of years the teachers that are working in the classrooms are going to feel the ill-fated vision that this government had for them and for the schools in Manitoba.

When we go to committee and we listen to home-schoolers who have pleaded with the Government to be able to have a choice, to be able to educate their children as any Charter of Rights dictates that parents and Canadian citizens and Manitobans have a right to do, when I see what has happened in those committees, we sat till 4:30 in the morning, we sat again until close to one in the morning listening to these suggestions, Mr. Speaker, I fear for the business community.

In this House I remember in questioning the Minister of Labour whether or not there were going to be any changes to Bill 44, she did not say that was intended in any way. In fact, she corrected me, Mr. Speaker, as I suggested that maybe the Minister of Education (Mr. Caldwell) could follow her lead and listen to some of the suggestions from the community. This is a sad day for Manitoba. It is a sad day because democracy is in jeopardy. It is sad day, because we are living under the umbrella of an agenda like a runaway train.

This labour bill is going to cause labour pains that are going to be inflicted on the businesspeople of Manitoba, on the taxpayers of Manitoba, on the everyday person in Manitoba. In Manitoba, the former government took much pride in making sure that our economy had a balanced budget, our economy was growing, that our young people could stay here in Manitoba and see a future. Now we are taking a pattern after Bob Rae's Ontario, and again after Clark's B.C. The next one on the list is Manitoba.

We are going down the road of destruction in this very first session with a Throne Speech that had little less than no substance and then following major bills that changed the face of education, the face of business, the face of the economy. No mention was made of that in the Throne Speech. One wonders if they just did not grab these ideas out of a top hat or something. What the members opposite do not realize is you never get a second chance to make a first impression. Well, this government has certainly made a first impression on the taxpayers here in Manitoba. Their very short record is one that I would give a failing grade to, absolutely. When people stand up and they object to not being heard, to not being a part of the democratic process, we have trouble here in Manitoba, trouble that is prevalent in every aspect of our economy, of our daily business that we do from day to day.

This government has done much, Mr. Speaker, to alienate major players in the community in a very short time. They alienated the Manitoba Association of School Trustees. They have alienated the home-schoolers. They have alienated the municipalities. They have alienated business. That is only to name a few.

Mr. Speaker: Order. When this matter is again before the House, the Honourable Member will have 23 minutes remaining.

The hour being 6 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow (Thursday).

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, August 2, 2000

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