

**Third Session - Thirty-Ninth Legislature**  
of the  
**Legislative Assembly of Manitoba**  
**DEBATES**  
and  
**PROCEEDINGS**

**Official Report**  
**(Hansard)**

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Ninth Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
ALLAN, Nancy, Hon.	St. Vital	N.D.P.
ALTEMEYER, Rob	Wolseley	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
BJORNSON, Peter, Hon.	Gimli	N.D.P.
BLADY, Sharon	Kirkfield Park	N.D.P.
BLAIKIE, Bill, Hon.	Elmwood	N.D.P.
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BRAUN, Erna	Rossmere	N.D.P.
BRICK, Marilyn	St. Norbert	N.D.P.
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FAURSCHOU, David	Portage la Prairie	P.C.
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GOERTZEN, Kelvin	Steinbach	P.C.
GRAYDON, Cliff	Emerson	P.C.
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HICKES, George, Hon.	Point Douglas	N.D.P.
HOWARD, Jennifer	Fort Rouge	N.D.P.
IRVIN-ROSS, Kerri, Hon.	Fort Garry	N.D.P.
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WHITEHEAD, Frank	The Pas	N.D.P.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

## LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, May 7, 2009

The House met at 10 a.m.

## PRAYER

## ORDERS OF THE DAY

## PRIVATE MEMBERS' BUSINESS

**Mr. Gerald Hawranik (Official Opposition House Leader):** Mr. Speaker, I would seek leave to proceed directly to Bill 225, The Labour Relations Amendment Act.

**Mr. Speaker:** Is there agreement to go directly to Bill 225? [*Agreed*]

## SECOND READINGS—PUBLIC BILLS

**Bill 225—The Labour Relations Amendment Act  
(Information in Employee's Language)**

**Mrs. Mavis Taillieu (Morris):** Mr. Speaker, I move, seconded by the Member for Springfield (Mr. Schuler), that Bill 225, The Labour Relations Amendment Act (Information in Employee's Language); Loi modifiant la Loi sur les relations du travail (renseignements fournis dans la langue des employés), be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Mrs. Taillieu:** Mr. Speaker, I'm pleased to be able to speak to this bill once again. I know this bill has been before this House a couple of times already, first introduced by the Member for Springfield and I commend him for bringing it forward. I think that it's a very important issue. It certainly is an ongoing issue.

This bill will require a union, when soliciting membership, to provide each employee solicited with information regarding union fees and dues in a language understood by the employee. This refers to the case a few years ago, and particularly last year, where the Labour Board upheld the decision to allow the workers at Mayfair Farms in Portage la Prairie to become unionized.

I'm certainly, Mr. Speaker, not speaking against the right of people to unionize. That is the right of anybody that chooses to do that. I think the issue here is whether or not people fully understand what they are asking for and what the implications are.

I would just like to read from an article, last year, where the workers themselves, and I'm going to just quote a migrant worker by the name of Juan Perez who said, we had to vote yes because if we didn't, the union told us, they would take our bosses to court.

I think that what's happened here is the migrant workers that were asked to join the union felt some pressure to do so, Mr. Speaker.

Whether or not a person—I think the issue is a person should be able to make up their own mind what they are going to do, and should not be told that this is in their best interest if they're not really understanding what that may be. I want to also say when it comes to language, I know that the Minister of Labour (Ms. Allan) has spoken on this before and said that it is in the bill, that there are provisions in the bill that says that the person understands what is provided to them. However, I think when you're speaking about language, there's a lot of nuance in languages and in different languages. Even the same word, even understanding a word or a phrase, may have a different meaning in another language and another culture.

When people say they understand, do they understand what we mean in our language in our culture, or do they understand what it means to them in their language and their culture? I think it could be made much more clear if we were able to provide, in the bill, that they understand it in their own language, so that they understand exactly and implicitly what we're referring to.

I think it's just very important. I know, just thinking about myself here, I just tried to introduce this bill and speak a little in French. Now, with someone else—that's not my first language and I profess I'm not bilingual, but I do understand some phrases in French, but if someone were to speak to me in French and ask me a question, I may be inclined to agree, think that I understood them but, in fact, I might be totally off base in my understanding because there are so many words and phrases that are similar, and when people speak quickly, it's very difficult to get the nuances of that. So, even though I may think I have understood it, quite clearly, I may not have understood it, Mr. Speaker.

The Minister of Labour has also said that she has done a lot of consulting in the labour relations she's brought forward, and I know that she has, and I agree that consultation is very important when we talk about bringing in legislation.

But I also know that there are some pieces of legislation brought before this House, Mr. Speaker, where these are issues of basic human rights. They're just issues that make a lot of sense to individual rights and so I know that there are pieces of legislation brought before the House that require a lot of consultation. That is appropriate. Consultation is appropriate. I'm not going to say it isn't, but there are also pieces of legislation that are brought before this House that if we went out and said to people, should people be provided information in their own language, I think that most people would agree that just makes a lot of common sense. It's a basic right to be able to be given something in your language that you understand if it has implications for you.

I think this is just one of those things that is just very basic to the rights of an individual to know exactly, in their own language, so that they understand totally the nuances, that this be something that be considered to be just a very basic, basic right of people.

\* (10:10)

Mr. Speaker, I know that, after the migrant workers in Portage la Prairie did become unionized, they were also told that they would have—what is provided for, is that they then have one year until they can apply for decertification.

My understanding is that now, Mr. Speaker, this group of people has asked the Labour Board for decertification, and my understanding is that there may be a suit brought against the employer, because there's some feeling that there was coercion. I feel that here we have a situation where the employees think that they were coerced by the union, and the union thinks that the employees are coerced by the employer.

So, clearly, there's communication breakdown in this whole thing, and key to all of this is understanding, and understanding in a language that you understand, not just the words and the phrases but the subtleties and the nuances of your culture, Mr. Speaker.

I think that it's very clear that this is something that needs to be addressed. I wouldn't be bringing this bill forward again before this House did I not

feel it was something that needed to be looked at. I know that, when the Member for Springfield will be speaking about this, he has a number of issues to bring forward, and one of them in particular, is the new booklet that's been—[interjection] One of the things that he will be speaking about is the *Living in Manitoba: A Resource Guide for Immigrant Women* booklet. That, to me, looks like a very good guide for immigrant women, and I want to commend the government for bringing this in.

However, I looked through that, and I see only English, and I'm wondering if there is a lot of immigrant women that may pick up this book and say, well, I'm not sure, I have a little English, as I read this book, am I really able to understand what's in this book? I don't see anything in the book that refers to any other languages and where they might get a translation or who a translator may be.

So, these are issues, Mr. Speaker, just a basic rights for people to not only be able to understand, I think they need to have the language that they understand from birth, the language of their culture. The nuances, the body language, the informal slang, the terms that we use day to day in our language, means nothing to a certain people in other foreign countries, because they don't understand the slang or the terms that we use.

So, Mr. Speaker, I think that I would ask the government to consider this, just as a right to anybody in the province, to have information provided to them in a language that they understand.

Thank you very much, Mr. Speaker.

**Hon. Nancy Allan (Minister of Labour and Immigration):** I have, as the MLA for Morris has said, had an opportunity already to speak to Bill 225 in this Legislature. I believe it was brought in by the previous Labour critic, and we have had an opportunity to have a look at and analyze what is in this bill in regard to changes to The Labour Relations Act.

There's no question, I agree with the member opposite, that we believe it is important that, when newcomers come to our province and they are getting involved in our labour market, that it is important they have the ability to understand and realize exactly what their rights are here in Manitoba.

Temporary foreign workers are an important aspect of meeting our labour market shortage here in Manitoba. We have seen the numbers of temporary foreign workers that come to Manitoba from

overseas increase over the last five years. They're in the agricultural sector. They're in, particularly, the agriculture sector, and they're very, very important to us. One of the reasons, actually, that we passed the new Worker Recruitment and Protection Act was we felt that it was very, very important here in Manitoba that when those individuals come to Manitoba that they have the basic minimum rights that any other domestic worker would have in this province, that they would have the ability to make the wages that they deserve and are promised by employers here in Manitoba.

So I believe that some of the legislative reforms and some of the legislative changes that we have done here in Manitoba are going to enhance Manitoba's ability to attract temporary foreign workers. Actually, I think, we will become a destination of choice. We're looking around at what's happening on the national scene right now in regard to temporary foreign workers and particularly nannies. You're watching those kinds of abuses, and we're very, very pleased that here in Manitoba we're being held up as showing leadership. The Minister of Immigration, Jason Kenney, two days ago was in the House talking about Manitoba's leadership in regard to protecting temporary foreign workers. We believe that that is something that is critically important.

We have done some analysis of the legislation that the MLA has brought forward. She did make a comment, she did suggest that we have already spoken on this bill and we have said that we believe that The Labour Relations Act, which is the legislation that would have to be changed to make these kinds of changes, that The Labour Relations Act currently does contain a requirement in it, Mr. Speaker, that would provide information to workers so that it is understood by those workers. We would agree with the MLA for Morris, that it is a basic human right, and for that reason that's why the requirements are in The Labour Relations Act. The sections of the act are 45(3.1) and 45(3.2). Those provisions in the legislation requires that information be provided to employees, proof of information and that the employee understands the information.

I know that the member spoke about the situation that happened at Mayfair Farms. That matter, Mr. Speaker, was dealt with by the Manitoba Labour Board, and everyone in this House knows that the Manitoba Labour Board is an adjudicative body. It is arm's length from government. It has a chair that was chosen unanimously by labour and management. That matter was dealt with by the

Manitoba Labour Board. It appears that opposition members didn't like the ruling that was made by the Labour Board, and that Bill 225 is the opposition's motivation for this legislation because they're dissatisfied with the Labour Board decision regarding the unionization of Mayfair Farms.

Well, Mr. Speaker, I don't know if they've had an opportunity to look at the decision. The decision is a public document and it is available on the Labour Board's Web site. I don't know if they've had an opportunity to look at that decision and analyze it, but it would be important to, perhaps, have a look at that and really determine whether or not they believe that Bill 225 is necessary.

\*(10:20)

We believe that this legislation, quite frankly, is redundant. We also believe that because we have now got in place The Worker Recruitment and Protection Act that is the most progressive piece of legislation in Canada in regard to protecting temporary foreign workers because up until now, Mr. Speaker, the whole area of temporary foreign workers has been completely and totally unregulated.

We had no idea who the worker was. We had no idea who the employer was, and most concerning is the fact that many recruitment agencies here in Manitoba were unscrupulously charging those temporary foreign workers outrageous amounts of money for the privilege of a job. Well, that has been illegal according to The Employment Services Act since 1987. Many recruiters were acting illegally and because of the leadership that we have shown on this issue that will not be able to occur anymore.

We will also be able to communicate with the employees that now come to Manitoba because we will know who they are. The employer will be registered and the recruitment agency now has to be licensed. They are going to have to be licensed by my department. They're going to have to fill out an application form. They're going to have to meet criteria and they are going to have to put up a \$10,000 bond so that if there are any abuses of workers, then we are going to be able to recover those monies on behalf of those workers.

So we believe that the whole WRAP legislation is a very, very important piece of legislation not just here in Manitoba, but all across Canada. We would like to see it change the Canadian landscape in regard to how temporary foreign workers have been treated. Here in Canada we believe that many of

them have been treated like modern-day slaves and it is completely and totally unacceptable.

I was pleased to have the opportunity to speak to Peter Fonseca, who is the Minister of Labour in Ontario. We were pleased to see that there is legislation now in Ontario that is working its way through the Legislature to protect temporary foreign workers. We believe that that's going to be very, very helpful to us as we try to create a national movement for this kind of protection for temporary foreign workers because if one of the biggest provinces in the country comes on board in regard to this legislation, it'll be very, very helpful to us.

We've also had five other jurisdictions in Canada looking at this legislation and talking to our department in regard to how they can implement it as well. So I thank the member for bringing this legislation forward. I apologize to the opposition, but I'm sorry to say that we will not be supporting it because we believe it's redundant. We believe that the protections are already there in the labour code and because we also have now The Worker Recruitment and Protection Act. We can provide better information to temporary foreign workers when they get to Manitoba and we already have plain language requirements in The Labour Relations Act. Thank you very much, Mr. Speaker.

**Mr. Ron Schuler (Springfield):** Mr. Speaker, it brings me great pleasure to be speaking to Bill 214. I'd like to thank the Member for Morris for having brought this legislation forward. It's timely, it's important and is definitely necessary.

During my years at university we had a professor who told us a story of what happened after the African-Americans in the United States received emancipation. There was a man that decided he was going to exercise his right to vote for the first time; however, there was a law, a rule that was put in place that to be able to vote in the southern United States you had to be able to read a newspaper. In this particular state that was the qualification. If you could read a newspaper, you could vote.

So this individual went about before the next federal election, decided that he was going to learn how to read because he wanted to vote. He learned how to read, election day came along, went to the polling station and said, I would like to vote. He said, I understand I have to be able to read a newspaper, and I'm prepared to do so.

They handed him a newspaper. He looked at it. He put the paper down and he said, well, I guess not this time, because, Mr. Speaker, they handed him a newspaper in Chinese.

When we talk about language, when we talk about the ability to communicate, we have to be very careful how we phrase those terms because when you come into this country, and I've stated before to this House, my parents came here after World War II, separately, met here, struggled, tried to make a living, did the best they could, and they certainly didn't understand the language.

Talking to my colleague from Russell about the fact that my father grew up in the Ukraine and said those were basically the best days of his life. He spoke Polish, Ukrainian, Russian, German and came to Canada and also had to pick up English. Without the ability to be able to have at least one of his languages recognized, to at least be able to communicate in one of those languages, it would be very difficult for him to understand.

Mr. Speaker, I go back to that gentleman, the African-American in the United States. I mean, really what happened was, although the vote was given to individuals in the United States at that time, basically it was racism because they weren't given the vote. Of course, the law would have thought it would be reasonable. It would be common sense that they would be able to read a newspaper in the English language, the language they had grown up in, but instead, he was handed a newspaper in Chinese. Basically, it was a different form of denying him the vote, and it was exactly what it looked like—racism.

We have to be careful as a society that we don't go out and have people buy into something even though they don't even understand the language, that they don't have the right to read in print what is on the document and understand it in their own language. Although they might be able to understand some English, although they might be able to speak some English, that's a far cry from actually seeing as what we call the fine print so they actually really understand what it is they're signing.

The minister mentions that there is law, and she cited different articles of the law, yet obviously, the law failed. The law failed these individuals in this case. That means there's something wrong with the law because the minister, by her own words indicated it then had to go to the Labour Board. If the law was so good, if the law was in place, if the law

had teeth, if it was there to protect people, it wouldn't have had to have gone to the Labour Board. The minister says it's a quasi-judicial board, so on and so forth. The point is the law should have been strong enough that it wouldn't have had to have gone to the Labour Board. The law should be able to stand on its own. Clearly, it couldn't, and what we're suggesting here is the law needs to be strengthened, whether it be migrant workers coming in, whether it be workers coming in from anywhere.

I commend the government. They put out a booklet, *Living in Manitoba: A Resource Guide for Immigrant Women*. The only problem is, to the minister, it's in English. I had my office call because we've got a lot of individuals immigrating to our community. In fact, there was the one tragic case where the husband and the son—the son, actually, at Lockport, stepped into the water. They didn't realize how deep and violent the Red River can be where the floodway goes back into the Red. The boy fell in. The dad thought it was just a small step. He stepped in to grab the boy and they both drowned.

We actually wanted to get one of these booklets for the mother because it actually does lay out a lot of resources, but we were told it comes in English. If you want the French version, it's on-line, but that's it. Nowhere in here does it say we would be able to help you in Deutsche, in Ukraine, in Polish, in any other language, in those languages that, if you needed information in that particular language, we would be able to help you with it.

I understand this is a very good start, and we appreciate it. We have to make sure those that come to this country understand not just their responsibilities, because there is a responsibility, but also understand their rights. What we're talking about in the bill that we're debating is that it really is about protecting them so they understand what their rights are.

I know how this House works. I've been here long enough that someday this legislation will go through. This legislation will be passed when it has one of the government members' names on it.

\* (10:30)

So we will deny people the right to be able to be communicated to in their language. We will deny common sense. We will deny a reasonable piece of legislation, and I know the Minister of Education (Mr. Bjornson) finds this trite and trivial and laughs about it, and quite enjoys all this. I take this very

serious. This is very serious because it affected my family. It affects my community. Those that are coming here now don't take this lightly. I have many friends who are now coming from India who love this country and love what it has to offer, and would love to see this in their own language, would love to use these services, and many of them do.

I would suggest that we work together to make Manitoba a better place. This is a wonderful, wonderful province to immigrate to. This is a province that offers so much. We are so open, we are so welcome. Immigrants love coming to Manitoba because of the way we receive them. Why not improve it?

I say to the Minister of Labour (Ms. Allan), who's turned her chair around and turned her back to me because conversations with others are more important than listening to this, I would reach a hand across the aisle and say, let's actually make it a more positive, a better way of coming to Manitoba that you know you have your rights up front, that you know that you have to be communicated in your language, that you have to understand what it is you've signed. This is reasonable legislation. It's common-sense legislation, and it is another one of those pieces of legislation that would help to build a better and stronger Manitoba, and that is what I believe all members in this House would like to see. Thank you, Mr. Speaker.

**Mr. Daryl Reid (Transcona):** I am pleased to rise to add my voice to the private member Bill 225, sponsored by the honourable Member for Morris. I listened quite carefully to the comments that were made by members opposite, Mr. Speaker, and also to our Minister of Labour, who added her comments with respect to this bill.

Mr. Speaker, I didn't hear any comments by the members opposite, the members of the Conservative Party, indicating what particular rights were breached by the individuals here. So I'm a bit unclear on what it is that they are actually saying that wasn't afforded to the members, and they're talking about the Mayfair situation. But they're talking that there was some right that has been breached here, but they didn't spell out exactly what right was breached in this particular circumstance here.

I do know that we have—there has been some discussion of this issue. I know the Member for Springfield has brought this matter before this House before, and we've—as our Minister of Labour has said many times in this House, that this matter was before

the Labour Board and that the Labour Board is an independent, quasi-judicial body, and they act in a fair and impartial and consistent manner, Mr. Speaker, at least from my observations over many years. We have to trust that they are making their decisions for the appropriate reasons and in keeping with the legislation that is currently in place.

Now, I do know that I listened to the comments with respect to the Member for Springfield (Mr. Schuler) saying the law failed the Mayfair employees, the immigrant workers that came into work in that Mayfair agricultural operation. I'm not sure how the law failed them, because my understanding is that when there was a certification process that was in place, that the employees themselves—that there was an interpretation of services that were available through the certification process—and that the employees were given the opportunity to understand, clearly. My understanding is that the Labour Board takes those matters into consideration, and the Labour Board ruled that there was no breach of the law that was currently in place. So I am at a loss to understand how the employees weren't treated in a fair and impartial manner, and were aware of all of the facts before they had the opportunity to sign the certification cards that are required as a result of the labour laws of Manitoba before a union can be declared to be in place and representing these employees, Mr. Speaker.

I do know, Mr. Speaker, that this government has brought in a number of pieces of labour legislation in this province, and we're quite proud of the work that our Minister of Labour has done now, over some nine years, with respect to labour legislation. She has, through her office, consulted quite broadly with respect to the various pieces we have brought forward and, from my recollection, all of our labour legislation has been unanimously supported, both by labour and business communities in this province because we've gone through that consultative process, and that we have put in place pieces that both sides can live with in this province.

I have to think back to circumstances in my own family's life in the last 10 years. I know that one of my adult children was involved in an organizing drive, and had been approached by a particular union here in the province of Manitoba with respect to union certification. I watched quite closely the way that the folks that were conducting the organizational drive were conducting themselves, Mr. Speaker. I have to commend them, that they were operating in a very professional and legal manner, from my

observations, in how they laid out the case with respect to what the requirements are and what the prospective union member could expect with result of their participation in a union certification process, and, of course, at the subsequent vote and any union representation in the future.

Those cases were laid out quite clearly. So, I have to think that the unions of this province understand the law quite clearly, they keep within the confines of the law and they act in good faith in those circumstances, as they go through their organizing drives, trying to encourage non-unionized members of our communities to participate in unions of this province.

*Ms. Marilyn Brick, Acting Speaker, in the Chair*

Now, I know that the Conservative Party is quite often opposed to working folks being involved in union movements in this province, and elsewhere across Canada and North America. I just look, as the Minister of Labour has indicated to us here in this House today, just this week, Madam Acting Speaker, we have, looking east to the province of Ontario, they introduced a law that will stop temporary agencies from unfairly preventing workers from getting full-time jobs through fees charged, et cetera.

I know that the Employment Standards Amendment Act, respecting temporary help agencies in Ontario, was passed. But, it's interesting to note, not only was it passed, in keeping with the tradition and the leadership role that our Minister of Labour has shown in this province with respect to foreign temporary workers, but, that the Progressive Conservative Party of Ontario voted against the protection for those workers in the province of Ontario.

So, that tells me that the Conservative Party is not interested in protecting the rights of temporary foreign workers. So they feign indignation here, in this Chamber, about wanting to protect those workers, and yet we see, just to the province to the east of us, that they vote against those very standards that the government wants to put in place to protect those very same class of workers, if I can use that term.

So, here's an example of the Conservative Party saying one thing in this province and doing something totally opposite in the province to the east of us, the larger province, I might add, with many more foreign temporary workers in the province of Ontario.



So, I commend our Minister of Labour for the role that she has taken through the various legislative pieces that we have brought forward to protect the labour market folks, the working people of the province of Manitoba, through the labour legislation that we have brought forward, including The Worker Recruitment and Protection Act to protect the migrant workers because it has gone a long way to help protect those workers in this province.

Now, Madam Acting Speaker, The Labour Relations Act currently contains a requirement that a union must provide information to workers so that it is understood by those workers, and I must say, that it therefore appears that this Bill 225 is redundant. There's no need for this bill, because those protections are already in place in the province of Manitoba for the migrant workers that come to our province about this time of year to help with our agricultural activities in Manitoba.

As the Minister of Labour has indicated here, that there are already requirements in The Labour Relations Act, under sections 45(3.1) and (3.2), which require information to be provided to employees and that proof of information that the employees understand the information.

So, the Labour Board has ruled on the practices that occurred in the Mayfair situation and have ruled that the employees were, therefore, provided with the necessary understanding before they signed the certification cards, and that those employees then were given the opportunity to make an informed decision with respect to whether or not they wanted to be part of a union in the province here in Manitoba. That proof of compliance was acceptable to the fair and impartial Manitoba Labour Board, and they have made their ruling with respect to the Mayfair case.

\* (10:40)

Now I have to trust that, I believe—Mr. Hamilton is the chairperson of the Manitoba Labour Board, and those that know Mr. Hamilton in this province know him to be a fair and impartial person, and that the Labour Board members that participate in the process act in that manner as well. We have taken the steps necessary through existing pieces of legislation in this province to protect the temporary foreign workers that come into the province of Manitoba to assist with a variety of activities.

Madam Acting Speaker, I note that my time is growing short with respect to this matter, so I have to

say to the members opposite that are the sponsors of this bill and those that have spoken as a member of the Conservative caucus, Manitoba labour laws in this province already provide for protection of the workers, the migrant temporary foreign workers who come to the province of Manitoba, and that this Bill 225, sponsored by the Member for Morris, is a redundant piece of legislation, and therefore I will not be supporting this bill.

**Mr. David Faurichou (Portage la Prairie):** Madam Acting Speaker, I've listened very intently to the debate on Bill 225, The Labour Relations Amendment Act, as brought to the House today by the honourable Member for Morris. A lot of misinformation and perhaps not clearly understood by members on the government side of the House, this legislation that we are debating in the House here brings clarity. It brings much more certainty of understanding the labour laws here in Manitoba by putting forward information in the first language of the individuals that are seeking that information.

I would think that this government, who propose much of their legislation based upon the premise that they're bringing the legislation to make it more fair to the average Manitoban, whether they be a current resident or a new resident—I am quite baffled why the government is not wanting to enhance the legislation on the books for this purpose.

The honourable Labour Minister has stated that she believes that this legislation is redundant. Well, Madam Acting Speaker, if that, indeed, is the case, then why did the example we're all citing this morning, the Mayfair Farm's situation in Portage la Prairie, why did it have to go the Labour Board? Every time you have sections of legislation that are unclear, ambiguous, not fully understood by either labour or management, it goes forward to the Labour Board.

So I believe it's incumbent upon all of us that are elected to this honourable Chamber to make absolutely certain that legislation in this province is clearly understood and does indeed benefit those that reside here in Manitoba to fully understand and appreciate the rules and regulations that we all abide by as citizens of Manitoba.

So I'm really dumbfounded by the members on the opposite benches that say that this legislation is redundant. Because the example we've all cited says very clearly that this legislation before us is not redundant, that it is indeed needed because, otherwise, if our legislation was not as clear as they

state it is, then we would not have had to have the occasion of the Mayfair Farm workers and Mayfair Farm representatives go before the Labour Board in a very, very costly endeavour because the presentations that are made to the Manitoba Labour Board have to be prepared in a fashion that is respectful of the law and requires legally trained personnel to prepare those presentations.

So I look to members opposite and say, well, if we can pass legislation in this House that can enhance the livelihood of both workers and employers here in the province of Manitoba and prevent another costly expenditure such as the Mayfair Farm taking place, I would think that the members on the government side of the House would want to do so and want to do so enthusiastically. And that's what this legislation is all about, making certain that the laws of Manitoba are understood by those persons that are coming to work and live here in Manitoba.

The honourable Member for Morris is not adverse to the labour movement. In fact, she herself has been a labour leader, and for her to bring forward this legislation from the perspective that she has through her lifetime of experience, indeed, speaks volumes of the credibility of the legislation and the want and willingness to make certain that workers here in Manitoba do have legislation that benefits them.

As well, I have had membership in a number of different unions myself through my working career, and it is not in any way, shape or fashion that my commentary here today should be taken as adverse to the labour movement here in Manitoba. I, particularly for one, encourage persons to have representation because not everyone has the skills and abilities to represent themselves and it is good to have others with their best interest at heart to have that type of representation.

Yes, the honourable Member for Transcona is correct that the first contract with the Mayfair Farm workers was ratified at a vote of 14 to 1, an overwhelming vote. I don't know if the Member for Transcona is aware, but the workers have also put forward a letter requesting that they now be decertified and it is after experiencing the employment with Mayfair Farms with representation from the UFCW. So it is very, very interesting how everything has played out in the example we're all citing here this morning.

It is also interesting to the, perhaps, Member for Transcona that the union worked very, very aggressively to seek out signatures on the union sign-up cards by following the workers from Mayfair Farm to places like Western Union where they sent their payroll down to their loved ones in Mexico. They followed them to the grocery store where they purchased their provisions. They followed them as they casually walked through the park on their time away. I would suggest that if the workers were really that wanting of representation then why did the union have to go to those extraordinary efforts to solicit their signatures on sign-up cards? It is acknowledged, both on the union side and on the workers side, that the language of explanation through interpretation from English to Spanish was incorrect. It used a terminology that gave a quite different rationale for sign up. I think it's quite evident by comments in the newspaper that the workers did not clearly understand the processes that were taking place.

So this legislation before us is not redundant. It does enhance the understanding of the law here in Manitoba, and it really behooves me to try and comprehend what the members on the government side of the House are trying to defend. What are you trying to hide? This legislation opens things up for more clear understanding, and I think that they—should they themselves be wanting to be known as in support of that position.

\* (10:50)

I just want to finally comment in regard to out-of-province parties. The Member for Transcona referenced the Progressive Conservative Party in Ontario. Well, might I reference the New Democratic Party from Nova Scotia which is taking it to the polls, to the electorate of Nova Scotia because it was a Conservative government in Nova Scotia that wanted to set aside repayment of that province's debt.

The same legislation is before this Chamber in Bill 30, put forward by the NDP. I would think that the NDP, if they want to take the honourable Member for Transcona's advice, and I hope they do, that Bill 30 then in the thinking of the New Democratic Party from Nova Scotia, Manitobans then should have an opportunity to vote on the legislation.

So I look forward when we vote on Bill 30. I look forward to the Member for Transcona standing

alongside the opposition in making absolutely certain that Bill 30 goes to the electorate of Manitoba.

Thank you very much, Madam Acting Speaker.

**Ms. Flor Marcelino (Wellington):** I'm so pleased to stand here today to speak against the private members' bill simply because I truly believe it's redundant, because this government has more than enough protected the temporary foreign workers.

But first I would like to let our Minister of Labour and Immigration (Ms. Allan) know that, since last year until a few weeks ago, I have been in receipt of calls and e-mails from friends and even workers and government workers and organization members from British Columbia, Ontario, Québec and Alberta. They all wanted to get a hold or have a copy of the legislation which protects foreign workers.

It has been a widely-known fact, I think all over Canada now, that Manitoba is the first jurisdiction in the country to have comprehensive protection of foreign workers. As they spoke to me over the phone and by e-mail, I could feel that they're envious of what this government has done. They would surely want their own governments in B.C., Québec and Ontario to come up with the same legislation, so I gladly provided them a copy of the legislation. Surprisingly, a member of the Legislative Assembly of Alberta also asked me for a copy of this legislation. I'll just be too thrilled to provide him a copy and I wish him luck as to how he will present it to his own caucus.

Having said that, this legislation has been well received by many temporary workers here in Manitoba. I was speaking to a few nannies whom I came to know personally. *[interjection]* No, in Manitoba. They didn't work for someone by that name but they have been working here for close to two years now. They're very happy that they are in Manitoba because, in other cities, they know of friends who have experienced untold sufferings and miseries because of abuses from their employers.

What's ironic is, these people, these temporary foreign workers, came here with very good credentials. Some of them are college or university educated, have worked in their field. But because of an unfortunate situation back home, there's no way for them to—they couldn't find a way for them to leave the country but through the live-in caregiver program by the federal government.

Just like what you said, a recent incident was the unfortunate situation alleged by two nannies who worked for a member of Parliament, but having heard of more horror stories from other areas, those are quite tame compared to what others have suffered.

But having said that, the issue here seems to be the one with the union wherein some workers chose to be unionized. Having spoken to one worker who works for temporary foreign—for agricultural workers, I won't be surprised why these workers would seek to be unionized because some of them are working in very difficult situations. They work long and hard and they feel the treatment they receive is not fair and just and they don't feel the dignity of their humanity as a result. If they chose to join a union I won't begrudge them for doing that.

I have to say I had a very good experience with being a union member. I did hear some bad experiences of other workers, but I'm glad mine and a lot of many other people that I know have very positive experiences with unions. My very own experience with union is quite dramatic.

When I was suffering from brain tumour, of course, I didn't know because I wasn't diagnosed yet, I felt quite sensitive and so, when my supervisor treated me, I thought, not very kindly and not very fairly, I thought I'm not feeling well, so I might as well resign and rest because I feel sick.

*Mr. Speaker in the Chair*

So what I did was I tendered my resignation and, of course, my supervisor just gladly accepted it. I was asked to fill out a form when you resign, that all other people like librarians and whoever would sign to say I don't have any obligations. So I was able to, some eight signatories, I was able to get the seven signatures and the eighth signature happens to be a union representative. So it was, I think, a Friday afternoon, Friday morning, my last day after tendering my—I gave a weeks notice.

The union person, the shop steward said, why are you resigning. Oh, I feel sick, I answered. I need to rest; I'm not feeling well. If you are sick you don't need to resign. You need to take a medical leave, a sick leave. And I said, oh no, I would prefer to resign. And the union says, that's not right; you've been working here for over 15 years. If you're sick you deserve to avail of your sick benefits.

Right away he tacked a statement to the effect that I am changing my mind but before that would

happen he needs to speak to the HR, the human resources manager. It was around noontime then, the HR wasn't there but he left a message. By one o'clock the HR read or heard his message and I was called and we were to talk to my supervisor. So the union person, the HR manager, myself, spoke with the supervisor and to make a long story short, my resignation was revoked and instead I—

**Mr. Speaker:** Order. When this matter is again before the House the honourable Member for Wellington will have one minute remaining.

### House Business

**Mr. Speaker:** The honourable Official Opposition House Leader, on House business?

**Mr. Gerald Hawranik (Official Opposition House Leader):** Yes, on House business.

Mr. Speaker, in accordance with rule 31(9), I'd like to announce that the private member's resolution that will be considered next Thursday is the resolution on Disraeli Freeway Must Remain Open, sponsored by the honourable Member for River East (Mrs. Mitchelson).

**Mr. Speaker:** In accordance with rule 31(9), it's been announced that the private member's resolution that will be considered next Thursday is the resolution on Disraeli Freeway Must Remain Open, sponsored by the honourable Member for River East.

\* (11:00)

### RESOLUTIONS

#### Res. 7—Bipole III: One Project, One Environmental Review

**Mr. Speaker:** The hour now being 11 a.m., we will now move on to resolutions, and we'll deal with Resolution No. 7, Bipole III: One Project, One Environmental Review.

**Mr. Cliff Cullen (Turtle Mountain):** I move, seconded by the Member for Brandon West (Mr. Borotsik),

WHEREAS Manitoba Hydro is planning to construct a third bipole high voltage, direct current transmission line, Bipole III, to transmit hydro-electric power from northern generating stations to domestic and export markets in southern Canada and the United States; and

WHEREAS there is no question that Bipole III is urgently required to transmit northern hydro power to ensure that Manitoba Hydro customers have options for reliable access to power; and

WHEREAS even though there is a significant public debate about the appropriate route for Bipole III, the provincial government has stated its unequivocal support for the west-side route; and

WHEREAS the routing decision for Bipole III requires an independent review from an environmental and economic perspective; and

WHEREAS the Premier of Manitoba (Mr. Doer) stated that it is against the public interest to have multiple environmental assessments from different levels of government for the same project; and

WHEREAS the Premier of Manitoba said that having multiple environmental assessments for the same project adds years to the timing of projects and millions of dollars in extra costs; and

WHEREAS the environmental assessment process can be improved to eliminate duplication and a federal review panel under the Canadian Environmental Assessment Act would be the most independent means of reviewing the project; and

WHEREAS a review should consider all route options for Bipole III to ensure the best interests of Manitobans are taken into account with respect to the final route for the new line.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the provincial government to commit to one environmental review of the Bipole III project; and

BE IT FURTHER RESOLVED the Legislative Assembly of Manitoba urge the provincial government to agree that the environmental review of Bipole III be conducted by an independent federal review panel.

**Mr. Speaker:** It has been moved by the honourable Member for Turtle Mountain, seconded by the honourable Member for Brandon West,

WHEREAS Manitoba Hydro—dispense?

**An Honourable Member:** Dispense.

**Mr. Speaker:** Dispense.

**Mr. Cullen:** Mr. Speaker, I certainly look forward to having an interesting discussion this morning on Bipole III, and hopefully the government will

consider this resolution favourably. We know the Premier's on the record of supporting one environmental review, and we certainly think that one environment review where Manitobans will have the options to look at all aspects of the proposals.

Mr. Speaker, we think it's important that Manitobans have the opportunity to thoroughly review all the options. Now, we know that the provincial government here has dictated to Manitoba Hydro that they should use a west-side line running almost to Saskatchewan. Now, we know for years Manitoba Hydro has studied an east-side line. Does Manitoba Hydro know that the most economical and the logical route is to run the line down the east side of the province? But what we've seen is direction from this provincial government otherwise.

The reason we're suggesting that we have a federal panel review this particular decision is that a federal panel would review all options. So we think that an east-side option, a west-side option or if there's an option to run the line under the water, those all could be considered under a federal review program.

Now, it's not that we disagree with the Clean Environment Commission and what they might be able to propose. The Minister of Conservation (Mr. Struthers), I am sure, would give them some direction there, but at the end of the day, and we've seen this in Bill 17 not very long ago, where the Clean Environment Commission came out and they provided a report to the government, to the Minister of Conservation. The minister and the government decided not to listen to the recommendations put out by the Clean Environment Commission. It was a blatant disregard for all the work the Clean Environment Commission had done.

On Bill 17, I'm sure the minister will remember the discussion over Bill 17. I read the Clean Environment Commission report on Bill 17, and it said, you know, we got to do some more work. We got to do some more studying, but anyway, the government took another route altogether.

So what we're trying to suggest is that all Manitobans have a real, vested interest in where this line goes, because at the end of the day, we're looking at a huge amount of money, a huge investment for Manitobans. Mr. Speaker, we're not even sure what the difference in the dollar value is from the east side versus west side. You know, we've heard, we estimate it's going to be in the

neighbourhood of \$640 million more to run a line down the west side of the province.

What we think we should do is have a look at all the, you know, not just the economics of it. There are going to be social aspects here that we should have a look at as well, and certainly, there are environmental implications involved, Mr. Speaker. I think if we're a government that's acting in the best interests of Manitoba and over the long term, we should have a look at all of those things. We can't just cave in to one or two environmental special interest groups that say no you can't run it down the east side because we think it's going to impact the boreal forest.

Well, if we're going to look at the best interests of all Manitobans, we should have a real hard look at the options. That's exactly what we're asking in this resolution. Let's put the options on the table so all Manitobans can have an honest and open debate and dialogue about the options because we are going to invest a lot of money in this project.

Mr. Speaker, when we talk about the boreal forest too, we have to recognize that if we're going to run a longer line on the west side of Manitoba, we're going to impact a lot of territory. We're going to impact a lot of boreal forest in northern Manitoba as well. We're also going to run that line across a lot of agricultural territory, which is going to have a significant impact on a lot of people and a lot of agriculture producers.

We don't think this should be a political decision. That's why we're asking for an independent review of all the options. We don't want Manitoba Hydro and its credibility to be jeopardized because of a political decision, Mr. Speaker. That's why all the options should be put on the table so everyone has the opportunity to decide where this should go.

You know, Mr. Speaker, we're hearing from ordinary Manitobans. Every day they're writing in to the *Free Press* and voicing their opinion and their dissatisfaction with government intervention and some of the decisions they're making, especially on Bipole III. We're also hearing from experts in the field. You know, we talk to people like Jim Collinson, who has a tremendous track record. For five years, I believe, he was the head of Parks Canada. He also served on the UNESCO World Heritage Committee for two terms so he knows exactly what he's talking about in terms of boreal forests and potential UNESCO sites. There's no doubt about that. He is in full agreement that a bipole

line can run down the east side of the province, and that would not take away from the possibility of that area being designated a UNESCO World Heritage Site.

An east-side road, an east-side bipole line, a UNESCO World Heritage Site can co-exist. It's not rocket science. We're not reinventing things. If you take a look at Banff and the national park they have there, also a world heritage site. It's certainly developed. If everyone's been there, and it's certainly developed. It is a world heritage site as well. You know, you look at other world heritage sites around the world. A lot of them are developed, so there's no reason to say we can't have a bipole line on the east side of the province and still go through the process at least trying to apply for a World Heritage Site, Mr. Speaker.

\* (11:10)

You get people like Brian Schwartz, University of Manitoba law professor. He's studied a lot of the legalities of this sort of thing. He talks about wasting hundreds of millions of dollars, and those hundreds of millions of dollars can have a very major social and economic impact for all Manitobans. Now, what he's saying is, basically, if we run that line down the west side of the province it's a complete waste of money, Mr. Speaker.

I think he certainly has some credibility—and he also goes on to say it doesn't make any sense environmentally, because you're actually going to go through more boreal forest. So as far as the argument is concerned, it's not factually correct.

So, Mr. Speaker, we, as politicians, will debate two sides of the story. That's why we think all of the facts should be put on the table. That is why we're calling for an independent review of this particular proposal, because it is going to have a long-term impact on Manitoba. We, as Manitobans, as taxpayers and Hydro customers, we are going to have to pony up. It's obvious that whatever route we go we're going to have to borrow that money. It's going to be a substantial amount of money that we're going to have to borrow. So, clearly, the sooner we can get that paid off, the better.

Mr. Speaker, I know we're going to have a lot of debate over this particular Hydro line for many years to come. I know the in-service date for the line is—Manitoba Hydro is looking at 2017, so we think that would allow plenty of time for a good public debate

and an independent review. It's very important that we do this. The Premier (Mr. Doer), himself, says there's no need to have a Manitoba review, do it ongoing, and a federal review ongoing. Let's just have one review process, and that certainly makes sense to us and that certainly will expedite the process and expedite this very major project.

We know what has to be done from a reliability point of view, there's no doubt about that. So we're all in favour of moving forward on Bipole III. Let's get the job done, and let's get it done with the best interests of all Manitobans at heart. Thank you very much, Mr. Speaker.

**Hon. Stan Struthers (Minister of Conservation):**

Mr. Speaker, I want to commend our colleague from Turtle Mountain for bringing this resolution forward, because it gives us a chance to point out the incredible inconsistencies in his party's position when it comes to this whole question of hydro-electric generation in our province, specific to this bill, the transmission of that hydro-electric from where it is produced to the market that pays for it. I think we have to have a very comprehensive view of this right from the start of the construction of the generation stations themselves, right through to the sale, the purchase of the power, by such places as Wisconsin, Minnesota and others.

There are the obvious contradictions in their positions that have been pointed out over and over again by our Premier and our minister of Hydro every day in question period. We see the Tory critics popping up like that Whack a Mole that you see—

**Mr. Speaker:** Order. It's getting pretty loud in here. Members who want to have a conversation, please use the loges here.

The honourable minister has the floor.

**Mr. Struthers:** —popping up like those little critters in the Whack a Mole game out at the Red River Ex every day in question period to get whacked back down, because they don't do their research, and they support inconsistent positions that come forward. The people of Manitoba deserve better than that from Her Majesty's loyal opposition.

I wish they would get their act together on this. They didn't produce enough power in this province when they were in government to run a two-watt bulb, and now they're coming to us and complaining about us generating power to be selled—sorry, some language arts teacher I used to be, right?—to be sold in the international market to bring funds to

Manitoba to be used by Manitobans. Mr. Speaker, at least if they had some kind of a background of support for hydro-electric generation in this province, they might have some credibility in the House.

Mr. Speaker, I also want to be clear that they do not have, over time, they do not have a clear position or a consistent position when it comes to licensing. I've been in this House for 14 years. I was on the other side of the House for four of those years. I was asking questions having to do with environmental licensing back in the '90s when those very same people were sitting on this side of the House making decisions in terms of environmental licensing processes.

Mr. Speaker, I'm sure you remember how hard it was to get that government to raise one finger of effort in terms of doing Clean Environment commissions, let alone trying to get their federal cousins in Ottawa to go along with it, which is what the Member for Turtle Mountain is talking about here.

You know, it would be great if we had a harmonized federal and provincial process that everybody could count on. Right?

**Some Honourable Members:** Right.

**Mr. Struthers:** Well, what the members don't understand is that there is a harmonization agreement that Gary Filmon himself put in place, and now they're complaining about it, Mr. Speaker. They can all sit there and say, right all they like, but do some homework, please.

Mr. Speaker, we have made a few things very clear. We have made a few things abundantly clear. One is that Bipole III will require a class 3 Environment Act licence. Members know that. We've said it in question period. We've said it, the Premier has said it. I've said it. We've been very clear that it will require a class 3 Environment Act licence.

There is a process in The Environment Act that governs this, and the members opposite, if they would only open up that environment act, they could make darn sure that they hold our feet to the fire and that we, as we have on all other issues of The Environment Act, we will follow it. That's even better than my word that we will follow it. It's in the act, Mr. Speaker, and we will follow our requirements in the act.

We have in our province an effective and efficient process in place for licensing the Bipole III

project that does, in fact, involve the federal government. That is already there and we, as we have in other examples, other projects, have worked well with the federal government. The previous Liberal federal government, and the current Conservative federal government, we have worked well with, because we have a good relationship with the people who run the regional office out of Winnipeg.

I must give high regard, high praise to the people that we work with locally here in our region who represent the federal department of the environment. We've worked on many projects together, large projects, smaller projects. We do have officials in my department that work with the federal government on that on a consistent day-to-day, project by project basis.

The Bipole III, it's very clear, will require a harmonized environmental assessment and that is according to the Canada-Manitoba Agreement on Environmental Assessment Co-operation. As I mentioned before, this was an agreement that was signed back in 1994, I believe, by then Premier Gary Filmon. I'm surprised that the Conservative members haven't pointed that out, haven't tried to take credit for that. I'm really surprised that they don't seem to even know that that exists and then they bring forward this kind of a bill this morning.

Mr. Speaker, we will work in co-operation with what is there in the Canadian Environmental Assessment Act. We will work with the office in Winnipeg representing the federal department on that issue.

Mr. Speaker, I want to say that when I'm at federal-provincial-territorial meetings of my colleagues, ministers of the environment, many times I am talking to colleagues who say that our process is what they are working towards. We have other provinces with the federal government working towards the kind of relationship that we have here that has served us well in Manitoba.

I want to be very clear as well, you know, the member talks about, oh, we want to take the politics out of this, and then they bring forward a political bill in the House, which is inconsistent. Then they say, Mr. Speaker, we want all options to be open, all of the options, but don't dare bring it down the west side, let's close that option off right off the bat.

\* (11:20)

So, Mr. Speaker, again, inconsistent positions on the part of the opposition does nobody any good in a debate which is this important to the future not just economic status of Manitoba but very important in terms of environmental protection in the creation of this green energy.

I do want to point out that there have been times when we have gone through an environmental process here in the province of Manitoba, with the federal government looking over our shoulders at the same time, and then we've seen the federal government decide that they were going to start their process and, in some cases, we've seen some overlap, some duplication of questions being asked and research being done. Both our government and the federal government have understood and have undertaken—the Prime Minister himself has made this a priority, which I appreciate, of bringing those two groups together, not inadvertently or accidentally adding a bunch of time to a decision. If we're dealing with a project and it's a good project, I want us to give it the thumbs up quickly. If it's not a good project, then I don't think we should drag it out. We should give it the thumbs down and move on. So that's the process we're trying to get to.

I want to be very careful that members understand it will be Hydro, and they've been doing some consultations already. They will decide what site they want to come to us with a proposal on, and then we will evaluate that proposal very vigorously from an environmental perspective. We will not do it in an inconsistent way as we see with the members opposite. We will be consistently following The Environment Act and building on the best practices that we've been developing in government since 1999.

So, Mr. Speaker, I'm very pleased to have put a few words on the record in terms of this. I could keep going, but my red light seems to be blinking here. Thank you very much.

**Mr. Rick Borotsik (Brandon West):** Mr. Speaker, speaking of two-watt bulbs, I really do appreciate the comments that the Minister of Conservation put on the record—

**Mr. Speaker:** Order. I don't think it warrants for members to be disparaging against other members in the House. Everyone understands what the term two-watt bulb means. I think members should be very, very careful how they're wording their sentences because all members in the House are honourable members.

**Mr. Borotsik:** I do appreciate that the Minister of Conservation is an honourable member. He did make mention, Mr. Speaker, in his speech of a two-watt bulb, and I just wanted to certainly put forward the fact that this Conservative Party did more for Manitoba Hydro than the current government, and he had made mention of a two-watt bulb. I would stand by our record, because what we did is we allowed a corporation to manage itself.

We do appreciate the fact that Manitoba Hydro is a Crown corporation, and that's very good for the province of Manitoba, that's very good for the citizens of Manitoba, but it is, in fact, a corporation. Any business experience that I've had, and I don't know how much business experience that the Minister of Conservation has had—I don't suspect it's been a lot of business experience—but, quite frankly, it's always been my philosophy when involved in business to let the business manage its own affairs. Let managers manage; let the business manage its own affairs.

Government and politics should have absolutely no part to play in the decisions that are made at a Manitoba Hydro boardroom. That should be based on logic. That should be based on economics. That should be based on revenue generation. Those are business principles that the Minister of Conservation, obviously, can't get his head around. The fact is that when Manitoba Hydro, themselves, their engineers, their professionals, have decided that an east-side route is the best route as opposed to a west-side route, then that decision should be left with those professional managers, not a political hot potato thrown into the mix because of some wild schemes that a political party and a government want to throw on the table.

That's what's happening in this circumstance, Mr. Speaker, and this resolution speaks specifically to that. I can't see one member opposite voting against this resolution because all it speaks to is accountability and transparency. Rather than enforce a political decision on a corporation, let's have an environmental commission make that decision on their behalf, based on all of the options, not a single option, but all of the options. That's all the Member for Turtle Mountain is asking for. I can't see why this government wouldn't accept this resolution for face value. It's there.

Make no mistake; there are debates on both sides of the equation. We've heard the debates from the



government. We've heard their justifications for looking at a very horrendously expensive detour going through the west side. We've heard their justifications, and each one of those rationalizations and justifications has been proven to be, if not false, Mr. Speaker, somewhat deficient in their argument. They don't have a solid, good reason as to why they would like to expend an additional \$650 million of Hydro's money, which isn't even Hydro's money, because it's going to have to be borrowed money in order to put that deficient line forward, the Bipole III going down the west side of the province. Six-hundred-and-fifty-million borrowed dollars that have to be debt-serviced and paid back by Manitoba Hydro, this Crown corporation, has to generate revenues from Manitobans in order to debt service and pay back that debt. So why wouldn't the corporation logically look at the economics of it and say, no, as one of the variables in this whole mix, the economics don't work. Therefore, let's go back to the east-side line which makes the most economic sense.

Now we talk about the environment. We have arguments on both sides. We have the Bobby Kennedy Juniors coming out of the woodwork telling us why it should be on the west side, but I don't think Bobby Kennedy Jr. really should have much bearing on what the Crown corporation of Manitoba makes their final decision. I don't think that he has a lot to play in the hydro rates of Manitoba Hydro and Manitobans and other industrial users, not only nationally or internationally. I don't think he has a great part to play, but his argument is put on the table so let's talk about his argument at a joint environmental commission, both federal and provincial. That makes a lot of sense.

You use all of your arguments that you can in favour of the west side, and all of the arguments will be used in favour of the east side, of which the commission then will decide what is the best, not only economically, not only environmentally, but what's best for the citizens of the province of Manitoba. The resolution speaks specifically that. A review should consider all route options for Bipole III to ensure the best interests of Manitobans are taken into account with respect to the final route for the new line. Doesn't get much more specific and better than that—the best route for all Manitobans. Let's have an open, honest, transparent process that's going to allow all of the arguments, all of the counter-arguments, all of the counter-counter-arguments, and let a final one commission make that decision on our behalf.

Never has the Progressive Conservative Party disputed the fact that there should and must be a Bipole III. We've always supported it and always will support it because, Mr. Speaker, it's good business. The Finance Minister continually talks about risk management, absolutely. Risk management is ultimately important in any business enterprise that you have, whether it be retail or whether it be generating that hydro-electric power. Risk management is extremely important. So let the corporation manage its risk. Let managers manage. Let the best people that make the decision make the decision, not politicians, and that's where this is going.

Mr. Speaker, I am concerned, very concerned, that with the interference of this government with Manitoba Hydro, that they, in fact, could kill the goose that lays the golden egg. I believe very strongly that Manitoba Hydro is the future of Manitoba. It is our natural resource. It is our oil, and we should let Manitoba Hydro generate those profits and develop their generation capacity and develop their transmission capacity and make sure that it is a solid business plan put forward for all of Manitobans. Unfortunately, when you mix politics with business, it doesn't work very well. Right now, politics has been mixed with business, and Manitoba Hydro ultimately is going to be affected and affected probably in a very difficult fashion.

We talked about the debt loads. The Public Utilities Board, which is an arm's-length—supposedly arm's-length board, that controls the rates for Manitoba Hydro has equally voiced some serious concerns about the future for Manitoba Hydro.

\* (11:30)

There are huge capital requirements over the next 10 years. Not only Conawapa has been mentioned by the government. Wuskwatim, which I doubt very much will come on budget and come on time, is a huge capital cost. Bipole III is a huge capital cost. We just talked about the \$650 million wasted. The capital cost of that could well be in the \$2-billion range, perhaps more.

The fact is that there's huge capital requirements for Manitoba Hydro, and they've had some good years. The last two years in Manitoba Hydro have been fairly reasonable because of our water, because of the ability to generate, because of the ability to sell. The problem is, this year, Manitoba Hydro is looking at less revenue and less net earnings this year than they did the previous year. In fact, I think the

budgeted amount this year under the summary budget that comes forward under the rules of GAAP, shows \$265 million being generated by Manitoba Hydro. On a debt of some \$9 billion, a net revenue of some \$265 million is a very narrow margin, a very narrow margin, Mr. Speaker, and they can't be impacted and infected by political machinations.

So I would implore that the government members seriously read the resolution, look at the impacts to Manitoba Hydro, look at the advantages to Manitoba Hydro themselves who have already indicated they would like to have an east-side line as opposed to a west-side line, and let this commission decide the best route. Don't just simply put one option before the commission and say it's this or nothing. Let's look at everything. Let's be very reasonable in our approach to the Bipole III. It's only going to be developed once. Let's develop it right the first time. You can't use the excuse that we can't go up the east side because this same government is developing a road up the east side, which we already know, unfortunately, is worse for the environment than Bipole III. Thank you, Mr. Speaker.

**Mr. Drew Caldwell (Brandon East):** I appreciate listening to the remarks from my colleague the Member for Brandon West. We have a long relationship, a long personal relationship and a long friendship. I always appreciate listening to him speak. It's something I've grown very accustomed to over the last two decades. I'm privileged to rise following the Member for Brandon West.

Mr. Speaker, our government, of course, will not be supporting this particular resolution, primarily due to the fact that it ignores the very real responsibility we have in Manitoba for the long-term stewardship of our province and, in the case of Bipole III, protection of the east side of Lake Winnipeg, the responsibility that we have to the planet. The application to UNESCO for a World Heritage Site designation on the east side of Lake Winnipeg is one of our proudest achievements to date in terms of environmental stewardship in this province.

We have, as a government, of course, implemented Manitoba's first wind farm. We have undertaken a very aggressive geothermal program throughout the province. We are continuing to build and develop hydro resources in partnership with First Nations communities throughout the province. We are very interested in ethanol production and further development of ethanol. We are supporting industries like New Flyer who provide cutting-edge

green technology for their buses to serve a global market.

The issue of a Bipole III and where it descends south in the province is one that is placed in the context of our environmental policy, our broad environmental policy as a government in Manitoba.

Mr. Speaker, as I said earlier, from my perspective and certainly the government's, the UN World Heritage Site designation, the pursuit of that designation on the east side of Lake Manitoba, is probably the single greatest environmental initiative that our government has undertaken since coming to office. It is an initiative of global importance, global significance, for those of us who live on this planet, as those of us on this side of the House do, although I can't always affirm that those on the other side are in the same world inhabited by us.

But the resolution that's put forward by my friend and colleague, the Member for Turtle Mountain, is a political resolution, as is so often the case on our Thursday morning PMR debates, private members debates. It's one designed to draw a wedge on this issue between people in the province of Manitoba, because there are, as we all know, people that put development at all cost as their primary motivation for whatever economic development initiative that they put forth.

We believe in a more balanced approach, on this side of the House. We believe that development has to be sustainable, economic development has to be sustainable. It has to be respectful of our eco-system, our environment.

We believe that the security of markets for our hydro power, in the United States, in particular, is very, very important. and if we ignore, we ignore to our peril the very real global concern for environmental stewardship that is legitimately a concern across this world.

Certainly having the bipole go down the east side of Lake Manitoba, bisecting the World Heritage Site, would be a very, very negative development in terms of the security of our power deals with the United States, with Wisconsin and with Minnesota, in particular. It would denigrate the application to the UNESCO for a World Heritage Site, if not outright destroy that, the ability of that application to proceed to World Heritage Site status. It would impact negatively forever on what is the last tract of intact boreal forest of this scale in this hemisphere, Mr. Speaker.

So, the short-term, very short-term, economic advantage that would be for a very, as I said, short period of time would be, far and away, forever a negative impact and forever have negative implications for the east side of Lake Winnipeg.

So, while I appreciate the member's resolution from its political perspective, to have one environmental review, there are processes in place for reviews, environmental reviews, of any hydro development of this nature. We have, as a government, firmly committed, not only in the last election campaign but throughout our time since that campaign, that we are committed to ensuring that the transmission of our electrical power to the south is not hindered by political considerations related to the environment.

I think, Mr. Speaker, more importantly, we're committed to ensuring that the east side of Lake Winnipeg and the boreal forest that exists on the east side, is going to achieve World Heritage status and is going to provide a legacy, an environmental legacy, a positive, green environmental legacy, forever into the future for the province of Manitoba.

I'm very, very proud of our environmental leadership on this issue. We have been recognized as a leader in the world, Mr. Speaker, for our environmental policies as a government. Dr. David Suzuki credits us as having the best record in Canada as a government for advancing environmental issues.

\* (11:40)

The bipole proposal skirting and not having the bipole impact upon the boreal forest on the east side is obviously central to our environmental stewardship of this province. This will be an issue for this House for, I suppose, as long as we are in process of constructing and building and developing the bipole route south. But, Mr. Speaker, the perspective of this government, the view of this government, the policy of this government, to ensure that the east side is a protected zone and gains World Heritage status is paramount in our discussion around the Bipole III, as is ensuring the security of our markets and not having environmental concerns impede our ability to sell power to the northern United States.

So Mr. Speaker, as I said, we'll be voting against this resolution if it comes to a vote. We do not support this resolution. We support environmental stewardship. We support security of markets in our

sales of hydro-electricity. That's the position that this government will take moving forward as well.

**Mr. David Faurichou (Portage la Prairie):** Mr. Speaker, it is indeed a pleasure to rise this morning and participate in debate on the private member's resolution brought to the floor of the Assembly here by the honourable Member for Turtle Mountain.

I truly appreciate the text of the resolution this morning which, I believe, should be in keeping with all of our best interests, when we ask that an independent entity take a look at a particular proposal that means so much to our province. It is something that all of us should be able to support because, as recognized by the Member for Brandon East, we do get polarized in this Chamber based upon political ideology and by a need and want to support our respective political parties. But this resolution speaks to that and recognizes that in the best interests of all Manitobans and the future prosperity of our province could, indeed, be best served by an independent entity that would review and make the recommendation based upon independence and without fear or favour of political interest. So this resolution is one that all of us should support.

Now the recognized debate about Bipole III is one that will shape our province in the future. We understand with the development of further hydro-electric generation capacity in northern Manitoba that we are going to have to transport that electricity to markets that ultimately will purchase and add to the prosperity of our province. But should not that transmission line be put in place in the fashion that would serve that ultimate goal in the best way? We don't want to see a transmission line that is greater in length and allowing for more line lossage, as the Bipole III and engineers tell us, that more than \$17-million worth of electricity will be lost with the additional length of the proposed west-side route. All of us should be concerned about that because it's lost revenue and also, too, it's not just on one year, it's in perpetuity, the life of the line.

We've also seen introduced into this House Bill 31, The Manitoba Floodway Authority Amendment Act. Now, The Manitoba Floodway Authority Amendment Act calls for an expansion of the responsibilities of that authority for the construction and maintenance of an east-side road. Now, to further explain an east-side road, it is a road to be constructed on the east side of Lake Winnipeg,

primarily going through the pristine boreal forest, as members on the government side understand, and if we go and examine what construction of a road will mean to the pristine nature and the ability to declare that area of our province a World Heritage Site, indeed, the members opposite would not be so very, very keen to support Bill 31 because construction of a road in that area of the province will have significant, and, I repeat, significant impact on our ability to have this area of the province recognized as a World Heritage Site.

So this government seems to be talking out of two sides of its mouth. On one side they say that they are in favour of maintaining the pristine forest and declaration of a World Heritage Site, but, then, right in front of all of us we have Bill 31 that says that they're going to construct an all-weather road through this exact area. So what then is this government really saying? They want to preserve, yet they want to have a significant environmental impact that we all know an all-weather road brings.

Now, Mr. Speaker, I'm going to add one additional dynamic, and I hope that all the members are listening: That we can follow what has been happening elsewhere in the world when one is looking to preserve the environment. To have the least amount of impact, yet wanting to maintain conveyance of goods and services, elsewhere in the world they look at railways. Railways are being constructed all around the world to move goods and services through areas that are environmentally sensitive. They are also being constructed in what already exists and that being transmission lines.

So if this government was really looking for the best alternative to satisfy everyone concerned, they would be looking at an east-side line, transmission line, couple that with a railway line that could very easily be electrified, which is recognized as the best energy for powering the locomotives that will pull the goods and services that are needed to east-side communities. Let me make absolutely certain that all of us are in support of providing those goods and services to residents of the east side. But it is incumbent upon each and every one of us elected to this Chamber to accomplish that in the best way that we possibly can, and also incumbent upon us is to examine what options are available out there.

If we were to construct a shorter transmission line on the east side—and let me make this fact known to those that do not already acknowledge it—but more than 70 percent of the area that would be required to

construct an east-side Bipole III has already been cleared for transmission lines that exist today servicing east-side residents. All we would have to do is take those existing transmission line corridors, expand them a little bit, add the additional 30 percent that yet has no transmission lines in it, and you have a complete shortest distance of transmission line conveyance on the east side of Lake Manitoba in that same corridor. Then we construct a railway, electrified railway, that will provide the method of transporting the goods and services that we want to see to the residents of the east side.

Also, too, this would be looked upon as the most environmentally friendly conveyance of persons looking to participate in the ecotourism industry here in Manitoba.

**An Honourable Member:** Who's going to pay for it?

\* (11:50)

**Mr. Faurschou:** The honourable Member for Burrows (Mr. Martindale) asks about who's going to pay for this particular railway. If one was to examine the difference it would cost between the proposed government west-side Bipole III and the shorter east-side Bipole III that I speak of, the capital costs savings would construct the railway and still have money left over. The lesser line lossage, the \$17 million that I speak of, Mr. Speaker, could go towards continuous operating of that electric railroad on the east side.

Everyone would be happy. We would have a transportation corridor. We would be looked upon as environmentally friendly with a transmission line that accommodates a railway in that particular same corridor, and if we're looking to sell our electricity elsewhere, persons that have the expertise as speaking upon the environment, and I speak of the UNESCO, United Nations—oh, I'm not quite sure of the actual acronym, but thank you very much, Mr. Speaker.

**Mr. Bidhu Jha (Radisson):** Mr. Speaker, it's a great pleasure for me to rise and put some of my thoughts on this particular PMR, which I must honestly say does not carry any weight from our perspective and from my personal point of view.

I'm kind of disappointed, Mr. Speaker, to see that the opposition has brought this issue after we have discussed this about three years back. In fact,

we fought an election and this was being debated during the election period and people have spoken. What they have chosen is one more seat for us, giving the impression that that kind of debate, which has no substance, people don't like to endorse and support. So I think that this is kind of disappointing for me to think that maybe our worthy friends that side are running out of good ideas to bring so that we can debate fresh and new ideas, but it's recycling of the same thing that they think they will get some political mileage, and I'm sorry to say that they won't.

Our priority on this side of the House, the government, is clear. We are very proud to have Crown corporations, and we are very proud that these Crown corporations are contributing to our economy, contributing to the well-being of our citizens, and Manitoba Hydro, for one, is something that we are very, very proud. I do recall when I was not in politics that Mr. Pawley, when he was trying to build Limestone, was being stamped as a lemon or, you know, things that were laughed at, but today, that corporation, that particular development is contributing a huge amount of financial resources to our province and opportunities for businesses to grow.

I'm very pleased to report, Mr. Speaker, that last night at the reception of ambassadors from all over the world, our Minister of Finance and Minister responsible for Hydro (Mr. Selinger) took a great pride in talking to the ambassadors and suggesting to them that, yes, we have a great asset for businesses to locate and come to Manitoba and that is our asset of having a huge amount of clean energy that creates jobs, thousands of jobs in the northern community in co-operation with our Aboriginal community friends and First Nations.

So this kind of ideals, when we, you know, propose, I expect our friends the other side to come along and say, yes, let's do this. Let us be supportive of positive things that are happening, but I think that they are running out of ideas, and I may like to say this, that they need to soul-search and think of some good ideas we can debate—and we are not opposed to. Ideas can come from any side, and I can assure the people that side if good ideas come, we will talk and we will pass, like anti-smoking bill was raised by the Member for Carman. We all agreed to do that with great pride, so it's not that we always oppose anything they bring on.

I think, as far as I'm concerned, having some experience in business, Mr. Speaker, when the Member for Brandon West said and challenged our Minister of Conservation (Mr. Struthers) about the business experience, the Premier (Mr. Doer) has spoken in this House, and I would like to repeat, that when you have a product or a thing to sell, you have to look at what the market demands. To make that kind of a controversial thing that the market will reject you is not a good idea to begin with, but they have not done their homework to see why we are doing this, from the marketing point of view. Simple as that.

Secondly, as she said, it's a corporation. It's a Crown corporation, and it is being run very efficiently, with the managers and chief executive officer that look at things from a broader perspective. Engineering is one aspect of decision making but engineering is not the only aspect. When you make a decision of this kind of project and magnitude, you have to look at engineering. You have to look at environment. You have to look at market. You have to look at efficiencies, and I think all these have been already discussed. All these have been already studied so I'm kind of surprised they are bringing this issue, again, with no substance on this.

I'd like to say here that we have looked at, as we said, Manitoba Hydro has been moving forward on the project and it's well into the second of four rounds of consultations with the west-side communities. We are working with the communities and Aboriginal partners to say how do we do that so that it benefits the economic development in that region, as well as satisfies the market and there is no controversy on that.

So I think some of these issues were debated and discussed time and time again. I don't need to re-emphasize what we have already talked about, but I think it is obvious that this particular decision does not rely on only—I've mentioned this several times, that we do not take a decision based on the political advantage because, over the last six years, I have watched, on several major resolutions, as a Member for Radisson, I've seen how we work. We work with even the things that take a broader view, and it's not narrow view. We take a broader view, take a long-term, you know, benefit analysis and then we act.

I think we'll look at this debate, and I would like to say there is—Hydro commissioned a report on

CMC Consultants to look objectively at the west and east routing issues, not just the straight engineering, but also other issues such as export markets and the environmental, social issues, as I just mentioned.

I'd like to quote the CMC report on export markets. Here is what I'd like to quote: if an east-side route location developed a confrontation, First Nations and environmental groups versus Hydro, it will draw national and likely international environmental groups. This creates a risk to the province's reputation. It also potentially creates an economic risk related to export and energy markets.

So this clearly states, Mr. Speaker, that we cannot really take that risk with a market that depends on hydro to sell.

Also, I'd like to give the quotation by the president and CEO of Manitoba Hydro, in the standing committee on October—

**Mr. Speaker:** Order. When this matter is again before the House, the honourable Member for Radisson (Mr. Jha) will have one minute remaining.

The hour being 12 noon, we will recess and reconvene at 1:30 p.m.

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Thursday, May 7, 2009**

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