



First Session - Thirty-Seventh Legislature

of the

**Legislative Assembly of Manitoba**

**DEBATES  
and  
PROCEEDINGS**

**Official Report  
(Hansard)**

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



**Vol. L No. 16 - 1:30 p.m., Wednesday, April 26, 2000**

ISSN 0542-5492

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Seventh Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
AGLUGUB, Cris	The Maples	N.D.P.
ALLAN, Nancy	St. Vital	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
ASPER, Linda	Riel	N.D.P.
BARRETT, Becky, Hon.	Inkster	N.D.P.
CALDWELL, Drew, Hon.	Brandon East	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CUMMINGS, Glen	Ste. Rose	P.C.
DACQUAY, Louise	Seine River	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary, Hon.	Concordia	N.D.P.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
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FAURSCHOU, David	Portage la Prairie	P.C.
FILMON, Gary	Tuxedo	P.C.
FRIESEN, Jean, Hon.	Wolseley	N.D.P.
GERRARD, Jon, Hon.	River Heights	Lib.
GILLESHAMMER, Harold	Minnedosa	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSON, Gerard	Flin Flon	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LATHLIN, Oscar, Hon.	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
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MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MIHYCHUK, MaryAnn, Hon.	Minto	N.D.P.
MITCHELSON, Bonnie	River East	P.C.
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PENNER, Jack	Emerson	P.C.
PENNER, Jim	Steinbach	P.C.
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SMITH, Joy	Fort Garry	P.C.
SMITH, Scott	Brandon West	N.D.P.
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TWEED, Mervin	Turtle Mountain	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

## LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, April 26, 2000

The House met at 1:30 p.m.

### PRAYERS

### ROUTINE PROCEEDINGS

#### PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

##### Standing Committee on Law Amendments First Report

**Hon. Gord Mackintosh (Minister of Justice and Attorney General):** Mr. Speaker, is there leave of the House, is there consent for the report of the Standing Committee on Law Amendments to be received and for concurrence?

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

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

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

Your Committee met on Wednesday, April 26, 2000, 10 a.m., in Room 255 of the Legislative Building to consider bills referred. At the April 26, 2000, meeting your Committee elected Doug Martindale as its Chairperson and Jim Rondeau as Vice-Chairperson. Your Committee heard representation on bills as follows:

Bill 9—The Court Security Act; Loi sur la sécurité dans les tribunaux

Ron Pollock, Private Citizen

Your Committee has considered:

Bill 9—The Court Security Act; Loi sur la sécurité dans les tribunaux

and has agreed to report the same without amendment.

All of which is respectfully submitted.

**Mr. Martindale:** Mr. Speaker, I move, seconded by the Honourable Member for St. Johns (Mr. Mackintosh), that the report of the Committee be received.

*Motion agreed to.*

#### Introduction of Guests

**Mr. Speaker:** Prior to Oral Questions, I would like to introduce in the loge to my left Mr. Herold Driedger, former member for Niakwa. We welcome you here today.

May I direct the attention of the honourable members to the gallery where we have with us today 90 students from General Wolfe School under the directions of Mr. Carlos Mota, Mrs. Sylvia Rautavuori, Ms. Brenda Elford, Mr. Clay Sisk, Mr. Gord Billows and Mr. Mark Fontaine.

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

\* (13:35)

#### ORAL QUESTION PERIOD

##### First Nations Casinos Community Approval

**Mr. Gary Filmon (Leader of the Official Opposition):** Mr. Speaker, my question is for the First Minister.

Yesterday, after being presented with a petition in opposition to the proposed casino for the Rural Municipality of St. Andrews, a petition bearing 2200 signatures of ratepayers, the council of the RM of St. Andrews decided to withdraw its support for the casino proposal.

Later, quoted on CBC Radio, a representative of Peguis First Nation said that local support is not necessarily a requirement for the approval of this casino proposal.

My question to the First Minister is: Will he clear the air and assure the people of St. Andrews that he will not allow the building of a casino in their municipality without their support?

**Hon. Gary Doer (Premier):** Mr. Speaker, it is regrettable that the Leader of the Opposition did not afford the people of the north end and eastern Winnipeg the same kinds of opportunities to speak out one way or the other as we see now in the proposal call for aboriginal casinos.

Mr. Speaker, in the election campaign we stated that we supported the introduction of aboriginal casinos in Manitoba. We have chosen a method of selection that is arm's length from the Government. That report will be completed on May 31, and that report ultimately will go to the Government. We are not going to prejudice the work of the committee in the sense of debating an arm's-length body in this Legislature.

**Mr. Filmon:** Well, Mr. Speaker, according to the August 30, 1999, Winnipeg Free Press, the New Democratic Party, then running for office, promised "to improve health care infrastructure immediately rather than hoarding money or spending it on casinos."

Now if that is not a direct contradiction, I do not know what is. Mr. Speaker, rather than hide behind the committee that he has appointed, rather than hide behind that committee, will he have the courage to do what he said yesterday outside this House where he said, ultimately, the buck stops with Cabinet? That is what he said. So will he tell the people of St. Andrews today, so that they do not have to be concerned, so that they do not have to be in this kind of turmoil over the uncertainty of this, that you will listen to the people and that you will say no to a casino when 2200 ratepayers have said they do not want it and where the RM council has said they do not want it?

**Mr. Doer:** Mr. Speaker, again, the gall of the Leader of the Opposition who juxtaposed health care with casinos. He is the individual and his Cabinet—

**Some Honourable Members:** Oh, oh.

**Mr. Doer:** Mr. Speaker, today the Member opposite juxtaposed health care commitments that we made with the commitments we made in front of the public during the election campaign. Let me go over the two promises we made. We promised to deal with hallway medicine. In fact, the member from Seven Oaks has done more to reduce hallway medicine in Manitoba in six months than this former Premier did in 11 years.

\* (1340)

In fact, today, *Health Care in Canada: A First Report* speaks of the action plan of the five-point plan implemented by this government to deal with hallway medicine in Manitoba and deals with the radical reduction in patients in hallways. We made a promise and we kept it, not like members opposite.

**Mr. Filmon:** Mr. Speaker, the Premier does not answer the question. He instead leads us from a baloney report that is written by Howard Pawley's former Clerk of Cabinet. That is the kind of nonsense we get from this Premier.

We want the Premier to tell us right now: What is the acceptable means for the public to demonstrate their opposition to having a casino in their area? Is it a motion of their RM council? Is it a referendum or is it a petition that has the names of a sufficient number of people to convince this government?

The bottom line is: Will he listen to the people when they say no they do not want a casino in their area?

**Mr. Doer:** Again we are receiving lectures from the former Premier who announced in the middle of the night the casino in the north end of Winnipeg without any consultation, a casino in Transcona without any consultation. How dare you, Mr. Speaker, lecture this side of the House. How dare you.

We have chosen to appoint two very credible independent individuals who will deal with the proposals. Part of the proposal call deals with the local community, the proponent. Part of the consideration by the two-member committee also deals with the adjacent community, and there is public debate going on in Manitoba, unlike the past where all these things happened in the middle of the night by the former government, and I respect the integrity and judgment of the two individuals. The law has not changed in terms of who ultimately has to make the decision, but the process to have the sites proposed in a non-partisan way, getting rid of political interference, is a process we support and we are proud of.

### **Education System Grade 3 Standards Assessment**

**Mr. Speaker:** The Honourable Leader of the Official Opposition, with a new question.

**Mr. Gary Filmon (Leader of the Official Opposition):** Yes, a new question, Mr. Speaker, for the Minister of Education. Last week the Minister of Education announced that he was scrapping Grade 3 standards testing and instead replacing it with a beginning-of-the-year assessment. Not only is that unfair because students, young children are going to be tested after a two-month summer break, but the announcement appeared to ignore completely the election promise that was made by his Leader that said "Every child will be reading and writing fluently in their Grade 3 year; we call this our Grade 3 guarantee."

In fact, the Minister of Education claimed that he had no knowledge of that commitment having been made. All he said was that he would commit to students reading better by the end of Grade 3 than they were at the beginning of the year. I want to thank him for setting the benchmark so low because obviously he then expects that he is going to just pass everybody and give no opportunity for anybody to be able to not meet that standard.

\* (13:45)

Well, I want to know then if the Minister can inform the House what steps he will take to

keep the guarantee that was made by his Leader that the students—"Every child will be reading and writing fluently in their Grade 3 year."

What steps will you take to ensure that that happens?

**Hon. Gary Doer (Premier):** Maybe we will have to expand the curriculum in Grade 3 to include rambling sentences as part of the standard test. But I had a daughter who went through Grade 3, and we as parents got the results of the standard tests in the summer after the exams were issued. I am really happy that my second daughter, who eventually will get to Grade 3, will have the advice of the teacher and, as parents, we are going to have the advice of the teacher and teachers on the progress of our child at the beginning of the year so that we can work with the teacher with our daughter to make sure that the commitments we have made are going to be implemented, advice we have received from a number of parent advisory councils, teachers, trustees.

The members opposite are out of touch. As a parent, this will work better to make sure our children will have early intervention and success in education.

**Mr. Filmon:** Mr. Speaker, of course the Premier did not answer the question of what steps would be put in place to ensure that those guarantees would be met. So I will try once again to ask a question of the Minister of Education (Mr. Caldwell) and hope that his Leader will allow him to respond.

We are talking about standards. We are talking about achievement of literacy. I wondered about whether or not the Premier would let him answer the question when I realized that literacy was not a strong point for the Minister of Education.

I have here a copy of the *Brandon Sun* of March 28, 1981, in which the Minister of Education is leading a march down the streets of Winnipeg as the president of Brandon University Students Association Union. It has a sign that he is very prominently carrying that has "embarrassed" spelled incorrectly. So I am wondering whether or not he is the one who is

going to set the standards for literacy for our Grade 3 students.

**Hon. Drew Caldwell (Minister of Education and Training):** Mr. Speaker, I am quite flattered that the Opposition took the effort to have staff researching in the archives at the university in Brandon and also at the *Brandon Sun* looking up material from 20 years ago. It indicates the dearth of options that the Opposition has for education in this province. I expect it was my Tory helper frankly that did the sign. It is so long ago I can hardly remember.

However, the Grade 3 testing which the Honourable Leader of the Opposition refers to—I am surprised it is not the critic, but I am also flattered that it is the Leader asking this particular question.

It is a very ambitious goal that the Government of Manitoba has in terms of assessing Grade 3 students for literacy and numeracy skills. It is a very ambitious program, a very ambitious goal to have Grade 3 literacy, but we put in place a process which will help students throughout the school year improve their skills in marked contrast to the end-of-year standards tests that the previous government had in place. It is something that we are very, very proud of, to be working together with parents, teachers and children to guarantee goals that are going to be achievable throughout a school year and not something that merely tests material at the end of the year.

\* (13:50)

**Mr. Filmon:** Mr. Speaker, as a final supplementary, I just want to know: What form will the guarantee take, and will it be this minister who will be signing that guarantee?

**Mr. Caldwell:** Mr. Speaker, the commitment that we made to Grade 3 excellence in terms of literacy and numeracy, again, is something that we are very proud of. The Opposition seems to pick rather selectively about guarantees. I happened to pick up the press release on my way in here earlier today and the guarantee in fact says that every child will be reading and writing fluently in their Grade 3 year, and if they are not, the parent and teacher will work out a learning

plan to address this problem. That is exactly what we are doing.

## Bill 72

### Repeal

**Mrs. Joy Smith (Fort Garry):** In an attempt to pay back one of the numerous debts his party incurred in the election with his union bosses, the Minister of Education has publicly committed to repealing Bill 72. Trustees who represent local residents are feeling left out and that their concerns are falling on the deaf ears of the Minister; they feel the Minister is clearly working on his own separate agenda.

Will the Minister advise Manitobans what steps he has undertaken to ensure that the organizations such as MAST, AMM and indeed property owners are consulted in regard to changes in collective bargaining?

**Hon. Gary Doer (Premier):** Mr. Speaker, the legislation that the Member is talking about was passed in a unilateral way by members opposite when they were in Government, and at the time that that legislation was before this Legislature, we said, again, you know this is a novel idea for members opposite, but we said in opposition what we are planning to do in Government. We said in the Legislature that we would repeal this legislation in two and a half years.

It took a little longer for the election to be called, but we said the same thing at a trustees' meeting, a trustees' debate. Mr. Kowalski, the former Member for The Maples, said the same thing. So did the Liberal Leader say the same thing. We said the same thing at teachers' debates. In fact, it is a novel idea. We said the same thing to the public, to the trustees and the teachers before the election, and we are consulting not on the promise but on how best to develop a consensus on the legislation.

Secondly, a government that doubled education taxes in the 1990s has no business lecturing this government on how we are dealing with property taxes and school funding in Manitoba.

**Mrs. Smith:** I will attempt to address another question to the Minister of Education. Will the

Minister ensure that the changes to collective bargaining legislation will not include management rights as part of arbitration, or will he contradict his Leader, the First Minister, who on March 18 in the *Winnipeg Sun* advised another union, MGEU, that management rights are not on the table for negotiation?

**Hon. Drew Caldwell (Minister of Education and Training):** Mr. Speaker, I would hope the members opposite understand arbitration in matters such as this. I am not certain that they do.

\* (13:55)

However, on the matter of consultation, I am pleased to say that yesterday evening, as late as yesterday evening, I was meeting with the executive of the Manitoba Association of School Trustees on this issue, as well as a number of other issues. Incidentally, the trustees have indicated to me that they have never been consulted or engaged so extensively in dialogue for legislation over the last decade. The Government of Manitoba believes very strongly in consulting with teachers, trustees, parents, all stakeholders on every issue that this government is going to be bringing forth throughout its mandate. We believe very strongly in public consultation in addressing policy issues, and we will continue to do so.

**Mrs. Smith:** Mr. Speaker, I still did not get an answer as to whether or not the management rights are or are not on the table for negotiations, so I will go on to another question.

Can the Minister assure taxpayers that his political payback will not, and I quote, replace the decision-making role of elected school boards and result in a rapid escalation of property taxes, as suggested by the Manitoba Association of School Trustees?

**Mr. Caldwell:** You know, Mr. Speaker, the members opposite have absolutely no grounds or credibility on the issue of taxation. Over the last 10 years, we have seen an explosion in property taxation throughout the province of Manitoba due to ill-conceived policies that involve massive cuts to the public education system. As a former municipal official, I am well aware of

the taxation impact on the local ratepayers in my own community, the city of Brandon, but more broadly throughout the province of Manitoba due to the extensive cuts to the public education system made by the previous government.

### **Income Tax Reduction**

**Mr. Eric Stefanson (Kirkfield Park):** Mr. Speaker, governments of all political stripes right across Canada have recognized the need to provide their residents with some measure of personal income tax relief. We all know what the provinces of Ontario and Alberta are doing to reduce taxes. Saskatchewan has recently reduced taxes. New Brunswick recently reduced taxes. Even British Columbia is reducing personal income taxes. From coast to coast, governments are waking up to the reality that taxes can be reduced while ensuring that important services are, in fact, maintained.

Will the Minister of Finance indicate how his plan to create an island of high taxes here in Manitoba in a sea of tax relief will assist businesses and communities to retain their best and their brightest?

**Hon. Greg Selinger (Minister of Finance):** Thank you for the question from the Member for Kirkfield Park.

As the Member knows, we ran on a balanced platform. We said that we would, first of all, rescue health care. We said we would properly fund education. We said we would offer property tax relief, and we also, in voting for the last budget in the spring, agreed to follow through on a \$40-million personal income tax reduction as of January 1 in addition to a \$6-million reduction in the small business rate of taxation. All of those things we committed to and we will follow through on.

**Mr. Stefanson:** Mr. Speaker, I ask—while reminding the Minister that his party moved an amendment to that personal income tax reduction so that it would not have been in effect on January 1 of 2000 had that amendment passed—the Minister of Finance: How will he convince companies such as Medichair which just announced the other day that they are

relocating their head office and 16 jobs from Brandon to Calgary due to the lower tax environment of Alberta, how will he convince people to remain right here in Manitoba?

**Mr. Selinger:** I think it is really unfortunate that Medichair has decided to move to Calgary. When I queried the situation there, I was referred and was glad to go to last year's budget where, when we compared the taxation rates and the overall competitiveness of small manufacturing firms and large manufacturing firms—I went to the overall competitiveness indicator on page 13 in the appendix of the budget, Brandon ranks No. 1 for internal rates of return for small business and large manufacturing firms, No. 1 in the country, and I think, given the information that was published in the last budget of the former government, Brandon is an extremely competitive environment.

\* (14:00)

I know that the Mayor of Brandon is working extensively on improving air service to that city as well, so when it comes to comparing taxes for manufacturing firms, Brandon has nothing to apologize for.

**Mr. Stefanson:** Just to correct the Minister of Finance, he appeared to be holding up the 1998 budget, not the last budget that was introduced by our party. If that is the level of accuracy that we are receiving from the Minister, then I really call it into question, Mr. Speaker.

But most importantly of all, on behalf of all Manitobans, is this Minister of Finance prepared to offer Manitobans personal income tax cuts and a long-term strategy for tax relief in his much-delayed budget that will ensure that Manitoba remains competitive today?

**Mr. Selinger:** Just so there is no mistake about it, I believe that says '99, and that is the budget I am referring to. Probably if I went to the last budget of the former minister, this chart would be equally as valid. With respect to the timing of the budget, our budget will be done in seven months since taking office. The last budget of the former government took 13 months and 21 days. We will be bringing our budget in in half the time of the former government.

With respect to what we will do on taxation, we will follow through on our election commitment which is to bring a balanced approach to the way we do budgeting which ensures that we protect essential services and indeed improve those services and at the same time provide a competitive tax regime for all Manitobans.

### **Welfare Fraud Line Cancellation**

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker last week we saw just how soft and mushy this government has become on welfare abuse. By scrapping the welfare fraud line, this government is scrapping over two million dollars in savings a year.

Can the Minister explain to Manitobans why taxpayers can use dedicated fraud lines such as Crime Stoppers, the TIP line to turn in poachers, Operation Phone Busters to report telephone scams as well as lines to report income tax evasion and insurance fraud, but now Manitoba taxpayers are no longer going to have the convenience and use of the welfare fraud line to protect them from the cost of welfare abuse?

**Hon. Tim Sale (Minister of Family Services and Housing):** I appreciate the question, Mr. Speaker. It is interesting that in 1989 the former government hired a certain Mr. Ron Hikel to review the structure of the income security system. Mr. Hikel chose a random sample, entirely at random, 372 cases. He looked at those cases, and he came up with the fact that three, three cases, may have had—and he used the term "may have had,"—some possible fraudulent activity involved in them.

One of them was a waitress who did not report all her tips. One of them was someone who sold a clunker that he had declared ownership of but forgot to sell or rather sold and forgot to declare the small amount or did not declare. Three out of three hundred and seventy-two. Nevertheless, Mr. Speaker, Mr. Hikel said what the department ought to do is strengthen its intake procedures. He said, furthermore, that of all the overpayments that were created during the time of that sample that he looked at, 60

percent were due to errors on intake. So, that is precisely—

### Point of Order

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

If the Minister does not have an answer, Mr. Speaker, tell him to sit down.

**Mr. Speaker:** On the point of order, the Honourable Opposition House Leader does have a point of order. Beauchesne Citation 417 is clear: "Answers to questions should be as brief as possible, deal with the matter raised and should not provoke debate."

\* \* \*

**Mr. Sale:** It has been our experience and the experience of the Department that a great deal of the activity generated by that line simply were malicious complaints. So what we found was we were spending more staff time and dollars investigating false complaints than we were in doing the real work of the Department, which is to ensure that it runs properly. That is what we are doing, Mr. Speaker.

**Mrs. Driedger:** Well, it appears that there were about 3000 cases where action was taken, not just 3.

Can the Minister, the one who has never met an able-bodied welfare recipient who does not want to work, explain how he will continue to provide as effective a deterrent to welfare abuse as the fraud line provided?

**Mr. Speaker:** Order, please. May I remind all honourable members that displaying exhibits is really not required. I would ask the members to please put them away.

**Mr. Sale:** First, I must correct the Member. We are talking about two different periods of time. Mr. Hikel was talking about 1988-89, 3 cases out of 372. I do not know where the Member gets her number of 3000.

Mr. Speaker, I do think it is instructive to notice that, during the period from September to February of the last year in office of this defeated government sitting opposite now, there were an additional 1108 people joining the welfare roles. During the same period this year, from the time of the election to the present time, there were 673 who left the welfare roles. So whose system is working and whose system was not?

**Mrs. Driedger:** Well, if we are going to argue facts here, let us remember that it was our welfare reform that saw 22 000 people come off welfare.

Mr. Speaker, I would like to ask this minister what kind of government finds \$2.5 million a year in savings insignificant, especially when that money is being taken away from the people who need it the most?

**Mr. Sale:** You know, I might ask the question back. What sort of government is it that runs welfare rolls from 63 000 people in 1988-89 up to 89 300 people by 1993-94? What kind of government puts more people on welfare than at any time in our history as a province?

### Point of Order

**Mr. Laurendeau:** I know the Minister is looking forward to getting back into opposition, but he is in Government, and Beauchesne's 417 says: "Answers to questions should be as brief as possible, deal with the matter raised and should not provoke debate." He definitely should not be asking us questions, even though we do have the answers.

**Mr. Speaker:** Order, please. The Honourable Minister of Family Services, on the same point of order.

\* (14:10)

**Mr. Sale:** Mr. Speaker, I think, if you check Hansard, you will find that the Honourable Member made reference to numbers of people in relation to the social assistance system. I simply responded with information about numbers, so I was responding to her point.

**Mr. Speaker:** The Honourable Member, on the same point of order. *[interjection]*

On the point of order, obviously it is a dispute over the facts.

\* \* \*

**Mr. Speaker:** The Honourable Minister of Family Services, to conclude his answer.

**Mr. Sale:** Mr. Speaker, I would simply say that our commitment is to treating people with decency, to getting people off assistance into permanent jobs, to putting in place the kind of training that allows people to move into decent jobs that will sustain them and their families over the long haul, to make sure that our intake system works appropriately, to make sure that our staff are trained and do the job right. That is our commitment.

#### **Nursing Diploma Program Student Costs**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I have here a draft copy of the proposed two-year diploma program which I will table. According to this document, tuition fees, books, supplies and other costs for the first 12 months alone of this program are estimated to be some \$6,000 per student.

My question is for the Premier (Mr. Doer). How much is the Premier gouging students to pay for this two-year nursing diploma program?

**Hon. Tim Sale (Minister of Family Services and Housing):** Mr. Speaker, on behalf of the Minister of Health (Mr. Chomiak), I would simply say that we know we need more nurses in the system. We know we have more nurses' positions vacant than the training systems currently in place are able to supply. That is why there have been 1500 people apply for this diploma program. I will take the issue of the cost as notice.

#### **Student Time Commitment**

**Hon. Jon Gerrard (River Heights):** My supplementary to the Premier (Mr. Doer). Do the 1500 people who have applied to this program realize that they will be required to sign a

memorandum of understanding saying they will be available to attend classes not only from 8 a.m. to 6 p.m. every day during the week but be available on the weekends, evenings, for roughly two continuous years without any break at all in order to be participants in this program?

**Hon. Tim Sale (Minister of Family Services and Housing):** Mr. Speaker, I would be glad to take that question as notice on behalf of the Minister of Health (Mr. Chomiak).

#### **Program Length**

**Hon. Jon Gerrard (River Heights):** It is disappointing when the Government does not have any real answers to some very important questions.

I want to have my final supplementary again to the Premier. The Minister of Health (Mr. Chomiak) yesterday said it was 23 months. Why does the Premier not admit that under the proposal it is very clear that before graduation there is a senior practicum of 3 months, and therefore the program is in fact 26 months and nobody will graduate until at least December of 2002?

**Hon. Gary Doer (Premier):** Mr. Speaker, yesterday the Member for River Heights wanted us to begin a retroactive training program for nurses to deal with the staff shortages of the members opposite when they were in government when they fired over a thousand people right after the election campaign. I will look at the specifics of his question. We are concerned about affordability of courses. That is why we have promised to reduce tuition fees in community colleges and universities. But we are also concerned—*[interjection]* Well, we are very concerned about patient care, and patient care has been sacrificed by the firing of nurses. We would love to see the inadequacies of nursing levels and the stresses on nurses in Manitoba be able to be dealt with tomorrow, but we have to train nurses, and we believe in training LPNs, RNs and BNs. We believe in a continuum of training, and we also believe the practicums do not happen in some distant planet; they happen in the hallways and patients of Manitoba, which we think is a good thing.

**MLA for Fort Garry  
Apology**

**Ms. Nancy Allan (St. Vital):** My question is for the Minister of Education.

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order, please.

**An Honourable Member:** Are you not embarrassed, Nancy?

**Ms. Allan:** No, actually I am not the least bit embarrassed.

**An Honourable Member:** You should be.

**Ms. Allan:** You should be. That is who should be. The person who should be embarrassed, Mr. Speaker, is the MLA for Fort Garry (Mrs. Smith) who sent a letter to the parent councils on the 3rd of April.

**Point of Order**

**Mr. Marcel Laurendeau (Opposition House Leader):** Is this Question Period, or would the Member like to enter into debate? because I do not believe that was the question. So, Mr. Speaker, if the Member is not ready, I can ask the question.

**Hon. Gord Mackintosh (Government House Leader):** On the same point of order. Surely the opposition members can give some respect to Members of this House who stand up to answer a question on public policy. They owe that to an honourable member who was recently elected—to any Member. But to get up and make that kind of argument I think is shameful. I ask the members, and I ask you, Mr. Speaker, to help to ensure that the Member for St. Vital can ask a question.

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

**Mr. Laurendeau:** On the same point of order, we treat all members in this House with a lot of respect when they are bringing forward their opinions. But when they are sitting directly next to each other and they have the opportunity to ask themselves these questions in caucus, we do

feel that it is inappropriate for the Member to be standing here and asking questions and laughing about it.

**Mr. Speaker:** Order, please. On both points of order, all members except ministers have the right to ask questions.

\* \* \*

**Mr. Speaker:** I would ask the Member for St. Vital to please put her question.

**Ms. Allan:** Thank you, Mr. Speaker. I would like to ask a question to the Minister of Education. On April 3 we learned that the MLA for Fort Garry and the Education critic, Joy Smith, sent a letter.

**Point of Order**

**Mr. Laurendeau:** On a point of order, Mr. Speaker, the Honourable Member for Fort Garry is to be referred to as such and not by her name. I think that is a clear rule in this House. I would ask the Member to retract that.

**Mr. Speaker:** The Honourable Official Opposition House Leader does have a point of order. I would ask the Member to please refer to the Honourable Member for Fort Garry and withdraw the name.

**Ms. Allan:** Thank you. I will withdraw the name.

**Mr. Speaker:** Thank you.

\* \* \*

**Ms. Allan:** On April 3 we learned from our education community that the MLA for Fort Garry (Mrs. Smith) sent a letter throughout the province of Manitoba to parent councils and carbon-copied it to principals intimating a resolution had been passed at our NDP convention abolishing parent councils.

This resolution never hit the convention floor and, according to the *Selkirk Journal*, was intentionally misleading. It is erroneous, it is unfactual, and according to the *Selkirk Journal* it

says it is a rare day when the Government demands an apology and might actually deserve one.

\* (14:20)

I would like to ask the Minister of Education if we have received that apology from the MLA for Fort Garry (Mrs. Smith).

#### Point of Order

**Mr. Laurendeau:** On a point of order, Mr. Speaker. I am sure that, because all members have such great respect for each other, we would not want to put misinformation. The Honourable Member said that this was passed by their NDP resolution. It was not passed, and that is not what this paper said. This paper said that it had been looked at by the NDP, that they wanted to do this, and that is all the Member for Fort Garry had asked.

**Mr. Speaker:** Order, please. On the point of order, I am hearing different versions of facts. So this is clearly a dispute over the facts.

\* \* \*

**Hon. Drew Caldwell (Minister of Education and Training):** Mr. Speaker, of course, as is the practice of the Department of Education and Training, in fact is the practice of the Government of Manitoba, we support wholeheartedly the efforts of our parents, our trustees and our teachers to create excellence in the public school system in the province of Manitoba. I know that there were quite a few parent groups that were very upset at the tone of the letter that was sent throughout the province in a shotgun approach. The concerns were borne out in terms of the content of the letter. The *Selkirk Journal* has indicated that the Province may deserve an apology on this issue for what they characterized as deliberately misleading statements.

In answer to the question, no, there has not been an apology coming forth to either the parents who received this letter, the schools that received this letter, or the Government of Manitoba.

#### Point of Order

**Mr. Laurendeau:** On a point of order, Mr. Speaker, I might not have heard the Honourable Minister correctly, but if I did hear the word "deliberately," I would hope that he would take that word back.

**An Honourable Member:** He said "deliberately misleading."

**Mr. Speaker:** Order, please. The Honourable Minister of Education, on the same point of order.

**Mr. Caldwell:** No.

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

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, on the point of order, my understanding of Beauchesne Citation in this regard is that one member cannot allege another member has deliberately misled the House. My understanding from the remarks of the Minister was that he was paraphrasing or citing the comments of the *Selkirk Journal* as to the comments made by the Member for Fort Garry (Mrs. Smith).

**Mr. Speaker:** On both points of order, I will have to take it under advisement because I did not hear the full context of his answer. So I will take it under advisement and bring a ruling back to the House.

#### Flooding Agricultural Disaster Assistance

**Mr. Jack Penner (Emerson):** Mr. Speaker, I would like to address my question to the Minister of Agriculture regarding the assistance to producers affected by the 1999 flood whom she professes to be so interested in. She obviously does not understand the difference between a downturn in prices in the agricultural community versus the complete crop losses that many faced in the southwest area and southeast area. She said yesterday in her response to a question from the Member for Arthur-Virden (Mr. Maguire): Really, I do not think my provincial government wants to take on that

responsibility. She said: We have put money into the disaster in the southwest, into agriculture. Let the Member not say this government does not recognize the importance of the agricultural industry.

My question to the Minister is: Could she please clearly outline what monies her government alone, not the federal government, not the previous provincial government, what money has her government paid to flooded producers in order to help them get a crop in the ground this spring?

**Hon. Rosann Wowchuk (Minister of Agriculture and Food):** Mr. Speaker, I want to assure the Member that I do understand what the difference is between a downturn in price and a complete loss of crop. I have lived through it. I do understand it.

I want to also say what I said yesterday, that we would not be prepared to take over the responsibility of the federal government when it comes to addressing disasters. Disasters fall under the federal government. Provinces contribute to the federal government program, and we are more than willing to do that.

But, you know, the Member asks about what we have done for this province. The Member asks what we have done for farmers since we have taken office. We have put an additional \$37.5 million into the basic AIDA program, approximately \$20 million into AIDA enhancements, a further \$40 million into the CMAP program. We continue to negotiate with the federal government to try to get them to recognize that the people in the southwest part of the province suffered the same kind of disaster as the people in the Red River Valley or the people in Québec that had the rainstorms. In fact, the consequences of the flood in southwestern Manitoba are far more serious than the ones in the Red River Valley, because it has a longer impact. We continue to negotiate with the federal government to get them to recognize that and ask them to put money into that program.

**Mr. Speaker:** Time for Oral Questions has expired.

### Introduction of Guests

**Mr. Speaker:** May I draw the attention of all honourable members to the gallery where we have here with us today twenty-one students from Victor Mager School under the direction of Mr. Larry Patrick. This school is located in the constituency of the Honourable Member for St. Vital (Ms. Allan). We welcome you here today.

Also, earlier, when I introduced the General Wolfe School, I forgot to bring to your attention that the school is located in the constituency of the Honourable Minister of Industry, Trade and Mines (Ms. Mihychuk).

### MEMBERS' STATEMENTS

#### University of Manitoba Faculty of Nursing

**Mrs. Bonnie Mitchelson (River East):** I would like to take this opportunity to congratulate the University of Manitoba's Faculty of Nursing on the opening of the new high tech Helen Glass Centre for Nursing. I would like to acknowledge everyone involved in the project who worked so hard to make it a reality.

It was my pleasure to attend the opening of the outstanding new education facility with my colleague the Member for Charleswood (Mrs. Driedger). The facility will surely serve as a reminder of Helen Glass's pioneering work in nursing education in Manitoba. Helen Glass, a former director of the nursing school, was instrumental in creating the Manitoba Nursing Research Institute. It is fitting to have the building named in her honour.

\* (14:30)

I was, however, quite disappointed that neither the Premier (Mr. Doer) nor a minister of the Crown chose to attend the opening of the Helen Glass Centre. At a time when the Health Minister says that he is doing everything he can to address the nursing shortage in Manitoba, I find it rather conspicuous and disappointing that he chose not to attend the opening of a facility that will help address the nursing shortage in Manitoba.

The Health Minister and his colleagues, who also chose not to attend the opening, are sending

mixed signals to the nurses in Manitoba, telling nurses they will only support them some of the time, with some of the goals they are trying to accomplish. I was pleased to see the Member for Dauphin (Mr. Struthers) at the ceremony; however, he should have, at the very least, been joined by his colleagues the Minister of Health (Mr. Chomiak) and the Minister of Education and Training (Mr. Caldwell).

When a new personal care home opens, it seems that countless members opposite can take the time to attend the ribbon-cutting and take credit for a project that our government put into motion, but when a new education facility opens that will serve BN students, the members all happen to have other commitments. Members opposite can be assured that their absence was noted not only by us but also by nurses who are looking to this government—

**Mr. Speaker:** Order, please.

**Peter Ken Leppy**

**Hon. Rosann Wowchuk (Minister of Agriculture and Food):** Mr. Speaker, I stand before the House today to pay tribute to Peter Ken Leppy, Vice-Chairperson of the Manitoba Milk Producers, who passed away suddenly April 16, 2000. Ken was first elected to the board of directors in 1989 and has served on the executive since 1995.

Ken grew up on a farm in the community of Tourand and, after attending school in Niverville, went to the University of Manitoba where he obtained his Bachelor of Science in Agriculture in 1970. After graduation, Ken worked in Ontario and Saskatchewan, returning to Manitoba in 1975 with his family to start a dairy farm. Besides serving as Vice-Chair of Manitoba Milk Producers, Ken also served the province over the years at Dairy Farmers of Canada, Canadian Milk Supply Management Committee and Western Milk Pool Committee.

Within the province, Ken gave freely of his time, participating in numerous committees representing the best interests of dairy producers. To name a few of the committees: Manitoba Safety Council, Manitoba Safety Net Committee, Farm Practices Guidelines for Dairy Producers, Research Committee, University of

Manitoba Animal Science Cost of Production Committee, Multi-Component Pricing, Scholarship and Awards Committee, Production Promotion Committee.

I have had the pleasure of meeting with Ken on several occasions to discuss the Manitoba dairy industry and to share ideas and thoughts on the dairy industry's future direction. Ken's passion for the dairy industry and for the betterment of his fellow producers was always evident in our discussions. Ken truly was an ardent supporter of the dairy industry, Manitoba Milk Producers and the Canadian Supply Management Committee. At the same time, Ken was always aware of the needs of dairy producers and the marketing system to respond and adjust to the ever-changing demands of the market.

To Ken's family, especially his wife Roberta and his sons, our prayers and our thoughts go with them.

**Women of the War Years**

**Mr. Glen Cummings (Ste. Rose):** I would like to recognize an important work that is being done by a number of women in Manitoba and across Canada, and that is the production of a book titled *Women of the War Years: Stories of Determination and Indomitable Courage*. Many of the women involved in this worthy undertaking are members of the Ste. Rose constituency, and the project is being launched by Peggy Galloway and a number of her friends who live in Gladstone.

*Women of the War Years* is a compilation of 180 stories of women who served during the Second World War, stories collected from women and their families across Canada, the United States, Great Britain, and New Zealand. The stories range from war brides to that of a child who never saw her father until he returned after the war, to those women who survived life in concentration camps. This is timely and a poignant project. These first-hand accounts are gripping.

Mr. Speaker, the average age of the *Women of the War Years* is now over 78 years of age, so

it is extremely important that their memories be captured so that future generations are aware of the war and all that it entailed. It may be 55 years since the end of the Second World War but the lessons of this war remain with us and are as current today as they were at the war's end. So I want to acknowledge and thank the individuals who have devoted so much time and effort to putting this book together. It will make an important contribution to the historical record when it goes to print this July, and I would encourage all Manitobans to give their consideration to this publication.

### Community Volunteers

**Mr. Scott Smith (Brandon West):** I am pleased to have this opportunity to rise today to recognize the unselfish dedication and community involvement of a special group of people from my constituency of Brandon West. Brandon is well recognized for hosting successful events, many of which have been world-class, and the true success is in the human resources that are in the community. Regardless of the event or the cause, two people who continually stand out and give of their time and seemingly tireless energy are Gail Janz *[phonetic]* and Rhonda Williams *[phonetic]*. They have shown leadership, dedication and caring in their community initiatives and constantly involve the resources of their entire staff.

I was fortunate to be involved in an event that they helped host, and that is the event of the Special Olympics hair-raising event that was in Brandon in April. The object of the five contestants was to raise and access dollar amounts that were hidden in an envelope ranging from \$700 to \$1,100. I was fortunate for myself to keep my hair, but it was very unfortunate for many others to lose theirs. Their enthusiastic personalities set the tone.

Each year, businessman Ron Ball *[phonetic]* gets on board, through their efforts, to allow his restaurant and lounge to host this very, very special event which raises over \$9,000 in the community.

As well, Roz and Heddy Evason *[phonetic]*, two very special people, are continually working to make sure every event in the Westman area

involving Special Olympics is a success. It has been my good fortune getting to know these two people and becoming friends of a wonderful couple.

This year, at the annual mayor's volunteer service ceremonies, I was pleased to see Gail Janz *[phonetic]* and Rhonda Williams *[phonetic]* nominated and win the Business Award for Volunteerism in the Community for their work with Special Olympics and the recognition and the continued commitment to our community. I say to those two: great job and keep it up.

### Children's Services

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I rise on my member's statement. I choose to speak on this occasion, my first occasion of this spring session, on children and the importance of children to Manitoba and the importance of government which considers children and helps empower communities and members in our society to look better after children.

I would like to, first of all, congratulate the Minister of Family Services (Mr. Sale) for initiating a program with the Manitoba Métis Federation which will allow them to have a much greater role in the delivery of services to the Métis people. So my congratulations to the Minister of Family Services.

On the other hand, I think there is a real concern with one of his earliest moves, which is to abolish the Child and Youth Secretariat. Although the Minister has put in place a program, Healthy Child Initiative, there really is no evidence that this is any better. In fact, it looks at this point as if it may be configured with more problems. So we are watching closely and carefully and concerned, concerned also with programs like Taking Charge! and hope that the Minister will make sure that such programs which empower single mothers to help raise their children by helping them into the workforce are not forgotten.

With youth and children, of course, one of the major things is what is the future? Although there are some good things on the horizon, there are some which are concerning.

As I have already spoken out, within 10 days of the government taking office, we had the disappearance of Nortel. We have a report just last week, which puts Manitoba 10th in terms of economic future for the next little while. So I raise these because they are very important to Manitoba, and I really believe that we need to do much better.

\* (14:40)

### Committee Change

**Mr Peter Dyck (Pembina):** Mr. Speaker, I move, seconded by the Member for Emerson (Mr. Jack Penner), that the composition of the Standing Committee on Law Amendments be amended as follows: Tuxedo (Mr. Filmon) for Steinbach (Mr. Jim Penner).

*Motion agreed to.*

### ORDERS OF THE DAY

**Hon. Gord Mackintosh (Government House Leader):** Is there consent of the House for report stage of Bill 9, The Court Security Act?

**Mr. Speaker:** Is there leave?

**An Honourable Member:** Denied.

**Mr. Speaker:** Leave has been denied.

**Mr. Mackintosh:** Would you please call debate on second readings?

### DEBATE ON SECOND READINGS

#### Bill 19—The Holocaust Memorial Day Act

**Mr. Speaker:** On the proposed motion of the Minister of Labour (Ms. Barrett) for second reading of Bill 19, The Holocaust Memorial Day Act (Loi sur le Jour commémoratif de l'Holocauste), which is open.

**Hon. Steve Ashton (Minister of Highways and Government Services):** Mr. Speaker, it is a very great honour to speak on this bill and to reflect, as other members have reflected, on the significance not only of passing an act of this Legislature, which is always, I think, something

that we should do in a very serious way, but the fact that when we do pass this act, I have no doubt that this will become a permanent feature of our legislation in this province, a permanent recognition of the Holocaust in the context of this act, The Holocaust Memorial Day Act. It is not often that we pass legislation in this House that we know will stand that test of time.

I think that is clear, because there can be no one in this House that cannot reflect on the horror of the Holocaust, the continuing experience in the lives of many of the Holocaust survivors, some of whom are in our own community here in Manitoba, and the terrible realization that this happened within a lifetime of our sitting in this House in the year 2000. This is not something from ancient history, Mr. Speaker; it is something from just this past 60 years. In fact, if one looks back at the origins of the Nazis in the 1920s and 1930s in Germany, perhaps by extension of the last 70 or 80 years, this has happened within our lifetime.

*Mr. Conrad Santos, Deputy Speaker, in the Chair*

What concerns me in a way is not that this act and the Holocaust are not recognized in this House. I am sure it is. But there is a growing tendency, I think, in parts of Europe that should know better amongst people to put forward a view which has been called Holocaust denial but at its roots goes even further. That is into a kind of ideology of hatred that I would have thought that history would have expunged from humankind's experience forever.

The bottom line is if one looks at even in our own country, there have been cases, James Keegstra being a good example, a newspaper columnist as well in B.C. denying the Holocaust. You know, I am always amazed at the ability of some people not to recognize facts, but in this particular case to deny the experience of a whole people, Jewish people, I think, is incredible.

I want to say that if anybody denies the existence of the Holocaust, they should do two things. They should visit the concentration camps, and there are people in this Legislature who have spoken about their own personal experience of visiting those concentration

camps, to get some sense of the horror of humankind using all its technological expertise to exterminate an entire people, or at least to try to exterminate an entire people. I would also suggest that if anybody doubts the Holocaust, they should travel in Europe to the many villages and towns and cities that had a thriving Jewish community where today, in many cases, if there is any reminder of hundreds of years of presence in those communities, it is in the graveyards, and even in that case the graveyards are often grown over, far too often ignored.

I know with my own experience, I look at a city I visited many times in Greece, for example, Thessaloniki. That city, one time in the early part of the 19th century, more than 25 percent of its population was Jewish. Mr. Deputy Speaker, I would suggest today that there are a handful, if any, Jews living in Thessaloniki today. That is the experience throughout Europe wherever the Nazis, and we should not also forget the complicity of all of their fascist allies, wherever they occupied within Europe they implemented what has been called historically by them, and I think the title in itself is worth repeating because it shows the banality of the horror to these people, the "final solution."

Now, Mr. Deputy Speaker, the bill references the other victims of the state-sponsored persecution and annihilation of European Jewry. People were targeted for reasons of physical, mental disability; racial or religious reasons; sexual orientation, and indeed for their political views. I think it is important for us to reflect on what we have to learn from this experience, as I said, within a human lifetime.

I want to suggest the following, that this is a whole experience that is particularly unique to the Jewish community. This was the one group that was targeted under the "final solution." It was targeted to the horrific degree, and it was very much an experience of centuries, a culmination of experience of centuries of anti-Semitism. The Jewish community in this province knows all too well not just the horror of the Holocaust, but similar horrors within Russia, within much of Eastern Europe with the pogroms and centuries of discrimination, both religious and civil and legal, against Jews

throughout Europe and indeed the continuing precarious situation of Jewish communities.

I look at many countries in the Middle East where there has been similar discrimination that in many cases has led hundreds of years of Jewish experience to disappear within the last generation. I think that is important, and it is also important for people of all backgrounds to recognize that this is unfortunately far too often the experience of human history and that we have to learn to say "never again."

\* (14:50)

When I look at our own country in Canada, if anybody doubts the existence of racism in our society and discrimination within our lifetime, and even today, Mr. Deputy Speaker, they need only to look at the experience of many Canadians today, many Canadians of many backgrounds who are subject to daily discrimination, and first and foremost our First Nations people, but even within Canada in this same context our terrible record on discrimination against the Jewish community.

Mr. Deputy Speaker, I would invite people to just read some of the quotes, I believe, from former Mackenzie King, former Prime Minister of this country. He in 1909 said that Canada would always be a white country, by which he meant discrimination against people today we would classify in terms of visible minorities but also in particular in that day and age and when the individual became Prime Minister, direct discrimination against Jews, both Jewish Canadians and those who attempted to come to Canada as refugees from Nazi Germany. It was this country that turned away refugees through no other reason than the fact that they were Jewish. It was in this country, in this city in the 1940s, the Jews were the victims of quota discrimination on admission to educational institutes, and there are people in our community who still remember that.

It has not been that long that we have seen the discrimination against Jews in terms of private facilities, golf courses, et cetera. It is not even only within our lifetime. It is within the last decade or so that we have only just finally seen some of the elimination of some of the direct

barriers that were put in place. Those kinds of elements of discrimination may seem minor compared to what we are talking to today. But, you know, the Nazi horror, the Holocaust was rooted in centuries of discrimination, both direct and indirect, and in centuries of the developments of racist attitudes that I would suggest may exist less today in legal forms but still do exist in certain segments of our population. So we need to recognize that historic fact and the fact that all racism is something that we should not accept in any form.

So I want to suggest, Mr. Deputy Speaker, that we learn that lesson and do two things. One is never to forget in this province the experience of the Holocaust, and by extension our role both—as was pointed out by other members—in the liberation of Europe, which I believe was probably one of the proudest episodes in our own history, but also the fact that we practised direct discrimination in our own country against Jewish Canadians, something we should never forget as well.

I also want to suggest that we follow through on a second thing. I want to suggest that this is sometimes more difficult for us to do when confronted with the horror of genocide. It is far too easy to suggest that we can recognize that horror and then move on. I do not believe we can. If we are truly to live up to the memory of the millions of people who died as a result of the Holocaust, we should commit ourselves as individuals and as a Legislature to recognize racism where it does exist in our society and to banish it in its entirety.

Mr. Deputy Speaker, that is not always easy to do. We have seen incidents in this Legislature when there have even been restrictions on our ability to get up in this House and talk about racism, but I see it in our society. I see it on a daily basis. I see it in systemic forms, with people facing systemic barriers to inclusion, and I see it on occasions where I see racist comments and racist behaviour most often directed towards people in our society who have suffered decades, in fact centuries as a result of discrimination.

I want to suggest, Mr. Deputy Speaker, that what we have to do is move beyond some of the types of legislative approaches we have had to

racism in our province, which are complaint-based, which in their day were significant. I want to suggest that we move forward and look at some of the types of legislation that have been brought in—I believe in Britain, for example, the Race Relations Act—that go further to establish a clear zero-tolerance policy on racism, not just racism in terms of hiring, not just complaint-based mechanisms but saying it is unacceptable to make racist remarks toward somebody and racist comments or treat people in a racist or offensive manner.

I had a good friend of mine relate how, only about 15 years ago in Vancouver, he was spat at by someone because he went and asked if they needed any help, needed any directions. Now need I add that the individual I am talking about is from Indo-Canadian background?

Mr. Deputy Speaker, those kinds of incidents happen all the time. What we need is to have a mechanism in place that establishes not only the principle of zero tolerance but basically makes it clear that we as a society will take action against people or against organizations that exhibit racist behaviour. That, by the way, I believe, includes the Holocaust denial movement. I will call it that because it does exist in our country; it does exist across Europe. Because we have to reflect that those that seek to deliberately deny the Holocaust, I believe, are not doing so on the basis of historical examination. The historical evidence is clear. It is because—

**An Honourable Member:** It is racism.

**Mr. Ashton:** It is racism, as the Member for Brandon West (Mr. Smith) points out. Because if they can deny a horror as great as the Holocaust, they can continue to justify or turn a blind eye, not only to anti-Semitism, but also to discrimination in all its kinds.

I suggest, Mr. Deputy Speaker, we should be a leader in the world because Canada, I believe, despite its racist history—and let us put that on the record. I mean, we did not give the vote in this country to aboriginal people—in Manitoba till 1952—until 1960. You know Indo-Canadians and Asians were not able to vote in British Columbia till 1947 and it was not until 1948 that

Japanese-Canadians were able to vote. So we have had legal discrimination that will match anything of apartheid, any of the racist systems in the world, and including by the way much of the legislation that was in place for many years involving aboriginal people. So we do have—

**An Honourable Member:** The Indian Act.

**Mr. Ashton:** As the Member for the Pas (Mr. Lathlin) points out, the Indian Act. We have a record of legal, institutionalized racism, but what I am suggesting is simply getting rid of legalized racism does not get rid of the attitude.

\*(15:00)

Here in Canada we have a tremendous opportunity because we have one of the most diverse countries in the world. I do not believe there is a country in this world that has more people, such as myself, who were born outside of this country. There is, I think, a real effort on the part of many Canadians to start to undo many of the wrongs committed against First Nations, Métis and Inuit people. I want to suggest here in Manitoba we have a tremendous opportunity, because we have probably the most diverse population in the country. We have the highest Aboriginal population. We have people from all over the world, and we have a vitality that I think is tremendous. It is not just the numbers of people here. We have more than a hundred languages spoken, for example, in this province. Even the vitality of communities, I point by the way to the Jewish community in this city as probably the best example of that. It is seen, I know, across the country as being one of the most vibrant Jewish communities anywhere. But you know that diversity should not only be seen as a fact, it should be seen as part of our identity and one of our main strengths.

You know, Mr. Deputy Speaker, I think we are showing as a country just how far we are moving in this direction. I will put this on the record, because I think it is very appropriate when we are talking about shifting attitudes. In a country where 53-54 years ago Ujjal Dosanjh would not have even been able to vote in an election in British Columbia, I say it is a proud moment for this country when Ujjal Dosanjh, an Indo-Canadian, an immigrant Indo-Canadian, is today Premier of that province. That sends a

message, I think, that we should be sending here in Manitoba, in this province as well, a message of inclusion, a message of the fact that not only are we diverse in terms of our ethnocultural make-up, that we are committed to diversity.

We see that as one of our greatest strengths in an increasingly global economy, for example, having those vibrant communities in this province. We have for every one of those hundred languages that are spoken in this country; they are bridges to a world in which that ethnocultural diversity is becoming increasingly global diversity.

That is the one vision. The other vision exists. It is a vision that rears its ugly head in our country. It is a vision that is rearing its head, sadly, right in the centre of the origins of the Holocaust. When I see far-right parties in France, Germany or in Hitler's country of birth, Austria, parties that practise the same basic principles, Holocaust denial and racist, fundamentally, patently racist, anti-immigrant, anti-Semitic policies, I say, Mr. Deputy Speaker, we are living in a fool's paradise if we assume that we cannot slip back into that. I say when we see continuing examples of people being targeted for no other reason than their ethnocultural background, dare I talk about the horror of Rwanda, the horror of that kind of holocaust in just the last decade exhibiting its ugly head?

I know many people will reference history. It has been stated many times that those who do not learn from history are condemned to repeat it. There is much truth in that, but I would just suggest we go one step further and we say it is not just a question of learning from history, it is a question of constantly remembering history because, whether it is us in this Legislature on debate on Bill 19 or whether it is people in their daily lives, one of the messages I always take to people is: Do not forget, history is not something that other people did. History is something that we are part of. So we have choices. We can influence history. We are part of it in our daily lives. We are part of it in this Legislature. We are part of it in Canada and the year 2000. We are part of it globally.

So for what it is worth in debate on this bill, and I do consider this significant because there

will be very few bills passed in this Legislature, the life of this Legislature, that I would suggest would withstand the test of time. As much as we like to believe as a new government that much of our legislation will fit that test, and I have the distinct feeling, having had the opportunity to be in this House over a number of governments, having been in government and opposition and being in government again, that there is a tendency sometimes for governments to get elected and change legislation that was brought in by the previous government, to try and perfect things, to add to things and sometimes legislation that governments feel is the ultimate accomplishment. Something that will stand the test of time within even two or three years with a change in government can become amended or taken out of the statutes entirely, but I know this bill will be here in a hundred years. This bill will be here in 200 years, so forgive me if I talk on a little bit more of a broader perspective, because I think on this legislation we may have the chance to sort of note a little footnote in history on this.

What I would like to complete my comments on is that note, because if we can do the great ultimate memorial, I believe, to the Holocaust, to the victims of the Holocaust, to the survivors of the Holocaust, we will say today that this legislation will be passed and remain on the books in Manitoba for eternity. I think we will say that today, as I have said before, not only do we learn from history, we remember it; we remember we are part of it. Perhaps, as a part of this process, if over the next number of years we can take some of the same kinds of steps that people only decades ago were taking against legal discrimination in this country, let us not forget that they triumphed. If we can do the same today, pick a zero tolerance on racism, use our creative energies to think of ways of stamping it out of our society within a generation, a goal nothing less than that, I would suggest, that would be the best memorial we could ever provide on the Holocaust.

As I go by the physical memorial here and I see the names of the victims, and as I have heard from survivors and discussions of survivors, the pain that has been with them for their lives, we cannot undo that fundamental historic injustice, that horror of the Holocaust; but, by committing ourselves to zero tolerance of racism and

eradicating racism from our society in the next generation, we can not only ensure that it does not rear its ugly head in this country. We can be a beacon of hope to the world, a country such as Canada with such diversity, with zero racism, with one of the best qualities of life in the world. That, I think, would take the memory of the Holocaust survivors, take that message to the world, and, I would suggest, in our own small way would make a real commitment to making sure that never again will people be targeted for extinction because of their race or religion or ethnic background or sexual orientation or political views or for any reason. Thank you.

\* (15:10)

**Mrs. Joy Smith (Fort Garry):** Mr. Deputy Speaker, I rise today to speak to Bill 19, The Holocaust Memorial Day Act. It is indeed an honour to support such a bill. I think it is long past due. When I read the bill, I was gratified by the fact that we have in print the recognition of the Holocaust and the recognition of the fact that we care about what happened during the period of the Holocaust. With this bill, I would agree with the Honourable Member across the House that this is a bill that will stand the test of time over the next hundred years. I am very, very pleased to support this bill.

One thing that has not been covered here in the House is the fact that on the war memorials across our country we have the quotation "lest we forget" and with Bill 19, The Holocaust Memorial Day Bill, we will not be forgetting the horror, the degradation, the kind of horrific time in history when the Jewish people were brought under persecution. I think that in Manitoba this Memorial Day Act stands as a banner for North America, a banner against discrimination, against racism and persecution. I know that in Winnipeg we have a very strong Jewish community, families whom I know personally who were touched by the Holocaust. Often I have sat down and I have talked with them. I have relived some of the things that they have gone through, and it is with great sadness that I personally have listened to the recounting of events during this tragic time in our history.

On another note, I know my own father was a World War II veteran, and in our family he

brought to mind on a regular basis the kinds of things that we need to remember so it never happens again. I have to say that in this bill, we have set a standard for the rest of the world, a standard in terms of eliminating racism and eliminating the kinds of things that happened during the Holocaust where a nation can be discriminated against at the will of a leader. It is with great regret that I read the historical accounting of what has happened.

I know as I listen to my friends who are of Jewish origin and I see the pain in their eyes when they start to remember the horrific times they had during this 12-year period where the Jewish people were under terrible opposition and terrible racism, when they recount the kinds of things that they had to go through, and I know our friends have often said they wondered why this had happened. I think it happened in part because we did not have bills in place like this. We did not have a standard set where we refused to persecute or refused to be aware of the 6 million who were persecuted for their religious and racial origins. That should never happen in the history of Canada, North America or any other country on the globe. It is sad when people have the kind of hatred and the kind of cruelty to such an extent that the objective was to obliterate a whole race. But, you know, I have to applaud the resilience of the Jewish people, and I know our own friends have said, you know, we forgive but we cannot forget because it is such a part of our history.

So, here in Manitoba, I am very, very proud to support Bill 19, The Holocaust Memorial Day Act. I am very proud to be a part of an Assembly that would put such an act forward. I am very proud to say to the Jewish people and others who were persecuted for religious or racial reasons that we will not tolerate that here in Manitoba and indeed Canada. We are taking a stand. We will remember. That is something we will not forget. And to the millions of war veterans who fought in a war to free people, we too are carrying on that tradition because what we are causing is to have freedom of the right to worship or come from any race, freedom to be in a nation that is truly democratic, but also to be able to remember what did happen so it will never occur in the future again.

So, I thank you, Mr. Deputy Speaker, for this opportunity to rise to the occasion and voice my support and my delight in being able to support The Holocaust Memorial Day Act.

**Hon. Gord Mackintosh (Minister of Justice and Attorney General):** I welcome this opportunity to speak on this bill. I think it is important for me to offer some reflections, both of my own and of others, on this most serious of issues. It is very important of course; it should go without saying, that this Legislature declare Yom Hashoah. I guess the first question I have that nags me is, Why did it take so long? We do know that starting with Ontario in 1998 and then with several other provinces, provincial legislatures have begun to formally recognize Holocaust Memorial Day. I believe we are about the fifth or perhaps the sixth in Canada to take this action in a relatively short period of time since Ontario's first step, and I know that there are many, including myself, who hope that the federal Parliament will also pursue this recognition.

I know that in February, the Government of Sweden hosted a forum on The Holocaust from which a declaration came. One of the statements in the document that emerged from the forum encouraged Holocaust remembrance through appropriate forums including an annual day of Holocaust remembrance. The Canadian delegation, which I understand was led by the Deputy Prime Minister Herb Gray, heartily endorsed the declaration. So, indeed, we look forward to some federal action.

I want to talk about what I perceive is the values of this legislation. We are so aware of the pain that survivors of The Holocaust bear, as well of their value in disseminating the horrors, the history and the reminding that is so critical if we are to have social development and move ahead to ensure that this never occurs again. I have had the privilege of visiting with survivors and families as the MLA for St. Johns. Indeed, as the MLA for St. Johns, I am very, very proud of Jewish history in the north end and in my neighbourhood, the neighbourhoods of both the north end and West Kildonan. I have learned many lessons from visits and friendships with members of the community and volunteer associations, so we all can recognize the

absolute seriousness, the terror and the lessons of the Holocaust.

As well, there have been many people who have visited the Old Country and have seen first-hand the places of the Holocaust. Often these are families of survivors and often they are not. There is a program called March of the Living. It is an international event that unites 7000 teens with Holocaust survivors and allows them to visit these places. That, Mr. Deputy Speaker, is a very important way of passing down the lessons and bringing home to people the horrors.

\* (15:20)

In a recent article in the Times from north Winnipeg, there is a description of what one north Winnipegger discovered while involved in the March of the Living. Karen Appel is a University of Winnipeg student, and she said that the evidence is hard to ignore and also cited the emotionally wrenching dome of ashes that she visited. That is a dome-shaped monument built around the piled-up, charred remains of massacred Jews, and she said you can see pieces of bone in it. You can feel so helpless because there is nothing you can do to change it, aside from ensuring that it never happens again and going around and talking about it.

So the point, Mr. Deputy Speaker, is that going around and talking about it is critical, and this bill, I believe and I hope, will supplement the lessons of the survivors, the learning and lessons of the visitors, whether they be teens or families, students or others. So we have to recognize that the bill really has two fundamental reasons. The first is to honour, to show respect and to mourn those who are victims, and, as well, to honour and respect the survivors.

*Mr. Speaker in the Chair*

In this Legislature, Mr. Speaker, we are too aware of a decision taken here, a decision by the Chair, that said that in this Chamber we cannot use the term "racist" policies.

Mr. Speaker, I recognize you come to the Chair new, with vigour and different approaches, and I hope that I can stand here and every MLA

can stand here and talk about racist policies because, if I am prevented from doing that, I am no longer able to have a role disseminating the lessons of the Holocaust. Who can deny the ability of elected MLAs to refer to the racist policies that led to the Holocaust, to the racist policies of first boycotting Jewish businesses and ending with the racist policy of mass murder?

So it leads to the second fundamental reason for the legislation, and that is its educational value. Here is where I have my second nagging question. We have all heard the contributions in the Chamber, the good words, the concern, the insights. It nags me and I am sure it nags everyone here in this Chamber, because can those concerns and those insights translate into ensuring that indeed this never happens again?

The educational value of this bill was recognized by Moshe Ronen, the Canadian Jewish Congress National President. Reflecting on the Stockholm conference, he said: as eyewitnesses to the events inevitably disappear, we must make every effort to collect and preserve their accounting of events. We must also be on guard against propagandist and deniers of truth and history trying to purvey poisonous lies. He also talks about the good words, the concern and the insights provided by the Austrian Chancellor Viktor Klima at the Stockholm forum on the Holocaust.

He talks about how the Chancellor spoke with eloquence and passion when he said, and I quote: the Holocaust is not only the worst crime of the 20th century, it is one of the most monstrous crimes in the whole history of mankind. Anyone who does not say this clearly and unambiguously is unsuitable to be entrusted with any responsible public position either national or international.

Mr. Ronen then concluded that, given this courageous and unequivocal statement from this Austrian leader, it is a shameful and perverse irony that only days after the close of the conference, an agreement has been reached to include the far right party of Jörg Haider and the Austrian government.

So that nagging feeling that people have, Mr. Speaker, bears out in events only two

months ago. At least the appropriate consequence came to Mr. Haider, but that was later. The Executive Vice-President of the Canadian Jewish Congress, Mr. Jack Silverstone, recognizes as well the value of this legislation. Commenting on the Prince Edward Island legislation that passed on December 9, 1999, he said—and oh, by the way, it looks like he had the ability to speak to the Assembly, I suppose the counterpart here is the ability of the public to speak to standing committee on this bill. He said: "This bill is part of the trend toward recognition in this country and internationally of the greatest crime unfortunately of this century and perhaps in all of recorded history, the mass murder of 6 million men, women and including one and a half million children."

What also bolsters that nagging feeling, Mr. Speaker, is the fact that the social and political forces in Europe at the time of the Holocaust failed to rise up in support of the Jews. Lest we think that Canada was somehow the good place, if somehow people think that Canadians were still there, I refer to the writing of Irving Abella and Harold Troper in their book *None Is Too Many*. *None Is Too Many* is the title because an immigration official is recorded as saying that when it came to Jewish immigration: "None is too many." The authors write, and I want to quote this: "Why during the '30s and '40s could Canada find no room for the tormented Jews of Europe?"

\* (15:30)

The single-mindedness with which the Nazis murdered the vast majority of European Jews was seemingly matched by the determination of Canada to keep out these same people. Only a tiny handful were given permission to enter the country. During the 12 years of Nazi terror, from 1933 to 1945, while the United States accepted more than 200 000 Jewish refugees; Palestine 125 000; embattled Britain 70 000; Argentina 50 000; penurious Brazil 27 000; distant China 25 000; tiny Bolivia and Chile 14 000 each; Canada found room for fewer than 5000. What Canadian history books do not mention and what few Canadians talk about because they do not know or worse do not care is that of all the nations in the western world, of all the states that could have received refugees, theirs has arguably the

worst record for providing sanctuary to European Jewry.

So we have challenges, Mr. Speaker. We want this bill passed but more so we want this bill to have real meaning, to change, to bring the attention of Manitobans to this matter, to their thinking, their behaviour. It is the least that we can do, but we also have a role after this bill is passed to do our part individually and collectively to bring home the real meaning behind this legislation. What a great challenge. We must all rise to that challenge.

How could this great crime have occurred? I refer to another writing. It is by Renare Baum.[*phonetic*] In 1981 he wrote *The Holocaust and the German Elite*. There is some great thinking in this book, where on page 3 he talks about our ability as humans to respond with profound moral indifference to the fate of our fellow human beings in modern times. It is a moral indifference, he said, the ability not to care that gives the Holocaust a radically distinctive and modern face.

I want to refer to the further words of Mr. Baum [*phonetic*] because I often think of this in the area of the Justice portfolio and the crime statistics that are released on a regular basis.

He says: "To some extent, responding with moral indifference to the fate of our fellow men is built into the very fabric of modern life. When we hear about violent crime, about murder and rape, and see the victims on the television tube then these victims and their fate remain for most of us, most of the time, just statistics."

Some wit remarked: "A statistic is people with the tears wiped off."

"Also, treatment of others and of ourselves in a compartmentalized fashion where we pay attention to only one aspect of human existence, the work role, that of the patient or the welfare recipient, is part and parcel of everyday existence. To an important degree, the organization of modern social life demands that we treat each other as statistics. No doubt that entails often more thoughtlessness than was possible in pre-industrial social orders."

He then goes on to talk about the change in how we have organized our communities. He said: "The near inevitability of responding to another with moral concern was a characteristic of traditional village life. Villagers could hate each other, love each other, or orient with ambivalence to each other. The one thing they were scarcely capable of was mutual indifference."

Indeed it is a great challenge. It is a greater challenge as we become more urbanized, as we become more reliant on statistics to discover trends and patterns. But, as we do so, both with urbanization and the use of statistics, we are losing some fundamental and underlying empathy.

This bill, Mr. Speaker, is certainly more than an Order-in-Council. It is certainly more than the Premier's declaration. It is legislation. It becomes the law of Manitoba. I am proud to be here today to support this bill and to speak to it. I believe I bring to the Assembly, as well, concerns and some thoughts of many constituents. It is important that we stand up to fascism in all its forms. Indeed, Tommy Douglas once said that "fascism does not just come in a brown shirt."

But I implore all of us, each and every one, that we take whatever steps we can to ensure that this bill lives on, that it is not just simply going to lead to a title being given to a particular day of the year but will in fact rally tension, concern and adjustment, and that it will be one tool in a tool chest to fight apathy. Thank you, Mr. Speaker.

**Mr. Doug Martindale (Burrows):** It is a privilege to speak today on this important bill, The Holocaust Memorial Day Act. This bill recognizes in Manitoba Yom Hashoah, the Day of the Holocaust, as a day of reflection about the enduring lessons of the Holocaust.

One could ask why this bill is needed. I think there are a number of answers. Of course, we want to remember and commemorate the 6 million Jews who were annihilated during World War II. We need this bill because some individuals—very few fortunately, but there are still some individuals who deny that the

Holocaust actually took place, in spite of the fact that there is massive evidence that it did.

This bill is needed because even today there are still acts of anti-Semitism and some of these acts occur in Manitoba. There are occasional acts of vandalism and graffiti and desecration of synagogues and cemeteries. So this bill creates an opportunity, not that we should have to create an opportunity once a year, but it does give us the opportunity once a year to talk about the Holocaust and to talk about human rights and to talk about all of the other things that are listed in this bill: systemic violence, genocide, persecution, racism and hatred.

So we look forward in the future, beginning this year, but in future years to talking about Holocaust Day every year by way of members' statements, by way of speeches and by way of commemorative events. I think it is important that we as members of the Legislature take part in that, because we are important leaders of public opinion in our community, so we can take a leadership role every year on Holocaust Memorial Day.

\* (15:40)

In 1976 my wife and I visited Europe, and when we were in Basel, Switzerland, we were visiting with a friend who was studying theology there. We got into a very interesting discussion because someone asked us where we were going to go after we left Basel, and we said that one of the places that we planned to go to visit was Dachau Concentration Camp Museum. There was a student there who was from Germany and he said, well, you know, I think it is really a museum for Germans about our history. Everyone else, the other students in the discussion, said, no, we think it is a museum to educate people all around the world.

Subsequent to that discussion, we went to Dachau Concentration Camp Museum, and I regret that I did not look up the diary that we kept to see what our thoughts and feelings were at the time, although I do remember that it was very depressing but also a most necessary and educational visit. If memory serves me right, the slogan that people want us to remember is: The result of the Holocaust is never again, and I

believe that that is displayed prominently at Dachau Concentration Camp Museum.

It was very educational for us to read not just about the Holocaust but about the history of anti-Semitism leading up to that terrible era in modern history because the way was prepared for that by literature and by almost everything in the culture, which basically said that it was acceptable to criticize and to persecute and to vilify this group of people. Not having been familiar with that history, this was new and enlightening for me. I think probably having only studied the Holocaust in high school, I would have assumed that this happened sort of overnight, that because the Nazis had this tremendous power to do whatever they wanted they decided one day that this was a goal that they were going to pursue. But it was very, very interesting for me to read about how society had really been prepared by this long history of anti-Semitism.

In the 1980s, I was a guest on a panel on the Holocaust at Rosh Pina Synagogue, and I was asked—I think my name may have been suggested or I may have been asked by my friend, Sandy Hymen, who is a member of Rosh Pina Synagogue, because I am a United Church minister. So I was the Christian representative on this panel, and I would have to say that it was the most difficult speaking engagement that I have ever taken part in because what does one say as a Christian when talking about the Holocaust? Well, there is almost nothing that one can say because Christians were definitely complicit in the Holocaust. It could not have taken place without the complicity of the Christian church.

After the panel discussion, members of my youth group and I met survivors of concentration camps who worship at Rosh Pina Synagogue. They showed us the tattoo numbers, I believe on the arm, and they showed us pictures of them that were taken of them after the war. That was very startling and very educational for myself and members of the youth group.

Most recently, my wife and I were at Rosh Pina Synagogue for an interfaith Seder, which was organized by B'nai Brith and others. We

found this to be also very interesting and educational and hope to take our children next year because it is important that they get exposed to the Jewish faith and to opportunities like this to learn about our Jewish brothers and sisters. Just in general, it is a good way to improve interfaith understanding and dialogue.

The previous speaker, I believe, referred to some of the history of anti-Semitism in Canada. I believe there is a book by the title *None Is Too Many* about Jewish immigrants trying to reach Canada during the 1930s. I think the Member for St. Johns (Mr. Mackintosh) pointed out that, although the United States accepted millions of immigrants, Canada did not accept any, even though they were already being persecuted in Germany. So we can see that Canada has a blemished record, that we have taken part in anti-Semitic policies as a federal government, and that there is a need for education in Canada and in Manitoba

I think one of the benefits of the Holocaust Memorial Day is that we can help to educate, first of all, ourselves and then other Manitobans about the Holocaust, about its causes and about its consequences and about the many people who live in Winnipeg and other places in Manitoba who were survivors and who have relatives who perished in the Holocaust. Their names are commemorated annually, and that is a good thing to do. We need to involve more people, students and all sectors of our society in remembering the Holocaust so that never again will something like this happen to the Jewish people or any other people.

Of course, we regret to say that since the Second World War there have been similar atrocities with many, many people in many different countries in the world. But we should all dedicate ourselves to ensuring that we have a role to play in making sure that it never happens again. Thank you, Mr. Speaker.

**Mr. Speaker:** Is the House ready for the question? The question before the House is second reading of Bill 19, The Holocaust Memorial Day Act. Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Mr. Speaker:** Agreed and so ordered.

\* (15:50)

**Hon. Steve Ashton (Acting Government House Leader):** Mr. Speaker, could you please call Bill 5.

**Mr. Ashton:** Yes, I wonder if there might be leave to proceed to third reading of the bill?

**Mr. Speaker:** Bill 5, The Wildlife Amendment Act.

**Mr. Speaker:** Is there leave to proceed to third reading of Bill 9? [*Agreed*]

### THIRD READINGS

#### Bill 9—The Court Security Act

**Mr. Ashton:** Actually, Mr. Speaker, as Acting House Leader, it might be appropriate if we ask for leave, if there was leave to bring forward The Court Security Act for report stage.

**Hon. Steve Ashton (Acting Government House Leader):** I move, seconded by the Minister of Conservation (Mr. Lathlin), that Bill 9, The Court Security Act (Loi sur la sécurité dans les tribunaux), be now read a third time and passed.

**An Honourable Member:** What is the number?

**Mr. Speaker:** Oh, Bill 9.

*Motion agreed to.*

**Mr. Ashton:** Bill 9 for report stage.

**Mr. Speaker:** Is there leave to proceed with report stage of Bill 9? Agreed?

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, would you please call the second readings as listed on the Order Paper.

### Point of Order

**Mr. Marcel Laurendeau (Opposition House Leader):** On a point of order, Mr. Speaker. On a bill of such importance, I do believe there would be leave.

### SECOND READINGS

#### Bill 5—The Wildlife Amendment Act

**Mr. Speaker:** Leave has been granted? [*Agreed*]

**Hon. Oscar Lathlin (Minister of Conservation):** Mr. Speaker, I move, seconded by the Minister of Highways and Government Services (Mr. Ashton), that Bill 5, The Wildlife Amendment Act (Loi modifiant la Loi sur la conservation de la faune), be now read a second time and be referred to a committee of this House.

\* \* \*

**Mr. Ashton:** I am wondering now if we can call Bill 5. It is in the name of the Minister of Conservation (Mr. Lathlin).

*Motion presented.*

### REPORT STAGE

#### Bill 9—The Court Security Act

**Hon. Steve Ashton (Acting Government House Leader):** Mr. Speaker, I move, seconded by the Minister of Conservation (Mr. Lathlin), that Bill 9, The Court Security Act (Loi sur la sécurité dans les tribunaux), reported from the Standing Committee on Law Amendments, be concurred in.

**Mr. Lathlin:** Mr. Speaker, last December I introduced legislation to this House, Bill 5, The Wildlife Amendment Act. The purpose of this bill is to enable the regulation or the prohibition of the activity of penned hunting in Manitoba. This move reflects a commitment made during the 1999 election campaign by the New Democratic Party. I would also note that the Progressive Conservative Party and the Liberal Party both made similar commitments at that time. It should be no surprise then that this government intends now to move ahead with this legislation.

*Motion agreed to.*

The term "hunting" in connection with the activity of shooting an animal that is penned or fenced in or otherwise confined for this purpose is a misnomer in terms of how Manitobans understand and have practised the activity of hunting. Hunting is a long and, I can say, noble tradition in this province. In fact, long before there was a province and long before Europeans came to what is now Canada, for the aboriginal peoples of North America, hunting was a way of life. It sustained and it nurtured. It was an essential part of the cultural identity and for many remains so today.

The first European settlers could not have survived without hunting wild animals. It is only in the last 125 years that we have moved to domestic sources of meat and protein, and for the over 50 000 Manitobans who buy hunting licences today, wild meat is still a preferred form of nourishment. Throughout its long history, hunting has built a tradition and an ethical code that is important to its identity today and to its future.

A key element of the ethics of hunting in Manitoba is the concept of fair chase, that the wildlife that is hunted is hunted on its own terms, where it lives, and that it has the full chance of escape from the hunter. When an animal is confined in order to be shot, this is therefore not hunting in a way that Manitobans know hunting.

My experience in hunting started when I was quite young. I accompanied my father to the trapline every spring. We would hunt muskrat, beaver and so on, and then in the fall I would also accompany him on his hunting trips. As a matter of fact, I shot and killed my first moose when I was still very young, under the expert guidance of my late father. From that period, from that time on, I have hunted every year in the fall. Many times I was successful in getting a moose, but there were also many times that I was not successful in getting my moose even though I would allocate sometimes two weeks holiday time in the fall in order that I might pursue that hunting activity.

So the point I am making is that never did I hunt an animal, a moose, inside a fence or penned in. It was always a situation where you

had to first of all go in a bush, make camp and then scope the area, as I used to say, and then the next day you started hunting. Like I said, you could hunt for three or four days, a week, and if you do not catch up with the moose, well, then you do not get to shoot the moose, and then you go home empty-handed. Lots of times that happened to me.

Hunting is an act whereby a human being becomes a predator. I believe that the act of hunting a wild animal for food is much the same as, for example, someone who goes into McDonald's for a hamburger. Both are choosing to eat meat, and in both cases an animal must die to fulfil the demands of the human being. What is the difference between someone who prefers to eat venison shooting the animal himself or herself and in the case of the person who chooses hamburgers having someone else do the killing for them? I know many hunters. I know how important hunting is to them. My brothers today still hunt every fall, and of course occasionally they will come by and give me a chunk of moose meat. I should also say, Mr. Speaker, when I killed my first moose I was so very proud that I had shot the moose. My dad and I, we skinned it and we cut it up. We put it into our canoe and canoed back to our home on the reserve. It took us two days to canoe back to our home on the reserve.

\* (16:00)

When we finally got home, our home is on the Saskatchewan River, I learned another very valuable lesson at that time, and that is when we got home there was a whole crowd of elders along the shoreline. Somehow they knew that we were coming home. The reason that they were there on the shoreline was to practise a long tradition, and that is when you kill your first moose you do not get to eat any of it. The elders come along and they cut a chunk off your moose and they take it home until finally there is nothing left. So that is another lesson that I learned when I was very young in the activity of hunting.

It is the traditions, the ethics of hunting that Manitobans feel strongly about. Hunting is no different from any other element in a society. It is the aggregate of our traditions, ethics and

principles that determines what kind of society we are and what our values are. On this question Manitobans know what their values are. By a very strong majority they do not want to see the activity of fencing in animals, penning them and shooting them take hold. They do not want that activity to take hold of this province.

We have heard from many Manitobans on the matter of shooting penned animals. I call it fenced animals. I am aware that this activity just does not sit well with the people of Manitoba, the citizens of Manitoba. In fact, in letters and calls that I have received, the reaction against this activity has been very strong indeed.

Mr. Speaker, I know that all Manitobans agree with restrictions or a ban on pen shooting. I know there are some who want to develop commercial opportunities and some who support that they should be able to do so. The fact is, however, that this activity is not widely supported, and it was with this knowledge that we made a commitment to take legislative action.

Some have advanced the argument that shooting an animal is more humane than sending it to the slaughterhouse. In terms of stress experienced by an individual animal, there might be something that is arguable. For better or for worse, however, society has given its stamp of approval to the methods of slaughter we use to produce our domestic meat supply.

This is not really an argument about humaneness. It is about the infringement of a long and valued tradition in how animals are treated in hunting. People are not willing to infringe on that tradition. It is about a sense of fair play that people do not want to see compromised. It is about saying that the ethic central to the hunting tradition in Manitoba does not have a price tag on it.

If it is a matter, Mr. Speaker, of wanting to be humane, then fine, put the animal in a small enclosure and let the owner shoot it, but do not pretend that it is hunting. In Manitobans' understanding of hunting, it is not.

It has been said that we are caving in to animal rights interests in taking the course we

have. I, of course, reject that argument outright. This government firmly supports hunting, trapping and fishing as legitimate and desirable activities. We do not need outside groups to tell us how to treat our wildlife. You will know that we have expressed continuing support for the spring bear hunt. You should know too that, and I am certain members opposite who preceded me as Minister responsible for wildlife will know that it has not been animal rights groups who were the first, nor the most persistent, in calling for a ban on this penned shooting activity.

The Manitoba Wildlife Federation has for years now, without adopting high-profile media campaigns, been urging wildlife management staff and successive governments not to let penned shooting get its hold here in Manitoba. The Manitoba Wildlife Federation, Mr. Speaker, is made up largely of hunters. In fact it is the hunters of Manitoba who are opposed to this idea of canned hunts perhaps more than anybody else. I do appreciate the interest shown in this matter by the Winnipeg Humane Society, but it is not true that they were the first or even the leading proponents of stopping penned hunting.

It has been claimed that there are millions of dollars to be made and that we are denying rural Manitobans a real chance for economic prosperity. Of course, I cannot agree with this argument either. How big is the market for canned hunts? one might ask. How many people can make a living out of this activity? I would suggest not very many relative to the size of the game farming industry. The industry kind of had hoped to survive on penned hunting, where a few people might be able to make a fair amount of money, but where the majority will have to rely on other markets to make their enterprise work.

If one looks at the elk ranching industry, there are diversifying markets and opportunities coming for the sale not only of antler velvet. Processes being established right here in Manitoba at Portage la Prairie give promise of a burgeoning domestic market for the manufacture and sale of medicinal products but also of meat and hides and other by-products.

If the industry is to survive and prosper, it must do so on opportunities like these, not on a

relatively restricted market for Americans and Europeans to come in on canned hunts. I have no doubt, Mr. Speaker, of the very strong negative feelings Manitobans have about penned shooting of animals. If the elk industry is portrayed and known as the people who let other people come in and play Davy Crockett and shooting fenced animals, the negative reaction from the industry's potential customers will damage its prospects for developing the markets that it needs for the future.

Having said this much, Mr. Speaker, please allow me to add that there has been some significant concern expressed by many people about how far Bill 5 goes and what it is intended to do. I have had strong representations from the penned industry and from agricultural groups like the bison producers who have stated that they are worried we intend to disrupt or take away their livelihoods in areas of agriculture or other commerce that have nothing to do with penned shooting. I want to assure them that this is not the case. Bill 5 is about the activity of shooting penned animals for commercial gain under the pretext of hunting.

There is no desire to go any further than this. I want to reiterate my commitment to taking whatever steps are necessary to protect our environment, ecology and wildlife from danger or damage, from the introduction of exotic species that could have very negative consequences, but this is not the specific intent of Bill 5. It is about penned shooting and nothing else.

It is important to remember that The Wildlife Amendment Act is enabling legislation only. Specific regulations to restrict or ban any practice must be made subsequent to its adoption before it will have any effect.

Mr. Speaker, I have committed to an extensive round of public consultation meetings before any legislative action is taken under Bill 5. These will be held in all areas of the province once second reading has happened. We will listen carefully to what is said, and if I have been mistaken in any conclusions concerning penned hunting, I am prepared to make adjustments. I have asked our legal advisers to be prepared to word legislation to reassure agricultural and

other businesses that do not participate in penned shooting that we are not attempting to restrict their trade.

\* (16:10)

We are proceeding with second reading for Bill 5 pursuant to a commitment we made to Manitobans last fall, a commitment the other parties in this Legislature were prepared to make as well.

We are saying with this bill that we understand and support the traditions and ethics that are the essence of the hunting tradition here in Manitoba and that those traditions and ethics are not for sale. So with those words I thank you for listening.

**Mr. Harry Enns (Lakeside):** I move, seconded by the Member for Arthur-Virden (Mr. Maguire), that debate on this bill be adjourned.

*Motion agreed to.*

#### **Bill 6—The Water Resources Conservation and Protection and Consequential Amendments Act**

**Hon. Oscar Lathlin (Minister of Conservation):** Mr. Speaker, I move, seconded by the Minister of Highways and Government Services (Mr. Ashton), that Bill 6, The Water Resources Conservation and Protection and Consequential Amendments Act (Loi sur la conservation et la protection des ressources hydriques et modifications corrélatives), be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Mr. Lathlin:** Mr. Speaker, Canada is blessed with an abundance of the world's fresh water. The importance of protecting our water resources is paramount to the well-being of our country. The early history of Canada centred around our water resources. For thousands of years, the first peoples of this country looked to the waterways for food, transportation and trade.

*Mr. Conrad Santos, Deputy Speaker, in the Chair*

Our lakes and rivers continue to provide an economic base and a way of life for aboriginal communities today. European settlers likewise dependent on our waterways for sustenance, travel and trade. Today all Canadians benefit from the potable water, economic opportunities and environmental benefits provided by our many lakes and rivers. Manitoba, of course, is no exception. Our lakes and rivers played a fundamental role in the development of this province. While birch-bark canoes travelled the southern waters of Winnipeg, Assiniboine and Red River systems, York boats ploughed their way up the Hays River from York Factory, then down to Lake Winnipeg south to the forks of the Red and Assiniboine Rivers. Even one of our first rail lines in Manitoba was built to accommodate the portage of the York boats around the Grand Rapids near Grand Rapids, Manitoba.

Our waterways form the long and challenging highway that brought Manitobans together to stay and settle in this province. Mr. Deputy Speaker, in addition to providing Manitobans with transportation, a fishing industry, tourism and recreation opportunities, our rivers have also provided us with a valuable source of hydroelectric power. Most Manitobans today have greatly benefited from the availability of cheap power. These benefits have come at a cost, however, and the consequences of diversions and dams in northern communities are still being addressed today. All of this is to say that all Manitobans share a history that is directly linked to our lakes and rivers.

Today our social, economic and environmental well-being continues to be dependent on our water resources. Despite the abundance of water in Manitoba, we live in a time where throughout the world supplies of high-quality water are fast becoming a scarce resource. Our decisions about the sustainable use and protection of our water resources are more important than ever. Domestically, there will continue to be a competing demand on our water for municipal use, irrigation, power generation, industrial use and recreation. There are also waterways we want to keep pristine for the benefit of wildlife and for Manitobans to visit and enjoy.

The underlying principle in our decisions about water use must be maintaining our water resources for future generations. In addition to water use pressures here in Manitoba, there is also growing pressures from other jurisdictions for the bulk removal of water from Canada. There have already been concrete plans to ship water from Canada, that is from Ontario and Newfoundland. Fortunately, however, these proposals have been halted.

The bulk removal of water from Canada remains an ongoing concern, however. A recent *Globe and Mail* article talked about an American company called Zurex [phonetic] that has long-range plans for getting access to Canadian water. The president of the company was quoted as saying: we believe there is a market in the United States that can be served by Canadian water supplies. That was in *The Globe and Mail* on February 12 of this year.

Mr. Deputy Speaker, these kinds of statements mean that we must be vigilant in our efforts to prevent the bulk removal of water from our province. Across the country there is agreement that the removal of water in bulk from Canada's major drainage basins poses a significant risk to the environment. To maintain the well-being of our country and our province, we must maintain the integrity of our lakes and rivers.

The legislation we are discussing today must also be seen in the context of large-area planning. The new government will begin the long process of large-area planning to provide a rational context for local decision making. These large areas and the planning within them will be closely linked to the watersheds that make up this province. Through large-area planning, we will begin to address water-use issues within Manitoba on a more regional basis. The challenge of this kind of planning should not be complicated by allowing bulk water to be removed from its natural drainage basin. In fact, one of the tenets of the large-area planning process is that there are overriding policies that guide the planning process. A central policy of large-area planning will be the wise stewardship of our waterways, including a prohibition on removing water in bulk from the Manitoba portion of the Hudson Bay drainage basin.

\* (16:20)

During the election, Mr. Deputy Speaker, we made a commitment to ban the bulk removal of water from our province. This legislation represents our fulfilment of that commitment to the people of Manitoba.

Having said this, we have not been alone in our thinking on this issue. The federal government has also been addressing the issue of bulk water removal as part of a federal water strategy. They have entered into discussions with the provinces and territories to establish a partnership approach to the protection of Canada's water from bulk removal. The federal government's strategy includes amendments to the International Boundary Waters Treaty Act. The amendments will prohibit the bulk removal of water from boundary waters. They have also proposed a Canada-wide accord to prohibit the bulk removal of water from Canada's major drainage basins.

The accord contains a commitment from each jurisdiction to prohibit the bulk removal of water from those portions of Canada's major drainage basins within their jurisdiction. A major issue with respect to bulk water removal is its relation to trade agreements, specifically the North American Free Trade Agreement, which is a federal responsibility.

There has been concern that prohibiting export of water will be subject to a trade challenge. Clearly, whatever we do to protect our environment, including water, must be consistent with trade agreements. The federal strategy is based on the opinion that water in its natural state is not a good or a product and is therefore not subject to NAFTA. If water were extracted and processed, then entered into trade, then it would be a good. Canadian legislation aimed at protecting Canada's ecosystems is focused on water in its natural state, and it is considered by the federal government to be trade consistent.

Ultimately, at the Canadian Council of Ministers of Environment meeting in November, I did not endorse the accord. It was important to us, Mr. Deputy Speaker, we thought, to discuss trade and other issues related to the accord and

to this bill with stakeholders in Manitoba. The information is currently on our Web site with opportunity to provide comments. Our department held a meeting with stakeholders on April 12, and there was a good discussion on this issue at that time. In those discussions, there were those that agreed with the federal accord. There were also some with the opinion that water in its natural state is threatened and that there is a need to reopen the NAFTA discussions to explicitly exempt water from the provisions of that trade agreement.

Having had an opportunity to review the situation and having had discussions with stakeholders, we see the passing of our own provincial legislation and the subsequent signing of the federal accord as a first step to protecting against bulk water removal from our province. We will continue to urge the federal government to do everything in its power to prevent the bulk removal of water from Canada. We do not feel that the federal government should rely simply on the accord, and the provinces, should circumstances regarding the bulk removal of water change.

Bill 6, The Water Resources Conservation and Protection and Consequential Amendments Act, fulfils our election commitment and is consistent with the provisions of the federal accord. The bill sets out a general prohibition against the bulk removal of water from Manitoba's portion of the Hudson Bay drainage basin which is all of Manitoba. It then provides some exemptions to this prohibition. It also enables the establishment of a water management regime by allowing the ability to prohibit bulk removal of water from the sub-basins. Based on the recent consultation, I will be recommending an amendment to the bill to ensure any future division into sub-basins will be undertaken through a public consultation process. I expect to initiate the development of a Manitoba water resources strategy in the near future. This issue will be addressed as part of that initiative.

Within the general prohibition of the bulk removal of water, there are a number of practical exemptions. Number 1, water may be bottled in Manitoba for export in containers of not more than 25 litres or such other size as set out in

regulation. This provides for Manitoba water bottlers to export their product. However, water cannot be removed for subsequent bottling outside of the drainage basin. Water may be removed from the drainage basin if it is being used in care for passengers or animals in transport. Water may be removed from the drainage basin if it is required for the operation of the vehicle or if it is necessary for the transportation of food or products, for example, ice. Water may be removed to meet short-term safety for humanitarian needs with the approval of the government. Water that originated outside the water basin and is being transported through Manitoba will also be exempt. The act sets out significant penalties consistent with other Manitoba environmental legislations: The Environment Act, The Dangerous Goods Handling and Transportation Act and The Contaminated Sites Remediation Act. This legislation is clearly a significant step in ensuring the long-term sustainability of our water resources for the present and future generations of Manitobans.

\* (16:30)

Mr. Deputy Speaker, with those remarks I look forward to the full support of this House in getting this very important piece of legislation passed. Thank you.

**Mr. Larry Maguire (Arthur-Virden):** Mr. Deputy Speaker, I would like to move, seconded by the Member for Lakeside (Enns), that we adjourn the debate on Bill 6.

**Mr. Deputy Speaker:** Is that agreed? There is a motion on the floor by the Member for Arthur-Virden (Mr. Maguire) that debate be adjourned. Is that agreed?

**Some Honourable Members:** No.

#### Point of Order

**Mr. Marcel Laurendeau (Opposition House Leader):** On a point of order, Mr. Speaker. All we are doing is standing the motion down. I have already told the Acting House Leader on that side that after we had stood it down, those members could stand up and speak to the motion until the cows come home if they want.

**Mr. Deputy Speaker:** In my opinion, the Member for Arthur-Virden (Mr. Maguire) had asked that debate be adjourned. We are now calling for a motion of Yeas and Nays. Is the House agreed to the motion?

**Some Honourable Members:** No.

**Some Honourable Members:** Yes.

**Mr. Deputy Speaker:** In my opinion, the motion is defeated.

**Mr. Laurendeau:** Mr. Deputy Speaker, you are not giving us an opportunity to vote on the motion.

Yeas and Nays, Mr. Deputy Speaker.

#### Voice Vote

**Mr. Deputy Speaker:** All those who are in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**Mr. Deputy Speaker:** Those who are opposed, please say nay.

**Some Honourable Members:** Nay.

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

#### Formal Vote

**Mr. Laurendeau:** Mr. Speaker, recorded vote.

**Mr. Deputy Speaker:** Recorded vote being called. Call in the members.

\* (17:00)

*Mr. Speaker in the Chair*

**Mr. Speaker:** The question before the House is that debate on Bill 6 be adjourned.

#### Division

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

**Yeas**

*Cummings, Driedger, Dyck, Enns, Faurschou, Filmon, Gerrard, Gilleshammer, Laurendeau, Loewen, Maguire, Mitchelson, Penner (Emerson), Penner (Steinbach), Pitura, Praznik, Reimer, Rocan, Schuler, Smith (Fort Garry), Tweed.*

**Nays**

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

**Madam Clerk (Patricia Chaychuk):** Yeas 21, Nays 28.

**Mr. Speaker:** The motion is accordingly defeated.

Debate on Bill 6, The Water Resources Conservation and Protection and Consequential Amendments Act, remains open.

The hour being after 5 p.m., time for Private Members' Business.

**Hon. Gord Mackintosh (Government House Leader):** I believe, Mr. Speaker, if you canvass the House if there is consent to waive Private Members' hour today.

**Mr. Speaker:** Is there consent to waive Private Members' hour? [*Agreed*]

**Mr. Mackintosh:** Mr. Speaker, I wish to announce that the Law Amendments Committee will meet on Monday, May 1, at 10 a.m., to consider Bill 19, The Holocaust Memorial Day Act.

I understand that the Lieutenant-Governor is ready to enter the Chamber.

**Mr. Speaker:** It has been announced that the Law Amendments Committee will meet on Monday, May 1, at 10 a.m., to consider the following bill: Bill 19, The Holocaust Memorial Day Act.

**ROYAL ASSENT****Bill 9—The Court Security Act**

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

*His Honour, Peter Liba, Lieutenant-Governor of the Province of Manitoba, having entered the House and being seated on the throne. Mr. Speaker addressed His Honour in the following words:*

**Mr. Speaker:** May it please Your Honour:

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

*To this bill the Royal Assent was announced by the Clerk of the Legislative Assembly as follows:*

**Madam Clerk (Patricia Chaychuk):** In Her Majesty's Name, His Honour the Lieutenant-Governor doth assent to this Bill.

*His Honour was then pleased to retire.*

**Hon. Gord Mackintosh (Government House Leader):** Is it the will of the House to call it six o'clock, Mr. Speaker?

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

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

# LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, April 26, 2000

## CONTENTS

### ROUTINE PROCEEDINGS

<b>Presenting Reports by Standing and Special Committees</b>		Women of the War Years Cummings	610
Standing Committee on Law Amendments First Report Martindale	599	Community Volunteers S. Smith	611
<b>Oral Questions</b>		Children's Services Gerrard	611
<b>First Nations Casinos</b> Filmon; Doer	599		
<b>Education System</b> Filmon; Doer; Caldwell	601		
<b>Bill 72</b> J. Smith; Doer; Caldwell	602		
<b>Income Tax</b> Stefanson; Selinger	603		
<b>Welfare Fraud Line</b> Driedger; Sale	604		
<b>Nursing Diploma Program</b> Gerrard; Sale; Doer	606		
<b>MLA for Fort Garry</b> Allan; Caldwell	607		
<b>Flooding</b> Penner; Wowchuk	608		
<b>Members' Statements</b>			
University of Manitoba Faculty of Nursing Mitchelson	609		
Peter Ken Leppky Wowchuk	610		
		<b>ORDERS OF THE DAY</b>	
		<b>Debate on Second Readings</b>	
		Bill 19–The Holocaust Memorial Day Act Ashton J. Smith Mackintosh Martindale	612 616 617 620
		<b>Report Stage</b>	
		Bill 9–The Court Security Act	622
		<b>Third Readings</b>	
		Bill 9–The Court Security Act	622
		<b>Second Readings</b>	
		Bill 5–The Wildlife Amendment Act Lathlin	622
		Bill 6–The Water Resources Conservation and Protection and Consequential Amendments Act Lathlin	625
		<b>Royal Assent</b>	
		Bill 9–The Court Security Act	629