

Third Session - Thirty-Eighth Legislature
of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS
Official Report
(Hansard)

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Speaker*

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Eighth Legislature

Member	Constituency	Political Affiliation
AGLUGUB, Cris	The Maples	N.D.P.
ALLAN, Nancy, Hon.	St. Vital	N.D.P.
ALTEMEYER, Rob	Wolseley	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
BJORNSON, Peter, Hon.	Gimli	N.D.P.
BRICK, Marilyn	St. Norbert	N.D.P.
CALDWELL, Drew	Brandon East	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CULLEN, Cliff	Turtle Mountain	P.C.
CUMMINGS, Glen	Ste. Rose	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.
EICHLER, Ralph	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin	Steinbach	P.C.
HAWRANIK, Gerald	Lac du Bonnet	P.C.
HICKES, George, Hon.	Point Douglas	N.D.P.
IRVIN-ROSS, Kerri	Fort Garry	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
JHA, Bidhu	Radisson	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar, Hon.	The Pas	N.D.P.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
LOEWEN, John	Fort Whyte	P.C.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
MAGUIRE, Larry	Arthur-Virden	P.C.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MELNICK, Christine, Hon.	Riel	N.D.P.
MITCHELSON, Bonnie	River East	P.C.
MURRAY, Stuart	Kirkfield Park	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
OSWALD, Theresa, Hon.	Seine River	N.D.P.
PENNER, Jack	Emerson	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack	Southdale	P.C.
ROBINSON, Eric, Hon.	Rupertsland	N.D.P.
ROCAN, Denis	Carman	P.C.
RONDEAU, Jim, Hon.	Assiniboia	N.D.P.
ROWAT, Leanne	Minnedosa	P.C.
SALE, Tim, Hon.	Fort Rouge	N.D.P.
SANTOS, Conrad	Wellington	N.D.P.
SCHELLENBERG, Harry	Rossmere	N.D.P.
SCHULER, Ron	Springfield	P.C.
SELINGER, Greg, Hon.	St. Boniface	N.D.P.
SMITH, Scott, Hon.	Brandon West	N.D.P.
STEFANSON, Heather	Tuxedo	P.C.
STRUTHERS, Stan, Hon.	Dauphin-Roblin	N.D.P.
SWAN, Andrew	Minto	N.D.P.
TAILLIEU, Mavis	Morris	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, December 9, 2004

The House met at 1:30 p.m.

ROUTINE PROCEEDINGS

PETITIONS

Pension Benefits

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

Pension benefits for thousands of Manitoba health care workers are being cut because the government has refused to support the front-line health care workers in their desire to maintain their existing Healthcare Employees' Pension Plan (HEPP).

The government is doubling the early retirement penalty to 6 percent a year from 3 percent.

There will be no cost-of-living benefits for retirees in the foreseeable future, which means that inflation will erode retirees' pension cheques over time.

The government's refusal to support the existing pension plan will have a negative impact on hundreds of front-line health care workers.

The government is demonstrating a lack of respect for front-line health care workers by its decision to allow administrative costs in the regional health authorities to skyrocket by millions of dollars.

We petition the Legislative Assembly of Manitoba as follows:

To request the provincial government to consider redirecting administrative cost savings to front-line health care workers.

To request the provincial government to treat front-line health care workers with the respect they deserve, and to consider supporting the health care

employees' pension plan by not cutting pension benefits.

Signed by Ruth Reimer, Monique Rouillard, Leanne Horbaty and others.

Mr. Speaker: In accordance with our Rule 132(6), when petitions are read they are deemed to be received by the House.

Highway 200

Mrs. Mavis Taillieu (Morris): Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

Highway 200 is paved from Winnipeg to the Canada-U.S. border except for approximately a 10-kilometre section between highways 205 and 305 which remains unpaved. School buses, farm equipment, emergency vehicles and local traffic must travel on Highway 200 which is dangerous, if not completely impassable, during wet spring weather and other times of heavy rainfall.

Due to unsafe conditions, many drivers look to alternate routes around this section when possible and time permits. The condition of the gravel road can cause serious damage to all vehicles.

Insufficient traffic counts are not truly reflective of the traffic volumes because users tend to find another route to avoid this section. Traffic counts done after spring seeding, during wet weather or during school recess are not indicative of traffic flows.

Maintenance costs for unpaved highways are high and ongoing. It would be cost-effective to pave this section.

We petition the Legislative Assembly of Manitoba as follows:

To request that the Minister of Transportation and Government Services (Mr. Lemieux) consider paving Highway 200 between highways 205 and 305

to ensure a smooth, safe and uninterrupted use of Highway 200.

Signed by Etienne Bremaud, Rita Bremaud, Yvette Courcelles and others.

* (13:35)

Addictions Foundation of Manitoba

Mr. Jack Reimer (Southdale): Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for the petition:

The Addictions Foundation of Manitoba (AFM) provides intervention, rehabilitation, prevention, education and public information services on the addictions for citizens of Manitoba.

Manitoba's provincial Budget 2004 cut funding to the AFM by \$150,000 and required the organization to absorb a \$450,000 wage settlement.

In order to operate within its budget, the AFM was forced to close 14 treatment beds in its primary care unit and eliminate 10 nursing positions.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Health (Mr. Sale) to ensure that his attempts to balance his department's finances are not at the expense of the health and well-being of vulnerable Manitobans suffering from addiction.

To urge the Minister of Health to consider monitoring the waiting lists for addiction treatment and to consider ensuring that timely treatment for Manitobans with addictions is not compromised by the provincial government's decision to cut the AFM's annual budget.

Signed by Dianne Morrison, Audrey Logan and Monique Haliuk and others.

Physician Shortage—Westman Area

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

The Westman region serving Brandon and the surrounding area will be without an on-call pediatrician for 20 days between November 10 and December 31, 2004.

As a result of the severe shortage of pediatricians to serve the Westman area, Brandon and area women with high-risk pregnancies as well as critically ill children are being forced, at even greater risk, to travel to Winnipeg for urgent medical attention.

The chiefs of the departments of Obstetrics and Gynecology, Family Practice and Anesthesia at the Brandon Regional Health Centre have publicly voiced their concern regarding the potentially disastrous consequences of the shortage.

Brandon physicians were shocked and angered by the lack of communication and foresight on the part of the government related to retention of a local pediatrician.

The Minister of Health has stated that Brandon has to put its best foot forward and recruit its own doctors.

Doctors have warned that if the current situation is prolonged, it may result in further loss of services or the departure of other specialists who find the situation unmanageable.

We petition the Legislative Assembly of Manitoba as follows:

To strongly urge the Minister of Health to consider taking charge and ensuring that he will improve long-term planning efforts to develop a lasting solution to the chronic problem of pediatrician and other specialist shortages in Brandon.

To strongly urge the Minister of Health to treat this as the crisis that it is and consider consulting with front-line workers, particularly doctors, to find solutions.

To strongly urge the Minister of Health and the Premier of Manitoba to consider ending highway medicine now.

Signed by Kevin Reid, Vic Huebner, Mona Mayer and others.

Minimum Sitting Days for Legislative Assembly

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to this petition is as follows:

The Manitoba Legislature sat for only 37 days in 2003, and 2004 is not much better.

Manitobans expect their government to be accountable, and the number of sitting days has a direct impact on the issue of public accountability.

Manitobans expect their elected officials to be provided the opportunity to be able to hold the government accountable.

The Legislative Assembly provides the best forum for all MLAs to debate and ask questions of the government, and it is critical that all MLAs be provided the time needed in order for them to cover constituent and party duties.

Establishing a minimum number of sitting days could prevent the government of the day from limiting the rights of opposition members from being able to ask questions.

We petition the Legislative Assembly of Manitoba as follows:

To request the Legislative Assembly of Manitoba to consider recognizing the need to sit for a minimum of 80 days in any given calendar year.

Signed by K. Hayag, Len Reyes and Ramon Hayag.

Aiyawin Corporation

Hon. Jon Gerrard (River Heights): Mr. Speaker, I wish to present the following petition.

The reasons for this petition are as follows:

We, who are residents of Aiyawin Corporation housing and who are taxpayers, are concerned about mismanagement at Aiyawin Corporation and the lack of accountability of the corporation.

We are concerned about the lack of a clear process for membership in the corporation, the lack

of publicly announced annual general meetings, and a lack of a democratic and transparent process for election of the board of directors.

We are concerned about the lack of a tendering process for work done for the corporation and about nepotism within Aiyawin Corporation for contractor work.

We petition the Legislative Assembly of Manitoba as follows:

To request the provincial government to consider taking over interim management of the corporation so that present employees and tenants can have stability and feel that decisions will be made fairly and transparently and in the best interests of tenants.

To request the provincial government to consider holding a public inquiry into the problems at Aiyawin Corporation.

To request the provincial government to consider putting in place practices and procedures for the future which will ensure that Aiyawin Corporation has properly constituted membership, transparent and open elections to the board of directors, and uses much improved practices for contracting out of work and monitoring and recording that work has been completed properly.

This petition is signed by Tressie Kirkness, John Grisdale and Janet Hamilton.

* (13:40)

TABLING OF REPORTS

Hon. Scott Smith (Minister charged with the administration of The Liquor Control Act): Mr. Speaker, I am pleased to table the Manitoba Liquor Control Commission Second Quarter Report for the Six Months ended September 30, 2004.

INTRODUCTION OF BILLS

Bill 12—The Liquor Control Amendment Act

Hon. Scott Smith (Minister charged with the administration of The Liquor Control Act): Mr. Speaker, I move, seconded by the Minister of Culture, Heritage and Tourism (Mr. Robinson), that Bill 12, The Liquor Control Amendment Act, be now read a first time.

Mr. Speaker: It has been moved by the honourable Minister of Intergovernmental Affairs, seconded by the honourable Minister of Culture, Heritage and Tourism, that Bill 12, The Liquor Control Amendment Act, be now read a first time.

Mr. Smith: Mr. Speaker, the proposed changes will modernize The Liquor Control Act and benefit customers and operators of licensed establishments. This bill includes amendments that will allow to recork wine served with meals and allow the patrons to take home unfinished product. As well, it will allow distillers to establish a retail store.

Other proposed changes include amendments to allow for the sale of grape-based speciality wine spirits and grape-based speciality liquors in speciality wine stores. This legislation would also extend the clearing time at closing from 30 to 60 minutes, Mr. Speaker.

Mr. Speaker: Is it the pleasure of the House to adopt the motion? *[Agreed]*

Introduction of Guests

Mr. Speaker: I would like to draw the attention of all honourable members to the Speaker's Gallery where we have with us today Reverend Joel Ortega Dopico of Cuba, and Mr. and Mrs. Challis.

Also in the public gallery we have with us today the president of the Manitoba Métis Federation, Mr. David Chartrand, and members of the board of directors of the Manitoba Métis Federation. These visitors are the guests of the honourable Member for River Heights (Mr. Gerrard).

Also in the public gallery we have from Carberry Collegiate 30 Grade 11 students under the direction of Mrs. Raegan Dyck. This school is located in the constituency of the honourable Member for Turtle Mountain (Mr. Cullen).

In the public gallery we have from Red River Valley Junior Academy 20 Grades 5 and 6 students under the direction of Mr. Dan McGuire. This school is located in the constituency of the honourable First Minister (Mr. Doer).

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

ORAL QUESTIONS

Métis Hunting Rights Government Position

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, on September 25 of this year, the First Minister spoke at the annual meeting of the Manitoba Métis Federation and indicated that he was in favour in supporting the Manitoba Métis Federation harvester cards. On October 20, his government charged a member of the Manitoba Métis Federation, the Manitoba Métis people, for carrying a harvester card.

On September 25, in favour; on October 20, opposed. Could the Premier stand in his place today and explain to this Chamber and all of the members from the Manitoba Métis Federation that are here today what is his position today?

Hon. Gary Doer (Premier): I did speak at the Métis convention, and it was not the first time, nor will it hopefully be the last, and, Mr. Speaker, I did say that the Province of Manitoba was committed to the principles in the Powley decision and wanted to work with the Métis Federation to implement those principles. We have not, and I did not state at that convention or at that meeting that the Blais decision would guide the government rather than the principles in the Powley decision. Those deal with, as I recall, safety, conservation, historic community, the sustenance issue in terms of food. We are still committed to the principles of the Powley decision, and we are committed to working with Métis people and the Métis Federation to implement how that Powley decision will work in Manitoba.

* (13:45)

Mr. Murray: Mr. Speaker, I was at the annual meeting that the Premier spoke, and I know what the Premier said. There were members of the media that were there. It was very, very clear, and it was directed by a document that the Manitoba Métis Federation put out that said, "At our recent annual general meeting, Premier Doer announced his government would follow the Supreme Court of Canada Powley decision and respect Manitoba Métis rights. Conservation Minister Struthers pledged to honour a Métis harvester identification—"

Mr. Speaker: Order. Once again, I would like to remind all honourable members when addressing other members in the Chamber, it is by member's constituency, ministers by their portfolio. I ask the co-operation of all honourable members, please.

Mr. Murray: I was quoting, but I will change the quote to talk about, "the honourable Minister of Conservation pledged to honour a Manitoba Métis Harvester Identification Card and again assured us Métis rights would be respected."

Despite that, Mr. Speaker, on October 20, this Doer government went out and charged a member of the Manitoba Métis people. Why would they say one thing? Why does this Premier come to an annual meeting to get a standing ovation, to get some political rhetoric and points, and then have his minister go out and charge a member of the Manitoba Métis Federation? Why would they do that? What is your position? Be very clear about it.

Mr. Doer: Mr. Speaker, I gather today that from the Conservative leader, the Leader of the Opposition, he has now assumed the responsibility to direct the Crown of Manitoba when to lay charges and when not. He is now going to assume a political role of when to lay charges and when not to.

In the history of parliamentary democracies, there is a hundred-year tradition where political interference does not dictate when a charge is laid and when a charge is not laid. That is an incredible, incredible failure of duty, Mr. Speaker, in the province of Manitoba.

Mr. Murray: Mr. Speaker, then I will simply quote back to this First Minister, in case he was not aware, that on September 24 the Minister of Conservation stated in a letter to the president of the Manitoba Métis Federation, Mr. Chartrand, "Our natural resource offices are aware of the needs of Métis hunters and fishers who are harvesting in a traditional way. These practices will be respected." That is what was said in a letter sent to the Manitoba Métis Federation president.

Then, on October 20, they go out and charge a member of the Manitoba Métis nation. What is incredible is that this Premier will stand in his place at an annual meeting and say one thing and then, Mr. Speaker, the minister goes out and does something completely different. Manitobans want to be proud

of their Premier. They want to be able to trust the Premier. Manitoba Métis and the rest of Manitobans cannot trust that Premier.

Mr. Doer: In an article on grass roots, my speech is quoted, and it states that I will support the Supreme Court ruling on the Métis hunting, the Powley decision, Mr. Speaker. Just to inform the uninformed member opposite, the Powley decision in Ontario, unlike the Blais decision, does not provide for unfettered hunting rights. In fact, in terms of hunting rights for all of us, there are issues of safety, there are issues of conservation, there are issues of historical communities, there are issues of sustenance, and that is also part of the Supreme Court decision.

Secondly, the minister of a Crown does not go out and lay a charge. Mr. Speaker, conservation officers are required to follow the law, and secondly no charge—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. We are very early into Question Period. All members that wish to ask a question, ministers that wish to respond to a question will have the opportunity. I ask all honourable members just to be patient. I need to be able to hear the questions, and I need to be able to hear the answers. I ask the co-operation of all honourable members.

Mr. Doer: Thank you, Mr. Speaker. The government and Cabinet ministers cannot interfere with Crown prosecutors that lay charges. If the member opposite does not understand that, he has no right to be sitting in that chair.

* (13:50)

Mr. Speaker: The honourable Leader of the Official Opposition, on a new question.

Swan Valley Safe House Closure

Mr. Stuart Murray (Leader of the Official Opposition): Earlier this week I raised the concern about this Premier's (Mr. Doer) cold-hearted, wrong-headed decision, Mr. Speaker, to close the Swan River mental health safe house on January 3. Since this government claimed that they could not afford to

keep the safe house open, I would like to ask this Premier some two weeks after staff were told that the safe house would be shut down due to lack of funding, why is it that his government turned around and advertised four new government positions with salaries amounting to a quarter-of-a-million dollars in the Parkland Regional Health Authority. Why the change?

Hon. Tim Sale (Minister of Health): As part of the continued commitment to make mental health services that are community-based, accessible 24/7, Mr. Speaker, including crisis teams and emergency services, both the Canadian Mental Health Association and Parkland Regional Health Authority are expanding the staff available for community-based services.

The \$83,000 additional grant that is being made to CMHC in Swan River will allow them to hire approximately two additional FTEs to work on an out-patient community-based service approach. In addition, Parkland is expanding their regional support by an additional two positions. This is community-based service. This is where mental health services are going across Canada. It is where we are going, Mr. Speaker.

Mr. Murray: Mr. Speaker, where this government is going is they are shutting down the safe house in Swan River. This government is putting out an ad for four positions, four positions that total \$250,000. Those positions, rather than as the minister likes to talk about, the fact is that Swan River needs 24/7 care. What we are getting from this government in the positions advertised is they are going to be from 8 to 4:30. That is the difference that we are seeing.

We knew that the decision to shut down the safe house was made without any consultation to staff and their clients, without any formal notification to the public. What we did not know was why. Now we do.

A few nights ago, when the vice-president of the Parkland Regional Health Authority was asked why there was no public notification until the media dragged it out of them, the response came back that this government directed them to keep quiet, Mr. Speaker.

Mr. Speaker, will this Premier explain why his government directed the regional health authority to

not make this disclosure public? Why did he actually believe that closure is a logical move? Why is the Doer government muzzling these people?

Mr. Sale: First of all, Mr. Speaker, notice was given under the contract with the Canadian Mental Health Association. It was a required notice, so obviously they did know about it, and they were quite capable of informing their board members, their staff members. We are also working with the Canadian Mental Health Association to expand the support services by the additional \$83,000 grant.

What the Parkland region will have then is an expanded capacity for community-based services. They will have a strengthened crisis mobile team, and I need to remind the member opposite, Mr. Speaker, through you, that when you have an occupancy of a centre that is costing you in the order of \$300,000 a year, on an average of 1 or 1.5 people, you are spending a great deal of resources on a service that probably could be met through home-based support services just as effectively. We need to use our resources wisely.

*(13:55)

Mr. Murray: Mr. Speaker, it is very clear that this minister in the Doer government will not talk to those people who are providing care, because if they did they would realize that the crisis centre there took over a thousand calls last year. There are some 350 clients that visit on the basis that there is a mental health crisis coming. Some of them are staying in the safe house for numerous nights. It provides a necessity for the community. This is a much used facility, and this Premier is being a grinch at Christmas.

I would like to just quote a letter on April 29 that was sent to the Canadian Mental Health Association. It said very clearly, "management staff in the region have met collectively on two occasions and have been asked to identify potential savings and cost-reduction measures that could assist in balancing our budget. At this time, I am requesting the Canadian Mental Health Association identify potential actions that could take to bring around a 5% saving."

That letter was on April 29. On May 6, a letter back to the chief executive officer from Ben Fry, the regional director of the CMHA, said, "I will admit

this was a difficult process." They put forward, Mr. Speaker, their homework sheet. In their homework sheet, they show a savings of \$18,900, \$4,000 of which was from administrative costs.

I will ask this Premier to stand in his place and do the right thing. When he directs those organizations for savings, they are able to find them because they believe in the importance of this kind of a safe house in that area. Will this Premier do the right thing as he is directed? Will he not find that kind of savings out of administrative costs and keep the Swan River safe house open? That is what they want. He should do the right thing.

Mr. Sale: Mr. Speaker, I want to thank the Opposition Leader for making two of the points which I made earlier. First of all, there was a process of dialogue. He has quoted from a letter of April where there is a request to work together to identify ways of doing things better. Secondly, he made the point that there are many calls for services. The calls for services will still be answered. Community-based services for mental health needs is obviously the best way to go because, frankly, when you are only looking after one or 1.5 people with \$300,000 and you can answer those thousand crisis calls, you can provide the Mobile Crisis Team.

The Leader of the Opposition should understand that if somebody is in a suicidal crisis, they would not be admitted to a safe house. They would go to an emergency department because the safe house did not take in people who were acutely suicidal. He should understand that.

Pediatric Dental Surgery Private Clinic Costs

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, the Minister of Health provided *The Winnipeg Sun* with a financial analysis of costs to do pediatric dental surgery in '04-05 and '05-06 in a hospital versus a private clinic. The minister's own analysis over this period of time showed that it was cheaper to do these surgeries in a private clinic rather than in the hospital.

I would like to ask the Minister of Health why he refuses to use private clinics when his own analysis, as pointed out by *The Winnipeg Sun*, shows that it is cheaper to do these surgeries in a private clinic than in a hospital.

Hon. Tim Sale (Minister of Health): The cost per procedure is \$345 in the Misericordia; the cost per procedure that Maples quoted was \$350 per procedure. When we moved cataracts from the Western Surgery Centre into Pan-Am, we saved \$300 per procedure. The equipment that is purchased for Misericordia will deal with pediatric ophthalmology and other procedures that will be shared. That equipment will all be shared and will be there for many, many years. It is completely unreasonable to charge the costs of that equipment to one set of procedures over a short period of time. Our math is correct. We can do it cheaper, and we can build on the strengths of the Misericordia Health Centre and do more procedures of more kinds.

* (14:00)

Mrs. Driedger: Mr. Speaker, I will point out the headline: "NDP Math is a Mess." According to the analysis of these numbers that this minister provided to *The Winnipeg Sun*, the procedure at the hospital is \$66 more than at the private clinic, not less.

Mr. Speaker, the Minister of Health's analysis unfortunately left out significant overhead costs from the financial equation, and even his own vice-president of medicine, Dr. Brock Wright, from the WRHA said a year ago that they were unable to allocate cost to a patient and were a long way from doing so.

So I would like to ask the Minister of Health to explain how he was even able to calculate this cost when his own vice-president of medicine said that it was impossible to do so.

Mr. Sale: Mr. Speaker, this is the same opposition that spoke against moving 100 surgeries to Beausejour so that people in that area could have dental surgery closer to home. It is the same opposition that was against moving dental surgery to Thompson where we do 300 to 400 surgeries a year closer to home. Their only position is private is better; public is not.

The Maples surgery clinic is their only tune that they play over and over again, Mr. Speaker. When will they recognize that Manitobans want a publicly accessible, publicly funded, non-profit health care system that can meet all Manitobans' needs adequately and effectively?

Public Safety Bail Conditions

Mr. Gerald Hawranik (Lac du Bonnet): Time and time again, those charged with violent offences are released into the community only to offend and reoffend again, and the only way we catch up with them is to follow their trail of victims.

Jagjit Saran, who is accused of committing Winnipeg's 33rd homicide, was recently released on bail pending 10 different criminal charges, many of them involving firearms. Another example of this Justice Minister's catch-and-release policy is Jesse James Anderson who is again accused of committing Winnipeg's 13th murder. Jesse James was released on bail again after being charged with 19 offences, many of them firearm related.

While in opposition, the Justice Minister promised a zero-tolerance policy on all violence. Saran and Jesse James are textbook examples of those who should have been denied bail, given the minister's own statements while in opposition.

I ask the Minister of Justice (Mr. Mackintosh) when will he stop the carnage. When will he close the open season on Manitobans and make our communities safer as he promised in the last two elections?

Hon. Dave Chomiak (Acting Minister of Justice and Attorney General): Mr. Speaker, on behalf of the Minister of Justice, I want to indicate that we are not going to shirk our responsibilities. I remind members opposite that we cannot talk about individual cases, but as I understand it in most of the cases that have been cited particularly, the prosecution has opposed the bail.

I might want to add to the member from Lac du Bonnet that the provisions concerning bail are Canadian law made in the Parliament of Canada and are cited, and I looked them up this morning, in the Canadian Criminal Code. Perhaps he could talk to his good friend, the part of the family, the Leader of the Conservative Party in Ottawa that perhaps could ask the federal government to do what the Minister of Justice asked last October, and tighten up the bail provisions and the Canadian parliamentary Criminal Code, Mr. Speaker.

Mr. Hawranik: Mr. Speaker, let me correct this minister. Both the federal and the provincial government—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Hawranik: Thank you, Mr. Speaker. Let me correct the record. Both the federal and provincial governments have a responsibility to play in bail, but I doubt whether the Justice Minister has the courage or the ability to deal with the bail issue. Jagjit Saran and Jesse James are textbook examples of what is wrong with our justice system and with our Justice Minister.

In the meantime, Manitobans are being slaughtered in Winnipeg because of the Justice Minister's lack of action. Violent criminals are let out on the streets of Winnipeg time and time again, only to reoffend and reoffend, and the only way to catch up with them, Mr. Speaker, is to follow their trail of victims.

I ask the Minister of Justice (Mr. Mackintosh) to stop the killing, stop the violence and deliver on his promise to make communities safer and to immediately overhaul the system of bail that we have in this province that he has created under his watch.

Mr. Chomiak: Mr. Speaker, I ask the member to cite section 515 of the Canadian Criminal Code which is an act of Parliament. I might also ask the member to refer back to a statement by the Justice Minister on September 29, 2003, where he asked for three specific amendments to these provisions of the Canadian Criminal Code, and I might quote from the Minister of Justice: First, add circumstances where the onus is on the accused rather than the Crown to prove they are not at risk to public safety; secondly, create a presumption rather than reverse onus in cases that those involved were accused, as an indictable offence will not be granted bail unless they can clearly demonstrate their release will not endanger the public; and, three, require the judge to give reasons.

Those are what the Minister of Justice in Manitoba at a national forum asked the federal government to do in the Criminal Code. I ask the member to ask his good friend, the member for Provencher, who is the Justice critic, to stand up in Parliament today that is sitting and ask that the Criminal Code be amended for the very things the member opposite is talking about and the Justice Minister asked for over a year ago.

Public Safety Bail Conditions

Mr. David Faurschou (Portage la Prairie): Mr. Speaker, my question addresses a justice issue in Portage la Prairie. I would like to ask the Doer government what they are prepared to say to the family of Stephan Prince, a man who was savagely beaten with a baseball bat this past weekend in front of his wife, in front of his two young children, in the sanctity of his own home.

Mr. Speaker, the police have done their job by arresting the accused bat-wielding criminal, but this individual is now walking the streets of Portage la Prairie, even while health care officials tend to Mr. Prince and while the Prince children still cry themselves to sleep with this horrific crime haunting their young minds.

Hon. Dave Chomiak (Acting Minister of Justice and Attorney General): Mr. Speaker, no Manitoban condones the injustice, condones the beatings and condones the violence that goes on in our communities. That is why this government put in place a 67% increase in prosecutions, doubled domestic violence, asked for changes to the Criminal Code and made very, very additional measures to deal with policing as most recently as this week in terms of increasing the number of police, both present in the city of Winnipeg and outside of the city of Winnipeg. No one condones that, and we have taken action to deal with those issues to try to continue to protect all Manitobans.

Mr. Faurschou: Mr. Speaker, I know from the perspective of a former officer how dedicated the men and women of the police services are to protecting and preserving the rights of law-abiding Manitobans. The phrase, "catch-and-release NDP system of justice," was not coined by us on this side of the House. No, it came from the Manitobans who are members of our police services.

Will this government commit today to appealing the release of the individual charged with this heinous crime of beating Mr. Prince in front of his children, in front of his wife with a baseball bat? Will the NDP stand by their promise of zero tolerance of violent offenders being released on bail, or is this just another Doer government broken promise?

Mr. Chomiak: Mr. Speaker, the member knows that he cannot specifically deal with individual cases, even though the Leader of the Opposition (Mr. Murray) and others want to make political head of dealing with matters that cannot be dealt with. I might add that an increase in the budget of 67 percent of prosecutions, a doubling of the domestic violence budget, and the small matter that members opposite seem to neglect over and over again, the adding of 40 police men and women on the streets of Manitoba that members opposite voted against.

I would like to ask the member opposite how he could have voted against adding additional police officers to the city and to outside of Winnipeg, 20 in Winnipeg and 20 outside. How, in good conscience, not only could they vote against it?

Property Taxes (Winnipeg) Education Portion

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, we have learned that, between 1999 when the NDP came to power and the '04-05 taxation year, the education portion of property taxes in the city of Winnipeg is up some 41 percent, more than \$100 million more. We know that residential assessments in the city of Winnipeg are up 23 percent, and we have seen Mayor Katz's pledge to ensure that property taxes do not rise as a result of the increase in assessment. Yet, this government has yet to reassure the property owners in the city of Winnipeg that their education portion of property taxes will not increase.

My question for the Minister of Education is will he assure property owners in the city of Winnipeg today that their taxes will not rise as a result of the increase in assessments in the city of Winnipeg.

*(14:10)

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): Mr. Speaker, my first years as a teacher in the public school system under the administration of members opposite where they essentially abandoned the public school system by not providing proper funding, by making absolutely appalling announcements of minus two, minus two, zero, zero, and a token 2% increase, they—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. The honourable Member for Tuxedo has asked the question, and she has a right to be able to hear the answer. Also I need to be able to hear the answer in case there is a breach of a rule or a departure from our practices. So I ask the co-operation once again from all honourable members.

Mr. Bjornson: Thank you, Mr. Speaker. Yesterday in the House I referenced an article from the Manitoba Association of School Superintendents which said, "During most of the 1990s, funding for public schools was either frozen or reduced such that, by 1999, per-pupil spending was substantially less than it had been in 1992." To go on in the article, "By the end of the decade, Manitoba school boards and educators felt unappreciated and victimized."

Mr. Speaker, I know as a teacher in the first term of this government that I felt appreciated as a teacher, and I appreciated the announcements that we are funding the rate of economic growth for our public schools, \$105 million.

Mrs. Stefanson: The truth obviously hurts here, Mr. Speaker. A 41% increase in the education portion of property taxes in the city of Winnipeg alone is unacceptable, a 23% increase in assessments. If this government does absolutely nothing, which it has become accustomed to doing, if they do absolutely nothing here, our taxes are going up in the city of Winnipeg. This is absolutely unacceptable.

Since the minister has just so much as stated that he will not do anything, will they agree to do the right thing and remove education taxes off residential property to provide tax relief for people in the city of Winnipeg?

Hon. Gary Doer (Premier): The member opposite is asking a question on property assessment. There is no question that, with a growing economy and with growing activity in the city of Winnipeg and outside of Winnipeg, we have a situation that has never happened in the 1990s, the bad old days. We actually have assessment values of homes going up, and we think that is a good thing, Mr. Speaker. The negative nabobs across the way think it is a bad thing. Most people in Winnipeg and Manitoba think it is a good thing. We celebrate the fact that values are going up, and most Manitobans are as well.

Hon. Jon Gerrard (River Heights): Mr. Speaker—

An Honourable Member: Hold it, Mr. Speaker. She has only had two.

Mr. Speaker: She is not getting up.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. The honourable Member for Tuxedo had her initial question, one supplementary question. I looked and she was not rising, so I looked at the honourable Member for Ste. Rose (Mr. Cummings). The honourable Member for Ste. Rose was on his feet, and the honourable Member for River Heights was on his feet.

The honourable Member for Tuxedo has one supplementary question left if she wishes, but I did not see her rising, and we are at Question 7. I had negotiated with the House leaders, with the House, rotation of questions, and in that agreement No. 7 was going to one of the independent members, No. 8 was going to a backbencher from the government side, and the continuing questions, if time permitted, were going back to the official opposition. For whatever reason, if the honourable member maybe was preparing her—*[interjection]*

Order. Because we all know supplementary questions should be seeking further information from the initial question, so if the honourable member was probably putting together her supplementary question, she is entitled to one more supplementary question if she requires. If not, then according to our agreement, I must recognize the honourable Member for River Heights.

The honourable Member for Tuxedo, do you have a supplementary question?

Mrs. Stefanson: Yes, I do, Mr. Speaker.

Thank you very much, Mr. Speaker. Again, this is NDP math at its best. The Premier thought that that was a third question. It was only No. 2, so there we go.

What we have seen clearly is the Premier of this province get up and tell every property owner in the city of Winnipeg that their taxes are going up. That is so unacceptable to people in the city of Winnipeg, as the Premier of our province.

Mr. Speaker, 41% increase since 1999, 23% increase in assessments. Will the Premier stand in his

place today and ensure so that every property owner in the city of Winnipeg will not see the education portion of their property taxes increase?

Mr. Doer: Mr. Speaker, when we were confronted with the situation in the change of government in, I think it was 2002, when the property assessment, the market value assessment of farmland had gone up, we then made the adjustment. Unlike the 1990s, we made the adjustment so farm owners and farmland owners could have the portioning changed in such a way that the assessment change could result in portioning changes that would result in no net tax increases on farmland, based on assessment.

The City of Winnipeg has the ability to deal, and we have not seen all the final numbers with the business portion, the multi-unit dwellers, the family, individual homeowners, farmland, golf courses, all that information is being compiled. Then the decision, therefore, has to be made on what is the portioning for the new assessment, and from there what is the mill rate going to be assessed by the duly elected bodies in the various municipalities across Manitoba.

The fact that the values of homes have gone up is not in itself, Mr. Speaker, a determinant of a tax increase for families. I will give you the Weir Report. It is worth reading. It is important background information for the member opposite on property assessment portioning and how you proceed to go into the future.

Métis Hunting Rights Government Position

Hon. Jon Gerrard (River Heights): Mr. Speaker, I understand that the Manitoba Métis Federation has been trying for more than a year to work with the present government to bring in a responsible approach to implementing the Powley decision so that wildlife and fisheries resources can be responsibly managed in this province.

Only when the present government dithered, delayed, stalled and showed they were not serious in working with the MMF did the MMF bring in a responsible approach to resource management using the Métis harvester cards.

I ask the Premier why his government is so reluctant to recognize the MMF harvester cards.

* (14:20)

Hon. Gary Doer (Premier): Mr. Speaker, we are dealing with, and we have dealt with, the Manitoba Métis Federation on very serious issues of Child and Family Services delegations and authority and the new Child and Family Services agency. It took some time to get it right, but we believe in terms of the obligations we all have that we got it right. We immediately implemented the return to the Indian and Métis friendship centres the clawbacks that had taken place by the newly interested members of the opposition after they had taken this money out of the very important friendship centres across Manitoba.

We are very close to an agreement that has taken some time and some controversy with the Métis Federation dealing with the whole issue of the Hydro development and training proposals that we think are very important.

Mr. Speaker, the Powley decision, the principles of the Powley decision, we support. The principles of the Powley decision we have said we support and we will support. There are five or six criteria in that. It is not unfettered hunting rights. Surely the member opposite would appreciate there are issues of conservation, of safety, issues of historic areas. Yes, we are committed to working with the Métis Federation to implement the Supreme Court decision, and we have said that before. We maintain that position today.

Mr. Gerrard: Mr. Speaker, the Premier talks about historic areas, but my understanding is the Métis roamed over practically all of Manitoba. Now the Premier has said he will recognize Métis rights, but his government refuses to recognize the MMF Métis harvester cards. In this Legislature during last year's session, the Premier said he had consulted with the Métis on the Wuskwatim Dam project, but shortly thereafter, the MMF President Chartrand made it very clear that the consultations had never occurred.

Earlier this week, the press caught the Premier dancing around statements he made in this House. More and more people are questioning the Premier's word. I give the Premier another chance. I ask the Premier when will his government recognize the MMF Métis harvester cards.

An Honourable Member: Oh, oh.

Mr. Doer: Mr. Speaker, sorry. I could not hear, the yelling.

The quote in the speech presented to the Métis Federation is, "We still have work ahead of us on the Supreme Court ruling on Métis hunting. Let me say that we will work together to get a Manitoba solution to the Supreme Court decision, that the government respects the rights of Métis people that were articulated in the Supreme Court decision, and that is what we will develop as we proceed with your president and other organizations."

Mr. Speaker, that is what I said there. That is what we want to implement. Sometimes we get criticized because we do not just immediately—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Sometimes we get criticized, Mr. Speaker. The Leader of the Opposition (Mr. Murray) wants the government of the day now to become Crown prosecutors. You know, we can accept that kind of criticism. I need no lectures from the member opposite, when he was a candidate and a Cabinet minister and promised to abolish the GST. We need no lectures on keeping your word here in Manitoba.

Mr. Gerrard: Mr. Speaker, time and again, this government has consistently been dragging its feet when dealing with Métis issues, from the harvester cards to the Wuskwatim Dam consultations to concerns over compensation around the building of the Grand Rapids Dam, which date back 40 years.

When is this government going to start treating Métis people fairly, individually and collectively? When is this government going to recognize that the Métis harvester card system is a responsible approach to resource management? When will this government get serious in dealing with the Métis people and reach an agreement on resource management, on co-management, on recognizing the Métis harvester cards?

Mr. Doer: Mr. Speaker, I still believe that we can work in partnership with the Métis Federation to implement the Powley decision. The Province of Manitoba has to deal with lots of organizations, and if different organizations issue cards on the same resource, that is a challenge for anybody in this Legislature, and the member opposite would be the first one standing up. Having said that, I also know in terms of Métis hunting, that most Métis people I

visited are opposed to C-68, a position supported in terms of the Métis people who are opposed to that position. I do not hear you listening to that issue of rights here in Manitoba.

Immigration Foreign Credentials

Mr. Cris Aglugub (The Maples): Mr. Speaker, my question is for the Minister of Labour and Immigration. Several days ago I had the opportunity to attend a foreign qualification recognition summit and heard the minister speak on a number of topics. Could the minister inform this House of what proactive steps are being taken to address this important topic for new commerce to Manitoba?

Hon. Nancy Allan (Minister of Labour and Immigration): We are very fortunate in Manitoba because we have a dedicated team of people in our Immigration Branch who have been working on the qualifications recognition strategy with our partners in the community. We have an action strategy and we also have an action plan. We have four programs that are up and running. We have one at the University of Manitoba, the foreign-trained doctor program. We have a pharmacy program, we have an engineering program, and we also have a program that is in development for teachers. We had an opportunity at the summit the other day to have all of our partners in the room, the regulatory bodies, the licensing bodies and the employers and the educational institutions with us so that we can continue to move these barriers.

Mr. Speaker: Time for Oral Questions has expired.

MEMBERS' STATEMENTS

Flin Flon Constituency Events

Mr. Gerard Jennissen (Flin Flon): Mr. Speaker, I would like to report to the House on two great events my wife and I attended recently.

On Sunday, November 28, we participated in the Canadian Martyrs Catholic Church Seniors' Supper. This annual event is interdenominational in nature and many Cranberry Portage volunteers support this tangible gesture to honour our seniors. Twenty-five seniors enjoyed the festive event and 27 suppers were delivered to those seniors and shut-ins who could not attend. I extend a big thank-you to all

volunteers who helped make this fabulous meal for our senior a reality.

The second event my wife and I attended was the Christmas concert presented by the Flin Flon Community Choir at the R. H. Channing Auditorium on the evening of Saturday, December 4. The Flin Flon Choir consists of 80 members. It was truly a gala evening of Christmas entertainment, including an impressive Christmas tableau, great carols and recitations. Yes, even Santa made an appearance, and commented on quirks and peculiarities of northerners. It was truly entertaining. Again, I applaud the many volunteers who made this Christmas event a reality, and in particular I would like to thank Choir Director Crystal Kolt, Accompanist Mark Kolt and Production Manager Katy Anderson.

Mr. Speaker, I would like to take this opportunity to wish all my constituents, all the members of this House and, indeed, all Manitobans a happy and safe Christmas.

*(14:30)

Graysville School

Mr. Denis Rocan (Carman): Mr. Speaker, recently I had the privilege, along with other honourable members, to attend a very touching ceremony at the Graysville Elementary School in the constituency of Carman. Congratulating these promising students and presenting them with certificates during this ceremony was truly a delight.

Mr. Speaker, last year a group of Grade 1 students at Graysville School both authored and illustrated their own book entitled *Why We Remember*. This moving book explains the importance of Remembrance Day, and it is designed to teach other young people about the ultimate sacrifices and valour of Canada's veterans who fought and died for the freedoms we enjoy today.

This book was chosen amongst many others from across Canada and was selected as a grand prize winner in the 2003-2004 Kids are Authors Competition sponsored by Scholastics Canada. *Why We Remember* is now available for all across Canada to purchase. It is important to share the message and promote a greater understanding of the importance of paying tribute to Canadians who defended our freedom and the freedom of others.

Mr. Speaker, so often we are told that our young people have forgotten or are unconcerned about the ultimate sacrifices that our great-grandparents, grandparents and other family members have made in making Canada what it is today. However, the students at Graysville school have demonstrated that today's youth understand the importance of Remembrance Day, appreciate the sacrifices made by so many Canadians and are fully aware that it is because of their efforts that we enjoy the freedoms that we have today.

Mr. Speaker, I encourage all of my honourable colleagues to pick up a copy of *Why We Remember* and share in its important message. It is a pleasure to congratulate the students: Tessa Bruce, Devin Coates, Robert Dueck, Danielle Gitzel, Trent Janzen, Ashley Jeanson, Nikki Jeanson, Tyler Jeanson, Anna Knelsen, Derek Wood and their teacher Lisa Pinkerton for all their hard work on this remarkable achievement. Thank you very much, Mr. Speaker. Have a Merry Christmas.

New Flyer Industries

Mr. Bidhu Jha (Radisson): Mr. Speaker, New Flyer Industries Ltd., headquartered here in Winnipeg, right in the constituency of Radisson, is North America's largest manufacturer of heavy-duty transit buses and gasoline and diesel-electric hybrid vehicles.

Over the past few years, this government has worked closely with NFI. Through the provision of a \$20-million repayable loan we have assisted NFI in gaining access to growing world-wide market opportunities. New Flyer Industries has just recently signed two new lucrative contracts to provide buses for San Diego Metropolitan Transit System and Chicago Transit Authority.

Mr. Speaker, this government takes pride in growth and success of industries like New Flyer, and in the growth and success of our provincial economy. Just this past week, Statistics Canada figures released by the provincial Bureau of Statistics show that Manitoba has created roughly 10 000 new jobs over the last year, well above the national average.

NFI is not only growing in financial success, it is also an innovative leader in several fields, including emission and fuel conservation concerns. The new management of New Flyer Industries in Radisson

and in their other branches has made a point of installing environmentally sound manufacturing systems.

Greatly to their credit, NFI recently received the prestigious Blue Sky Award in recognition of their outstanding marketplace contributions to advanced, sustainable transportation that focusses on the clean air, improved energy efficiency and reduced greenhouse emissions. Since 2002, Winnipeg's New Flyer facility has reduced harmful volatile organic compound emissions by 70 percent. This noble effort to improve the environment has put NFI in the running for a 2005 Council of Ministers for the Environment Pollution Prevention Award.

Mr. Speaker, I call on the members of this House to join me in congratulating the workers and management of NFI on their success to date and in wishing them continued prosperity. I would like to thank New Flyer for—

Mr. Speaker: Order.

Trinidad and Tobago Society of Winnipeg

Mrs. Mavis Taillieu (Morris): Mr. Speaker, I am pleased to share with my honourable colleagues a few words about the evening of elegance and excellence of the Trinidad and Tobago Society of Winnipeg.

I had the privilege of attending their anniversary banquet and dance a few weeks ago. The society celebrated both its 21st anniversary as well as recognizing the 42nd anniversary of the independence of Trinidad and Tobago. Mr. Arnold Piggott, His Excellency the High Commissioner for Trinidad and Tobago, was in Winnipeg to celebrate this occasion.

This was a wonderful event for each year the association honours its youth. This year, three young people who have excelled in education and community involvement received awards. They were Maurice Alexander, Dane Dworka and Alexia James. Each year it is a custom to present young debutantes from the community. This year the three outstanding young women and one outstanding young man were Maria Haits, Charmaine Izzard, Lattisha Penniston and Tevin Olivier-Job.

One of the highlights of the evening was the presentation of an award that recognizes one

outstanding member of the Trinidad and Tobago community for his or her outstanding contributions. This year the award was given to Dr. June James. I had the opportunity to meet Doctor James when she received the Order of Manitoba here in the Legislature and at the Dinamba Intercultural Association New Yam Festival. I would like to take this opportunity to congratulate Doctor James on receiving this award and for her achievements and contributions.

Mr. Speaker, the Trinidad and Tobago Society of Winnipeg hosted a fantastic celebration. I am proud to live in a province that celebrates different people's groups and engages some of the rich cultural traditions and customs that we practise in our province. Thank you very much, Mr. Speaker.

Debra Lorteau

Ms. Kerri Irvin-Ross (Fort Garry): Mr. Speaker, Age and Opportunity recently hired Deborah Lorteau as the Seniors' Resource Co-ordinator for the Fort Garry area. As the MLA for Fort Garry, I want to welcome her to the constituency.

Deborah began her role as the Senior's Resource Co-ordinator for Fort Garry on November 15. Deborah has already met with Fort Garry seniors, and her suggestions include setting up a seniors' exercise program, a bereavement group and a Christmas light tour. Deborah will also be busy co-ordinating the Fort Garry shuttle bus, a service that I was happy to help set up in March 2004.

Mr. Speaker, I would invite people to her new office at 1060 Pembina Highway. I am happy to announce that the co-ordinator will be working three days a week in Fort Garry. This will enhance the accessibility of services offered by Age and Opportunity for the seniors living in Fort Garry. Age and Opportunity has played a very important role in the lives of Winnipeg seniors for the past 45 years. Age and Opportunity strives to improve the quality of life for seniors by focussing on their personal development and on improving their involvement in the community. Programs offered by Age and Opportunity include painting, drawing, music courses, fitness and health groups. Programs also provide seniors with legal and financial advice, skill training and information to combat elder abuse.

In conclusion, Mr. Speaker, I wish Deborah, the new Seniors' Resource Co-ordinator for Fort Garry

good luck in her new position. I also encourage seniors in my constituency to use the many services available to them in our community. As the MLA for Fort Garry, I will continue to promote and support seniors in my constituency in as many ways as possible. Thank you very much, Mr. Speaker.

Point of Order

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

Mrs. Myrna Driedger (Charleswood): On a point of order, Mr. Speaker, I would just like to correct the record. For March 11, 2004, while speaking on Bill 17, the Domestic Violence and Stalking Prevention, Protection and Compensation Amendment Act, I should have said that Joel Geddes was accused of killing Morgan Trudeau. Thank you.

Mr. Speaker: On the point of order raised, it is not a point of order. We will go on to Grievances.

ORDERS OF THE DAY

GOVERNMENT BUSINESS

House Business

Hon. Steve Ashton (Deputy Government House Leader): If I could, Mr. Speaker, following discussions involving the—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Ashton: Thank you, Mr. Speaker. Following discussions involving all sides of the House, for government business I would like to propose the following.

It is our intention to, first of all, call the report stage of Bill 47, and I would like to ask then, Mr. Speaker, if you would also canvass the House to see if there is leave for the House to proceed with concurrence and third reading of Bill 47, assuming that the bill completes report stage this afternoon.

I was wondering, Mr. Speaker, if I could perhaps ask if there would be leave, and then I can proceed with the rest of business.

*(14:40)

Mr. Speaker: First of all, the intention of the government is to call report stage on Bill 47.

Then is there leave for the House to proceed with concurrence and third reading of Bill 47, assuming that the bill completes report stage this afternoon? *[Agreed]*

Mr. Ashton: Mr. Speaker, if I could, just running through the rest of the business for the afternoon, we will then proceed to concurrence and third reading of Bill 47, following the leave, if granted, to be followed by concurrence and third readings of Bills 49 and 4. Following that, assuming that time is remaining, we will then be dealing with Bill 22.

Would you please check with the House to see if there is an agreement to continue with the second report stage amendment moved by Member for Portage la Prairie (Mr. Faurichou), where he has 12 minutes remaining? Then, after that, proceed with the remaining report stage amendments to Bill 22 that need to be moved as time permits. So I am asking leave again to proceed directly to the amendment to which the Member for Portage la Prairie was clearly speaking.

Mr. Speaker: The honourable Official Opposition House Leader, on clarification.

Mr. Leonard Derkach (Official Opposition House Leader): Yes, clarification, Mr. Speaker. I do believe that the acting House Leader did call, in fact, debate on 47, 49 and then Bill 4, followed by Bill 22.

Mr. Ashton: That is correct, Mr. Speaker. The order of proceedings now will be, after the third reading of Bill 47, Bill 49 and Bill 4, and the leave that I was asking, in this particular case, was involving the report stage amendments on Bill 22.

Mr. Speaker: Okay, for the information of the House, we will start with report stage of Bill 47. Then we will proceed with concurrence and third reading of Bill 47, assuming that the bill completes report stage this afternoon.

The House will proceed to concurrence and third readings of Bill 47, to be followed by concurrence and third readings of Bills 49 and 4. Following that, assuming that time is remaining, we will then be dealing with Bill 22.

Is there agreement to continue with the second report stage amendment, moved by the Member for Portage La Prairie (Mr. Faurichou), where he has 12 minutes remaining, and then after that proceed with the remaining report stage amendments to Bill 22 that need to be moved as time permits? Is there agreement?

Mr. Ashton: I also would like to indicate, if royal assents are required, that, in consultation with the opposition members of the House, we will ask at an appropriate time that the Lieutenant-Governor be asked to come in, which may be prior to the 5:30 adjournment.

Mr. Speaker: Okay, but I need to deal first with the leave, if there is agreement to continue with the second report stage amendment moved by the honourable member. Is there agreement? *[Agreed]*

Mr. Derkach: Mr. Speaker, in an unprecedented move in this Legislature—

Mr. Speaker: I have not called the bill yet.

Mr. Derkach: Oh. I am not speaking to a bill. This is House business.

Mr. Speaker: Order. Is the honourable member up on a point of order?

Mr. Derkach: House business, Mr. Speaker, in response to the House Leader.

Mr. Speaker: In response to the Deputy Government House Leader's House business.

Mr. Derkach: Right.

Again, I say, in an unprecedented move in this Legislature, and I think, Mr. Speaker, this would probably have to go down in history as one where an opposition is asking to fast-track a government bill. But this just shows you that this government has not done its homework in terms of moving the agenda along.

Having said that, Mr. Speaker, today we have the introduction of The Liquor Control Amendment Act, and because of the time of year, where businesses are really relying on business to sort of carry them through the lull of the winter months in February and March, I am wondering whether this

House would give leave for us to consider Bill 12 today in its other various stages. I am asking whether or not the government would allow for this bill to proceed today, if time permits, through the various stages.

Mr. Ashton: I do not know if this is the spirit of the holiday season or what, Mr. Speaker. It certainly may be fairly unusual, but I would say that, from our side, we would be more than pleased to have leave for that.

I appreciate the offer from the Official Opposition House Leader (Mr. Derkach), so I would ask, indeed, if there is leave to allow for Bill 12 to proceed through the various stages today and, assuming that it is dealt with in those stages, the question does arise as we do have committee requirements.

I would suggest, Mr. Speaker, if we could perhaps ask leave at this point in time, and I will perhaps consult with the Official Opposition House Leader on how we can deal with the committee requirements as all bills in the Legislature do have to go through committee. Committee of the Whole, I suppose, is an option. Standing committee is an option. If you could ask perhaps initially that this bill be added in terms of by leave for second reading, and then following consultations with the House Leader and Liberal members, if they are agreeable, we can then work on the remaining disposition of the bill.

Mr. Speaker: The honourable Member for Inkster, for clarification.

Mr. Kevin Lamoureux (Inkster): Just for clarification, Mr. Speaker, because we want to be able accommodate as much as possible in terms of giving it leave. Our inclination would be to say that there is no problem in terms of giving it leave through the stages up to the committee stage at which point in time we would like to ask the government to request leave to take it the next step. Because the bill itself was just circulated literally minutes ago, I think that we, at least I know some of us, do need to at least take a look at the bill before we give it the leave to pass through its entirety, which would be the responsible thing to do.

If the Opposition House Leader, and I applaud him in terms of trying to assist the government here, we would be prepared to grant it leave all the way up

to and including the committee stage, but beyond that point I would like to at least be able to read the bill, because we only got it a few minutes ago.

Mr. Ashton: If I could perhaps suggest following this that we call this bill for second reading following Bill 47. That will give the member the opportunity to go through the bill. We will call for second reading, Mr. Speaker, following Bill 47, which is now going to go through report stage and the third reading, and I will discuss with members of the opposition in terms of the possible committee disposition of the bill.

Mr. Speaker: Is there agreement? Is there agreement to call Bill 12 after the concurrence and third reading of Bill 47? *[Agreed]*

Now I will call report stage on Bill 47.

REPORT STAGE AMENDMENTS

Bill 47—The Legal Aid Services Society of Manitoba Amendment Act

Mr. Kevin Lamoureux (Inkster): Regarding Bill 47, Mr. Speaker, I would move, seconded by the Member for River Heights (Mr. Gerrard),

THAT Bill 47 be amended in Clause 6 by replacing the proposed subsection 5(4) with the following:

Law Society and Bar Association nominees

5(4) The Lieutenant Governor in Council must select two councillors from each of the following lists submitted at the request of the minister:

(a) a list of seven solicitors submitted by the Law Society;

(b) a list of seven solicitors submitted by the Manitoba Bar Association.

* (14:50)

Mr. Speaker: It has been moved by the honourable Member for Inkster, seconded by the honourable Member for River Heights,

THAT Bill 47 be amended in Clause 6 by replacing the proposed subsection 5(4) with the following:

Law Society and Bar Association nominees—

Some Honourable Members: Dispense.

Mr. Speaker: Dispense.

Prior to recognizing the honourable Member for Inkster, if I could just have the attention of the House. Because the House will be recessing until into the new year and because we will have Youth Parliament, Youth Parliament will be meeting here in the Chamber in December, I am asking today that all members empty the contents of their desks before leaving today. Members are encouraged to make use of the blue bins that we have here in the Chamber to recycle their Hansards. Any other material you wish to recycle can be placed in the larger blue bins in the two message rooms. So I ask the co-operation of all honourable members, and thank you very much.

Mr. Lamoureux: My comments will be brief in regard to the amendment. I just wanted to make the Chamber aware that during committee I posed the question after a presenter from the Manitoba Bar Association requested that there should be representation from that particular association on the Management Council, that I had taken the liberty to ask the Government House Leader, the Minister of Justice (Mr. Mackintosh) as to what his thoughts were in regard to it. The response that I had received in committee, I felt, fell short of providing any sort of a real explanation as to why it was not a good idea.

I must say, Mr. Speaker, after having that opportunity, I did walk out into the hallway to talk to a couple of the other lawyers, one in particular that made a different type of presentation, and ask what he had thought about the Manitoba Bar Association. He had concurred in the sense that there does not seem to any rationale or any sort of justification why not to allow the Manitoba Bar Association the opportunity to have appointments on the Management Council.

So, Mr. Speaker, what I wanted to do very quickly is to just indicate, and I am going to quote right from Veronica Jackson, who is the president of the Manitoba Bar Association, in the presentation just so that members are aware that the Manitoba Bar Association represents more than 1200 members of Manitoba's legal community. The members of the MBA are the front-line workers of the Manitoba justice system. This perspective gives the Manitoba

Bar Association a unique lens through which to assess and evaluate our justice system, including provisions of legal aid, its objectives, its strategies, its management, its successes and its failures.

Mr. Speaker, what I had done is I had approached Veronica and had indicated if there is something, how would she best put it as opposed to myself because I mentioned to the Minister of Justice concerns afterwards. He had thought, yes, he would entertain something possibly in the third reading. At least he would have an open mind.

So I am just going to read verbatim an e-mail that was sent to me from a lawyer, and it reads, "Bill 47 recognizes that it is in the best interest of Legal Aid that there be lawyers on the Management Council. The reasons for this are both obvious and sound. I point out the obvious, whether the lawyers on the Management Council are nominated by the Manitoba Bar Association or the Law Society of Manitoba, they are still lawyers. These lawyers are no more in a conflict if their names are put forward by the MBA or the Law Society of Manitoba. To suggest otherwise is to also suggest that the nominees put forward by the MBA would not carry out their duties and loyalties to Legal Aid as a Management Council member with integrity. Just as members of the MBA are the front-line workers of our justice system, so, too, are the members of the Law Society of Manitoba. We are all lawyers. We all work within the legal system."

Mr. Speaker, and again I appreciate the thoughts, the candour that Veronica has used in trying to be able to explain this situation. I believe that the government, the Minister of Justice has just had an oversight, possibly, in regard to this, that there is no reason why this amendment could not be accepted. If in fact it is rejected, one has got to question as to why it is this government refuses to acknowledge the Manitoba Bar Association for what it is and what it does. We believe it plays a critical role.

On a side note, and I go back to the presentation, there are many Manitoba lawyers that perform a significant amount of free legal assistance to Manitobans. They bring to the table, I believe, ideas and thoughts that could really assist the Management Council. So my appeal to the Chamber is on behalf of the lawyers, that the government reconsider and accept this particular amendment.

The second amendment that I would be proposing is only applicable if, in fact, the first one were to pass. I think the government can make a very positive gesture by supporting it. I hope that they do, because it just shows a very positive statement from government, and we look forward to the response. If they do vote it down, Mr. Speaker, I will not be moving the second amendment. Thank you.

Hon. Jon Gerrard (River Heights): Mr. Speaker, just to speak very briefly on this amendment. Clearly, the legal aid system is very important to people in Manitoba, and it represents one of the very important checks and balances in providing services to people who would not necessarily otherwise be able to afford them.

Certainly, when it comes to legal aid, we have seen major issues and major problems under the present government for the last five years. What we are trying to do with this amendment is to get better government of legal aid, better management of the system, by ensuring that the Manitoba Bar Association representatives are involved, because, indeed, they have an important role to play in making sure that the justice system works. I would expect that the Justice critic for the Conservative Party would probably have a few comments on this. We would be interested in his position. Clearly what we are trying to do is to make the legal aid system work better, and that should be in the interests of all Manitobans. That is why this amendment has been coming forward.

Mr. Gerald Hawranik (Lac du Bonnet): Mr. Speaker, I would like to just give a few brief comments with respect to this amendment. I have looked through the amendment and looked through the bill, and the reason that I can say I am not exactly in favour of this amendment, I would say that I would not support it, and the reason being is that first of all, when you look at the bill, the Management Council that is created under a legal aid bill directs the business and affairs of the Legal Aid Services Society.

It is, Mr. Speaker, a very important function of that Management Council, and the bill, in fact, states in one of the sections that between seven and nine members can be part of that management committee. My concern is that, by adding this amendment to the bill, you are going to possibly weight the opinion of

lawyers over the opinion of non-lawyers within the Management Council, and that is my concern. By adding this amendment to the bill, it would require four lawyers be appointed to the Legal Aid board, to the Management Council, two from the Law Society, two from the Manitoba Bar Association and because the Management Council, in fact, could have a constitution of seven members in total, it is possible that the majority of them could be lawyers, as opposed to the users of legal aid.

We have to remember why the legal aid system was created in the first place, Mr. Speaker. The legal aid system was created in order that people who could not afford legal services would not be without those legal services, that the Province would pay the bill of the lawyer doing the services for the client. That is the reason for legal aid. It is not to provide lawyers with a constant stream of cash, or a very good living from legal aid. It is there for clients. It is not there for lawyers.

I acknowledge the fact that lawyers do a great deal of pro bono work. In fact, I have done that for each of my 25 years. I have done a lot of pro bono work, just as any other lawyer in the province of Manitoba has.

* (15:00)

I can tell you that by weighting the board in favour of lawyers when you have a seven-member board, and four lawyers have to be picked to form part of that board, that Management Council, that is not fair. It is not in keeping with the principles of legal aid, and that is to provide legal aid services to and for the benefit of those who require it, those who cannot afford to pay for it. As a result of that, I cannot say that I can support this amendment.

I know that Law Society members and Manitoba Bar Association members both do legal aid work. They do a great deal of legal aid work. But what has to be remembered in this case is that the members of the Bar Association are in fact members of the Law Society already. We are talking about the same lawyers here.

When we choose from a panel of seven lawyers that are recommended by the Law Society to form three members of the board of the Management Council, in fact all three of those members could

actually be Manitoba Bar Association members as well. So, when you are talking 1200 members of the Manitoba Bar Association, those 1200 members are also members of the Law Society. So I do not buy the argument that they are not going to be represented and that the Manitoba Bar Association will not have a voice on the board. I believe they will.

The principle to be kept in mind, of course, is that those people who can least afford it, those are the people who should be on the board. It is for them. It is the single mothers with children. It is those people who should have some influence on how legal aid is distributed in the province and to whom legal aid should be given.

With those brief comments, I can say that I cannot support this amendment.

Hon. Dave Chomiak (Acting Minister of Justice and Attorney General): Mr. Speaker, I believe I will be the only speaker from our side of the House with respect to comments on the amendments brought forward. I just want to, first of all, indicate that I thought that the Member for Lac du Bonnet (Mr. Hawranik) made some very cogent and some very important points with respect to this bill by focussing on both the principle behind this bill and the potential, the fact, the interrelationship between the Law Society and the Bar Association. We, too, the government will not be in favour of the amendments put forward by the Member for Inkster (Mr. Lamoureux).

I might point out when the Member for Inkster did put forward his amendment he referred to the committee presentations in this regard, Mr. Speaker. There was a good deal of discussion. I just want to quote from the chief executive officer of the Law Society who stated at committee that "when you look at the people whose mandate is to look after the interests of the profession, you have the council making decisions with enormous consequences for the legal profession. I personally expressed the view that it was a bad idea to have that kind of representation on the council directly from"—now I am moving from the quote—"the Bar Association." In fact, the Law Society which represents lawyers, its responsibilities are directly toward the public, and that is in fact what the goal of both the amendments and the purpose of legal aid is.

So we will not be supporting the amendment put forward by the Member for Inkster. We also appreciate the comments made by the Member for Lac du Bonnet (Mr. Hawranik), not just because of his comments and his very cogent arguments, but because of the very principles that were brought to bear that can be reflected in the very structure that has been put in place without any possible taint or any possible suggestion of conflict or any other issues that might arise in regard to the representation.

So with those short few comments, I can indicate that we will not be supporting the amendment put forward by the Member for Inkster (Mr. Lamoureux).

Mr. Speaker: Is it the pleasure of the House to adopt the amendment?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

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

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

* * *

Mr. Speaker: The honourable Member for Inkster, are you proceeding with your second amendment?

Mr. Lamoureux: Mr. Speaker, given the first one did not pass, the second one, there would be no use for it.

Mr. Speaker: Is that acceptable to the House?
[Agreed]

CONCURRENCE AND THIRD READINGS

Bill 47—The Legal Aid Services Society of Manitoba Amendment Act

Hon. Steve Ashton (Deputy Government House Leader): Mr. Speaker, I move, seconded by the

Minister of Advanced Education and Training (Ms. McGifford), that Bill 47, The Legal Aid Services Society of Manitoba Amendment Act, as amended and reported from the Standing Committee on Justice, be concurred in and be now read for a third time and passed.

Motion presented.

Hon. Dave Chomiak (Acting Minister of Justice and Attorney General): Mr. Speaker, the mandate of this bill is to ensure that the Management Council of the Legal Aid is able to fulfil the mandate of Legal Aid. It is outlined in section 2 of the act, and in part, states that Legal Aid Manitoba is to serve the public in providing quality legal advice and representation to low-income individuals and administer the delivery of legal aid in a cost effective and efficient manner. We recognize the need to have various forms of representation and we urge all members of this House to adopt this bill.

Mr. Gerald Hawranik (Lac du Bonnet): I welcome the opportunity to debate this bill on behalf of the residents of the constituency of Lac du Bonnet. I can say, first, at the outset, that we will be supporting this bill, Mr. Speaker, but I would like to point out a number of circumstances that leads us to support this bill itself. First of all, the Justice Minister was under attack about a year, or a year and a half ago, from legal aid lawyers. He created a legal aid crisis through his actions. He did not consult with lawyers with respect to changes in legal aid, and he found himself, after months and months of publicity, in the middle of a battle with legal aid lawyers and other lawyers, private lawyers in the province.

As a result of that, we came up with our list of reforms. We went through an election campaign. We came up with four different points we thought would solve the legal aid crisis, and in the meantime, the minister commissioned Mr. Perozzo to produce a report for him with respect to legal aid, so that legal aid can be changed and become more in tune with the needs of lawyers and with clients. We see that there are five suggestions, as a result of the Perozzo report; and, after seeing the Perozzo report, after having reviewed it, I can tell you that, in my view, the commissioning of the Perozzo report was an absolute waste of time and money.

In particular, I will speak to a few of the recommendations of Mr. Perozzo, and explain

exactly why I believe that the Perozzo report was a waste of time and money. First of all, the Perozzo report denies legal aid users the right to choose their own lawyers. About a year ago, Justice Holly Beard, when she ruled in one of the five Hells Angels associates' trials, she ruled, in fact, that clients do not have the right to choose their own lawyers in the first place. So really, first of all, it was not really necessary to put this in the bill, but, having said that, the minister did.

In any event, I draw the minister's attention that this was one point in our five-point plan on gang abatement during the 2003 election, prior to the Perozzo report. Obviously, Perozzo heard what we said. Perozzo put it in his report; the Justice Minister took that as an obviously good suggestion, and put it in the bill. For that, we are thankful, however, the minister has not given us the credit where credit is due. We, in fact, drove that particular issue, and it was part of our platform, in fact, in the 2003 election prior to the Perozzo report and prior to the bill being introduced for legislation in this House.

What we found, though, in committee, Mr. Speaker, is that the minister amended the legislation. He caved into the eight lawyers out of a possible ten presenters. There were ten presenters at committee, and eight of them were lawyers. He caved into them and softened that legislation to take into account the accused's wishes. By making that amendment, the legal aid system must consider the accused's wishes to choice of counsel.

* (15:10)

By doing that, I believe that has introduced the possibility of extended litigation, all at the public's expense, in order to deal with that particular issue. If he had left it the way it was, that legal aid users do not have the right to choice of counsel, that was, in fact, affirmed by Justice Holly Beard. The matter was already decided by the courts and probably would not be challenged successfully. By introducing that amendment to soften the legislation to take into account the accused's wishes, I think he opened a Pandora's box. In doing so, what he has done is now there is a possibility the accused persons will be challenging that in court, and I think all he has done is to increase litigation in the province and more at taxpayers' expense.

Secondly, under the Perozzo report and under the bill, he has created a limited public defender's office by hiring 10 additional criminal staff lawyers with separate offices, Mr. Speaker. This is the point that we have been advocating for at least the last year, at least six months prior to the bill being introduced, at least a few months before the Perozzo report was commissioned and a great deal of time before the Perozzo report was, in fact, introduced in this House. Again, he should be giving us credit for that, and Perozzo at least should be giving us credit because he has obviously heard what we have said in this House. He has heard what we have been advocating for at least the last year.

My concern, though, is that the minister may be waffling on this issue. The Perozzo report says 10 additional criminal staff lawyers. I asked the Justice Minister in committee whether in fact he was going to hire those 10 lawyers, and he was waffling on it. He was not sure whether it is 10, or 1, or 2, or 3, or how many. My concern is that he does do that, and he does hire experienced staff because there is no point hiring first- and second-year lawyers to handle complex criminal cases, Mr. Speaker. He has to make the effort, go out and recruit lawyers who, in fact, have the experience to handle the complex criminal cases so that taxpayers are not held hostage again.

The third point in the Perozzo report and in the legislation that he has introduced is he has prohibited eligibility for legal aid assistance to criminal organizations. I made the point at committee that the minister has really not gone far enough although he has followed what I have done in Bill 201, my private member's bill that I introduced more than a year ago, the taxpayers' legal representation act. He followed that exact wording of Bill 201, and he did not include the second part of Bill 201, which, I believe, is absolutely more important to the taxpayers of Manitoba. By stopping the way he did in the legislation, in the way the legislation is worded, all he is doing is stopping the criminal organization itself from applying for legal aid.

He is not stopping the members of the criminal organization from applying for legal aid. I can tell you, Mr. Speaker, that the five Hells Angels associates who all had Legal Aid certificates in the recent Hells Angels' trial, all of them in spite of what is put into this bill, in spite of that provision in this bill, would receive a Legal Aid certificate, and they

would receive a lawyer of their choice at taxpayers' expense. This bill does not, in fact, prohibit that, and I made that point at the committee hearings.

There was one member of the general public who was there. There actually were two members of the general public. One of them mentioned that she was so happy that criminal organizations would not be allowed to have Legal Aid certificates and would not be allowed to have lawyers at public expense, but when I pointed out to her that, in fact, every one of those five people who were under trial as members of the Hells Angels, every one of them would have, in fact, received a Legal Aid certificate and a defence at their trials at public expense in spite of what the minister has put in this bill, she was shocked. She was shocked, Mr. Speaker. She felt that because he put this in the bill, in fact, they would not get a Legal Aid certificate. When she found out that every one of them would have still had a defence paid for by the taxpayers of Manitoba, she was in shock.

I believe that all Manitobans are in shock because the bill itself, this particular provision of the bill, does absolutely nothing. Never before in the history of Manitoba or in the history of Canada has a criminal organization ever applied for legal aid. Hells Angels is not an organization that could apply for legal aid. So this is a worthless provision, in my view, in the bill.

Having said that, though, it is something that the minister is trying to do, but it has absolutely no effect. It is all smoke and mirrors, and it is all fluff. It has absolutely no effect at all, and will do absolutely nothing and not prohibit anyone from getting a Legal Aid certificate.

The fourth thing that the Perozzo report recommended was strengthening investigations and collection powers for Legal Aid. We have called, Mr. Speaker, on Legal Aid to hire at least one investigator for the last year, to ensure that those people who apply for a Legal Aid certificate are, in fact, worthy recipients of Legal Aid certificates and worthy recipients of taxpayer-provided defences. We have called for that for at least the last year. Obviously, Mr. Perozzo heard our pleas, heard what we have done and put that as a fourth recommendation.

Four out of five recommendations were ours. I have not heard one word from the Justice Minister

giving us credit because four out of those five recommendations were ours. I have not heard Mr. Perozzo give us credit either, yet four out of five of his recommendations were our recommendations, and well before he was hired and well before the Justice Minister, in fact, introduced this legal aid bill to the Legislature. I have not heard one word of credit from the Justice Minister, and I am very disappointed at that.

We had the answers, we had four out of five of those recommendations already coming to him. All he had to do was listen. All he had to do was open his ears and listen, come out of his ivory tower, get off that pedestal, and listen to us on this side of the House, and he would have had exactly the same report. He would have had exactly the same legal aid bill, perhaps even strengthened with our recommendations. He would have had exactly the same, but not at taxpayers' expense. It would have been done in two or three months instead of a year and a half.

Instead, he chose to go his own road to confirm what we already knew, Mr. Speaker. We already knew what had to be done. All he had to do was listen to us and he would have had our advice. I can tell you, in the spirit of co-operation, he should have listened to us. We had good recommendations. It was well thought out. He was criticizing them at the time, but now he finds Perozzo, the very person he hired to ask for a report on Legal Aid, the very person he hired, took our recommendations. All he had to do was listen to us in the first place. It would not have cost taxpayers a cent, and he would have had a legal aid bill that we have today, perhaps strengthened even more than it is today and everything would have been fine. We would have had a stronger legal aid system and at no expense to taxpayers.

We have called for at least one investigator from Legal Aid, and when I asked the minister at committee whether or not he was prepared to hire at least one investigator, his response was this: "It will depend on the management committee of Legal Aid."

That is unacceptable, Mr. Speaker. He has put it in the bill that he wants to strengthen the powers of Legal Aid, but if you do not have the tools, if you do not have someone experienced, if you do not have someone who is trained at being an investigator to determine where those assets are, he obviously is

only going halfway in this bill. I believe that he has to hire at least one investigator to determine whether or not those recipients of Legal Aid certificates are, in fact, worthy recipients to be funded by the taxpayers of Manitoba. We need at least one investigator.

I recall during the Hells Angels' trial when, in fact, after many questions in this House to the Justice Minister with respect to the assets of some of the people who were receiving Legal Aid at taxpayers' expense, I recall his response was that they did their due diligence. That is what he said here in this House. After many more questions, what we found is that the Legal Aid went back and they did another search of assets, but, you know, it is too late at that point, Mr. Speaker. They already received a Legal Aid certificate. Six to eight months later, he is doing an investigation.

It is like closing the barn door after the horse has left the barn. Once that issue comes forward, they have a chance to liquidate assets, sell assets, and distribute their cash, if they have got it. I can tell you, Mr. Speaker, they do have the cash. These people are members of the Hells Angels. The Hells Angels have millions of dollars, and they distribute their funds to their members. Why would they be entitled to a Legal Aid certificate in the first place? Why would they be funded by the Province of Manitoba?

*(15:20)

I can tell you now, the minister, about a year and a half, two years ago, introduced a bill in this Legislature which was passed which banned the wrong type of clothing in bars. In other words, the gangs were unable to wear their colours in bars. A number of the Hells Angels were charged over the ensuing months. Now we see in the newspaper that the Hells Angels will be challenging that legislation to determine whether it is constitutional or not.

I ask you, Mr. Speaker, who is paying for that defence. I do not think Legal Aid is paying for that defence. The Hells Angels are paying for it. Why? Because they have millions of dollars. They are able to defend their members. In my view, those Hells Angels should not have received a nickel of taxpayers' money for their defence. On top of it all, they got the most experienced lawyers in the province. I could hire those lawyers if I was in

trouble. I do not think members opposite could, any of the members opposite can, hire those lawyers because they are too expensive. We would not qualify for legal aid. We would not hire them because they are too expensive, but at taxpayers' expense, we defend the Hells Angels.

Mr. Speaker, this government has not created a hostile environment for organized crime as they said they have. The Hells Angels came to Manitoba in the year 2000. I can tell you that they, in fact, did come to Manitoba in the year 2000 in spite of what the Justice Minister says. In fact, I was at a conference a few months ago just to reinforce that point. I was at a conference in Winnipeg, and the Justice Minister was sitting at the table with a number of police officers who were members of the big city police association. There were 40 or 50 officers, members of the association, around the table representing cities all across Canada. One of the members of the association, in fact, stood up and he said in front of the Justice Minister, in fact, I think he was sitting right next to the Justice Minister. He stood up right next to the Justice Minister and told everyone there, including myself, the Leader of the Official Opposition (Mr. Murray), and other staff, he told everyone at that table, emphatically, that the Hells Angels came to Manitoba in the year 2000.

I did not see the Justice Minister stand up in his seat at that time like he stands up here in the Legislature and disputes that fact. I did not see him stand up and correct the record. I did not see him do that. Why? Why is that, Mr. Speaker? Is that because he knows for a fact that the Hells Angels did come in the year 2000? I submit to you that he knows that. He tries to represent the facts in a different way in this House. He tries to contradict those facts.

I can tell you he is going to wear it. The Hells Angels, in fact, did come to Manitoba in the year 2000. Then they set up a business right down the street from the Justice Minister's own constituency office. If that is creating a hostile environment, I do not what he is going to do next. I am not sure what he is going to do next. Manitoba's population growth is not a result of economic activity, and we have heard the Premier and the other ministers across the way, members opposite, state that Manitoba's population is growing because of economic activity. I submit to you, Mr. Speaker, it is not growing as a result of the economic activity that is created by this

government, but it is as a result of criminals moving to Manitoba to start more grow operations. That is why.

We have got 700 to 1000 grow operations that still have not been investigated, because we do not have the resources. We do not have the police resources to do that. That is the responsibility of the Minister of Justice. It is not the responsibility of the opposition. It is the responsibility of the Minister of Justice to ensure that the police resources are at such a level that, in fact, 700 to 1000 grow ops can be discovered.

Mr. Speaker, we have heard lots of chirping from the other side talking about why we voted against the Throne Speech with 20 to 40 officers. I can tell you why because it is not enough. That is why we voted against it. We asked for more officers and it is not enough; 700 to 1000 grow ops have not been investigated, and it is not enough. That is why we voted against it.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Hawranik: We want some real change. We do not want tinkering in this province, tinkering like members opposite have done with the police resources in this province. We do not want tinkering; we want more officers than 20 or 40. Besides that, Mr. Speaker, 20 officers in the city of Winnipeg, that is all they are adding. What are they dependent on? They are dependent on gambling. They are dependent on gambling growth, the growth of gambling in this province.

I ask you, Mr. Speaker, if gambling revenues do not increase, does that mean there are going to be no more officers. Does that mean there are going to be no more officers in the city of Winnipeg? We need stable funding for our officers. That is what we need. We need a commitment by this Justice Minister to ensure that there are enough police resources on the street to deal with the increase in crime and the increase in murders that we see in the city of Winnipeg.

That is why we voted against the Throne Speech, Mr. Speaker. Members opposite know that, but they try and spin it another way. They know that. Now that we set the record straight will we hear something different from members opposite I doubt it.

In any event, Mr. Speaker, getting back to the legal aid bill, I can tell you that we will be voting for the legal aid bill, in spite of some of the provisions in there that we feel should be strengthened. The minister could have used his ability to strengthen this legal aid bill and make it for all Manitobans, instead of just for the Hells Angels and just for organized crime. He chose not to, but it is a step forward, because it follows the recommendations that we have, in fact, been putting forward over the last year and a half. For that very reason we will be supporting the bill. Thank you.

Mr. Conrad Santos, Deputy Speaker, in the Chair

Mr. Ralph Eichler (Lakeside): I, too, want to rise and put a few comments on the record regarding Bill 47. When you look back in history, and definitely we can do that, if you want to go back to Hansard, and look at what the member from Lac du Bonnet did in the session of 2003 regarding private member Bill 201, The Taxpayer Protection Legal Representation Act. You will find that you will see that the member from Lac du Bonnet brought forward a bill. The government did not like the way that particular bill was worded, so they changed one or two words and brought in their own bill, Bill 47.

Having looked at that bill, there are not a lot of changes in it that we would like to see made regarding Bill 47, because the member from Lac du Bonnet did his homework. He talked to people, the Manitoba Association of Rights and Liberties people. He talked to people in the Public Interest Law Centre. He also talked to the Legal Aid Lawyers' Association. He also talked to the Law Society of Manitoba. He also talked to the Manitoba Criminal Defence Lawyers' Association, private people, private lawyers, people that had a lot to offer and that is how he drafted that Bill 201 when he brought it forward for this House to consider.

Having that in mind, Mr. Deputy Speaker, on November 18 we heard from several different representations from various walks of life, private citizens as well. It was very clear at that point in time that the legal review act needed to be looked at, and that is what we did as a result of that committee hearing. I am proud to stand here today and say we would like to support this bill. It was tabled May 27 of this year. The recommendations that were brought forward back in June of this year, again by the member from Lac du Bonnet, four of those

recommendations were included in Bill 47. Those we were glad to see.

Also, if we would have just taken a little bit more time back in 2003, we would not have had that worry about the Perozzo report, and would have saved the taxpayers an awful lot of money. At that point in time we could have probably spent that on some of the other things that we have been trying to bring forward in the House for the attention of the government, so that they would be able to spend that money a little more wisely, and would have accepted the bill back in its entirety in the session of 2003. It would have made it a lot easier.

Having said that, the last thing I want to put on the record regarding Bill 47 was that most presenters that we listened to and heard from was the right and choice of representation. I think that is pretty critical.

* (15:30)

Some of the examples, it was pointed out at that hearing, Mr. Deputy Speaker, were mostly in domestic cases where a woman would feel more comfortable having another woman represent them in a case like that. I think there are situations where this particular bill could be opened up a little more, but maybe they can do that through regulation, I am not sure. We do not want to debate the bill any longer than that, but there are certain cases that we do feel are critical for the protection and representation of all Manitobans of which we, on this side of the House, want to make sure are represented and looked after.

Having said that, Mr. Deputy Speaker, I am sure the other members on the other side of the House have a lot to add and put on the record regarding this bill. I know they did not speak much in committee but, certainly, I am sure they will put something on the record here today to support Bill 47. Thank you.

Mr. Kevin Lamoureux (Inkster): Over the years, Legal Aid has done a wonderful service for thousands of Manitobans. At one time, Legal Aid here in the province kind of led the way virtually in North America in terms of how it was developing and how it was delivering services. Even in spite of some of the funding issues with regard to this government, it is still seen to do a fabulous job with the resources that have been allocated, with the way

in which the government has treated Legal Aid over the last number of years.

When I look at the overall principle, in particular, the Management Council, I feel optimistic that we will have strong, viable Legal Aid services for Manitobans well into the future. But again, I think we have to look at what the government itself is doing in a very real, tangible way to support Manitobans that require these services. We have to keep in mind the types of Manitobans that are using Legal Aid. That is where I would like to give comment.

It was well over a year ago that Legal Aid really was brought to the front pages, if I could use it in that sense, when we had the gang issue. The gangs were saying, "Well, you know, we're going to need some money to help defend our criminals or the alleged activities of some gang members." It was well over \$2 million that was being bantered around. People were outraged. The public look at it, and I believe one of the questions that I had asked last year was that in the province of Québec, again, had generated over \$100 million in profits, in revenues. That is what was being headlined in, I think it was *The Globe and Mail* or possibly the *National Post*, I am not really too sure. You see this and you hear this, and you take a look at the province of Manitoba and the type of gang activity that we see in the province. We know that these organizations have money, and to see public dollars, the number of public dollars going out in the area upset a great deal of Manitobans, including myself.

Mr. Speaker in the Chair

How did the minister of the day respond? At the end of the day, what did the minister of the day, the Minister of Justice, actually do? Well, if you go to page 7 of the act that is being proposed, you go to clause 12(3) where it states, "A criminal organization as defined in section 2 of the Criminal Code is not eligible for Legal Aid under section 4." Much like the Acting Minister of Justice was saying, he supported some of the things that the critic from the official opposition was saying, I, too, support what the critic from the opposition was talking about in regard to that particular clause.

In reality, gangs, you know, the Hells Angels are not going to go to Legal Aid and say, "We're poor as an organization and we need money." The

government knows that. That being the case, and I would challenge any member of the government to stand up and say that would not be the case, that, yes, we do have gangs that apply for legal aid, gangs as an organization, show me where the Hells Angels have actually put in an application and received money through Legal Aid.

In fact, Mr. Speaker, I believe, I am not one hundred percent sure, but I thought that I might have even have raised that issue in committee or, at the very least, with the minister, possibly, on the side. I am not 100 percent sure of that particular point, but what I believe is that the Hells Angels have never applied for legal aid assistance as an organization. It definitely has not received any.

So then it begs the question. If that is in fact the case, well, why was that put in? Why would the government put in that clause? Well, I will suggest to you the reason why it was put in is, we all know that the current Minister of Justice (Mr. Mackintosh) likes flashbulbs. It is the camera. It is that whole image issue for the Minister of Justice. This Minister of Justice is tough on crime. He is tough on the gangs, and what kind of a statement is he saying? He is saying, "Well, gangs will not be able to have legal aid to support." And you know what? I suspect that the Minister of Justice probably might even have had some free advertising, if I can put it that way. Some media might have bought into the fact that he was getting tough on financing gang organizations like the Hells Angels. I suspect that he might have got what it was that he was trying to achieve and that was nothing more than propaganda, saying, "We are getting tough on gangs."

As has been pointed out, the Hells Angels have done quite well in the province of Manitoba. One could ultimately challenge the government to say where have the Hells Angels on a per capita basis has done worse than Manitoba. It has probably done better than Manitoba on a per capita basis than any other jurisdiction over the last few years. So is the government really getting tough on gangs? I suspect not, but, you know, at the end of the day, when you look at this and you see that nice flashy news release that goes out, it gives you that impression that this is a government getting tough on gangs.

Maybe the Acting Minister of Justice will, before closing debate ultimately on this particular bill, will tell us how many applications has, and I

know he has all sorts of virtually unlimited resources to supply him the type of information, and this would be, I think, a wonderful question that I would very much appreciate to get answered from them, and I suspect that this question has been posed before, how many applications for legal aid assistance have the Hells Angels put in. If, by chance, they have put in applications for legal aid, how many have actually been approved? I would speculate, as the official opposition critic is likely right on this, the answer is going to be zero. None.

An Honourable Member: Our bill is working.

Mr. Lamoureux: Well, the bill has not even passed, so you cannot say the bill is working, Mr. Speaker.

The question becomes is it really necessary.

An Honourable Member: Can you speak louder, Kevin? Louder.

Mr. Lamoureux: Well, my doctor says it is good to express myself, and I am expressing myself so that it gets away that stress and that tension, if you know what I mean.

An Honourable Member: Too many Big Macs.

Mr. Lamoureux: You know, that is right. The sabbatical was nice, but it is great to be back, to be able to lessen the stress load, I must say.

So, Mr. Speaker, it would be wonderful to hear the Acting Minister of Justice say that, you know what, this clause does have merits and here is the reason why, but they are deafly silent on it. Why? Well, it has already met their purpose. They were already able to go out and say, "We got tough on gangs. The Hells Angels will not get a dime from Legal Aid." They can go out and they can say that, but who are they really fooling? There is a false perception that they continuously try to give, and this Minister of Justice, more than any other Minister of Justice, I would argue, does this on a consistent or a continual basis. This is not the only legislation where he has attempted to try to give an impression that is not accurate. In principle, as I say, I support the bill, but I have to really question some of the clauses that the Minister of Justice is actually putting into the bill.

* (15:40)

Mr. Speaker, if we look at some of the changes, one of the suggestions that I had brought forward earlier today was an amendment to recognize the Manitoba Bar Association. You know, I have looked for the Acting Minister of Justice or the Minister of Justice (Mr. Mackintosh), to clearly indicate why it is that the Manitoba Bar Association should not have representation. The acting minister, as the minister did, stated the same thing, "Well, the Law Society does not support it." Is that the only argument that this government has?

This Minister of Justice then made reference to the official opposition critic on Justice, saying, well, and I somewhat concur with some of the comments that he was making in regard to it, Mr. Speaker. Well, to me, that is not the way in which you should be evaluating whether an amendment is a good thing or is a bad thing for the overall industry or for Legal Aid.

I would have liked to have heard from the government why it is that the Manitoba Bar Association should not have representation, not because the Manitoba Law Society says in their opinion it is not necessary, that is not the answer. I am not asking the Law Society, and it is to take nothing away from the Manitoba Law Society, but the Manitoba Law Society wants to take a particular position and, Mr. Speaker, if I want to get a better understanding of why they want that position, I will give them a call and I will ask them why that might be their position.

What I was interested in knowing is what about the government. What is the government's position? The government's position seems to be the Manitoba Law Society's position, and they, I do not think, know. Sure, they know what the position is from the Manitoba Law Society, but they did not expand upon it. They did not say here is the reason why we think that they are in conflict or anything of that nature.

The official opposition critics as well, you know we got to be concerned in terms of the number of lawyers as opposed to lay people that might make up the Management Council. There is an argument that could be made for that. The government did not make that argument, Mr. Speaker. The government actually was listening and then said, yeah, you know what, that might be a good idea, too, for a reason why we should not support the particular amendment

that was brought forward by myself and the Leader of the Liberal Party.

Why does the government not come up with its own ideas, or why does the government not explain why it is that the Manitoba Bar Association does not deserve the opportunity to be on the Management Council, Mr. Speaker? If it is, and, you know, this is pure speculation, if it is because of the composition, well, you know, in the legislation it allows for them to appoint up to nine members. So, even with the amendment, it would have been four members. The majority could still be lay people or non-lawyers, if need be. So that would have addressed the one comment that the acting minister would have expressed through another member inside this Chamber.

So what is it that offends the government of the day in regard to the Manitoba Bar Association from being able to have representation? We do not know. I do not think that that is an appropriate way. The minister is going to have another opportunity in closing debate to be able to tell the Manitoba Bar Association why they feel that they are not.

You know, I quoted, and I will repeat it. This came from Veronica from the Manitoba Bar Association, making reference to both the Bar Association and the Law Society. She says that these lawyers are no more in a conflict if their names are put forward by the MBA or the LSM. To suggest otherwise is also to suggest that the nominees put forward by the MBA would not carry out their duties and loyalties to Legal Aid as Management Council members with integrity.

Mr. Speaker, is the government saying that they do not recognize the Manitoba Bar Association as an organization that has integrity? Is that what the government is saying, or is it being sloppy, and it just did not do its homework, and it is more of an oversight?

I think there is some responsibility of the government to comment on that issue, to explain to the Manitoba Bar Association why it is the 1200 members plus should not have any sort of an official position on the Management Council. Having said that, as I indicated, I do believe the Management Council will make a positive difference for Legal Aid Manitoba. I understand this bill even makes the official name change, if you like. Most people

already perceive it as Legal Aid Manitoba. There are some significant changes that are being made, some not as significant but important. Then there is some that we question as to why it is put in.

In any due process, when an idea comes from the committee and it is not explained in a proper fashion, I think that we have a responsibility to highlight the concern of where we believe, for example, the Manitoba Bar Association has really been put to the side and there really has not been any justification to it.

Mr. Speaker, with those few words, we are prepared to stop the discussion unless the Leader of the Manitoba Liberal Party has anything. Hopefully, we will see some closing remarks, some of the questions I posed addressed by the Acting Minister of Justice or the Minister of Justice. Thank you.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is concurrence and third reading of Bill 47, The Legal Aid Services Society of Manitoba Amendment Act.

Is it the pleasure of the House to adopt the motion. [*Agreed*]

SECOND READINGS

Bill 12—The Liquor Control Amendment Act

Mr. Speaker: As previously agreed, we will now call Bill 12, The Liquor Control Amendment Act for second reading.

Hon. Scott Smith (Minister charged with the administration of The Liquor Control Act): Mr. Speaker, I move, seconded by the Minister of Culture, Heritage and Tourism (Mr. Robinson), that Bill 12, The Liquor Control Amendment Act, be now read a second time and referred to a committee of this House.

Motion presented.

Mr. Smith: Mr. Speaker, this bill does recognize changes that relate to the times, modernization that understands the needs of licensed establishments, employees and community safety. This bill recognizes seven key points.

It certainly recognizes the closing time and the extension of closing time of an extra 30 minutes would be optional for licensed establishments and certainly to have a safety factor there with the co-ordination of disbursement of people from properties.

Mr. Speaker, it also recognizes the recorking of a product, the wine product in restaurants and licensed premises in the province. That certainly is a positive. Again, something on the safety side that is a positive. The legislation also recognizes some of the outdated practices to reflect modern times where, as an example, an employee may work as an accountant in lotteries and unable to work at another establishment, a licensed premise that serves any liquor. The modern times do not reflect that. This bill makes that change.

* (15:50)

As well, the grape-based sale of products in our wine stores is something that is a positive, is something that would expand in this bill and allow for that option for the wine-store premises in the province of Manitoba. As well, the distillers we have in Manitoba here, both with our Diageo location and with our Maple Leaf location in the province, the bill does recognize certainly the ability for them to have retail stores at their establishments.

As well, this bill clarifies the sampling legislation that we have right across all liquor stores in the province. Finally, this bill certainly recognizes all our rural communities to be able to distribute and transport wine for delivery or liquor for delivery from their establishments to licensed premises right across the province within their area.

This bill certainly expands again the modern times that we have. It recognizes the needs and wants of the community, and certainly highlights and enhances safety for all our communities across the province.

Mr. Kevin Lamoureux (Inkster): I am wondering if there would be leave, and again, it is more of a procedural House statement, Mr. Speaker. I can recall that in the past, and I do not know if it has happened in the last couple of years, that an opposition member has been allowed to ask a question related to the bill in second reading, given the government wants to see the bill passed. I am

wondering if the minister could answer one or two questions, if that would require leave. I am not really too sure. I believe it was done in the past.

Mr. Speaker: That would require leave. So I will ask the House is there leave for entertaining questions. I will also ask the minister if he is willing to entertain questions. Is there leave? *[Agreed]*

Mr. Lamoureux: The first question is just in regard to the government has brought forward the bill today, and I understand that they would like to see it passed. I am wondering if the minister could just explain the urgency of why it should be passed today.

Mr. Smith: Mr. Speaker, I guess we agree the official opposition that has asked for this bill to proceed in a manner that is quite quick. Certainly, it is a bill we believe in, and it is something that we have looked at for a considerable period of time. We have had a lot of consultation with the industry, with communities and others on this bill. It is seven distinct changes that we have brought forth here. Certainly, we would not be bringing these forth if we did not believe that we had consulted very strongly with the industry, and that these are all positive changes.

Mr. Lamoureux: If the bill were not to pass today, would it be to the detriment of Manitoba's economy?

Mr. Smith: This certainly enhances a lot of the businesses in Manitoba. I can certainly say that. It is a positive for many of the liquor vendors, 180-some liquor vendors that we have in the province. It is certainly positive for hotels, restaurants and associations. It is certainly positive for many people in our community. I do not know if the member would consider that a detriment by not doing it.

Certainly, I am sure that many of the licensed premises right across the province of Manitoba would see a positive impact by the changes in this bill. I know certainly wine stores and specialty-wine stores would see a change in this legislation. I certainly know that many people are impacted by these positive changes. These have been recommended by many of the associations out there, the liquor vendors out there and others. So I guess that is a positive change for Manitoba.

Hon. Jon Gerrard (River Heights): I just rise to say a few words on second reading on this bill.

Some Honourable Members: Second reading? It is only questions. No. By leave, it was questions.

Mr. Gerrard: I am not asking a question, I am speaking on this bill.

Mr. Speaker: First of all, before recognizing members to speak, I had asked leave if the minister was willing to entertain questions and the minister said he was.

Before recognizing any speakers, are there any other members in the Chamber who wish to pose a question to the minister?

Point of Order

Mr. Leonard Derkach (Official Opposition House Leader): On a point of order, Mr. Speaker.

Mr. Speaker: On a point of order.

Mr. Derkach: Mr. Speaker, because, again, we have a government that cannot get its act together here in terms of passing legislation so, unfortunately, the opposition parties are trying to accommodate as much as possible, and I cannot guarantee that we are going to move this bill along today or it is going to pass today, because there are questions that are outstanding that have to be answered.

But, Mr. Speaker, if the minister is prepared to take questions and is open to that, I would suggest that we be allowed to tell our colleagues who may not be present in the Chamber now that there are questions that can be taken so that, I have to be open about this. We all have to have an opportunity as legislators to be able to ask questions, and I am indicating that we would like to prolong this for a little bit.

Mr. Speaker: On the same point of order, the honourable Deputy Government House Leader.

Hon. Steve Ashton (Deputy Government House Leader): If I could be of some assistance, I think it should be pointed out this is second reading. We did, at one time have a practice in the House of actually, by leave, having questions on second reading, but if the member has concerns that maybe members who may wish to come in later and ask questions, my recommendation, Mr. Speaker, would be, notwithstanding what we just did in terms of the

leave, that we deal with the principle of the bill on second reading, vote on the bill on second reading, and then there is the opportunity when we go to committee stage for questions. There is also the opportunity through leave on third reading as well. So, if that would help expedite, I suggest we proceed to second reading debate, with the understanding that the opportunity for questions will be available later, certainly at the committee stage.

Mr. Speaker: The point raised by the honourable Member for Russell, I would just like to, if it is of any assistance to the House, that the appropriate place for questions is in committee, and all sorts of questions can be asked in committee. By leave, we were just entertaining a few questions, but if there are other members and lots of members who wish to ask questions, the real appropriate place really is in committee. Now I hope that you have—

Point of Order

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

Mr. Derkach: On a new point of order, Mr. Speaker. I am wondering, in order to prepare ourselves more appropriately, whether it would not be more appropriate for us to deal with the outstanding legislation that has been agreed to be dealt with this afternoon so that we, indeed, can give proper due diligence to Bill 47, 49 and 4, as was agreed between the House leaders.

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

Mr. Ashton: Mr. Speaker, and at the risk of negotiating on the floor of the Legislature, we had asked that second reading be called. There was agreement of members of the House. My suggestion would be we then proceed to the other two bills, where we have agreement to pass those bills, then come back to this bill for committee and for third reading. That will certainly accomplish—

An Honourable Member: If there is agreement.

Mr. Ashton: —if there is agreement. That would certainly accomplish what I believe was the intent today, which was the original agreement to pass three bills. There was a willingness to expedite this

bill as well, Mr. Speaker. So that would be my suggestion, a complete second reading, then move to the other two bills as was scheduled, then to come back after those two bills are dealt with.

Mr. Speaker: On the point of order raised by the honourable Official Opposition House Leader, because what we previously had agreed to was to 47, then 12, and then we would follow with 49 and 4, but the question was this: Is there agreement of the House to set Bill 12 aside for now? Is there agreement for that?

An Honourable Member: No.

Mr. Speaker: No. There is no agreement.

Okay, now I will call second reading of Bill 12.

* (16:00)

Mr. Gerrard: Mr. Speaker, I rise to put a few words on the record on second reading of Bill 12, and I have listened to the discussion this afternoon about the House Leader from the Conservative Party feeling that we should push this through quickly, and the House Leader and the minister are ready to do that, but I would ask just, at least, to put a few comments on the record, because I think it is important that we look seriously at what is in this bill.

I think that there are certainly some aspects of this bill which are quite reasonable, well-intentioned, and I think that we would have no problem supporting. But I want to point out that there is one part of this bill that I have some specific concerns about, and that I think the way that this bill has been put together, it certainly would have benefited had this government brought us back before November 22, so we had more time to look at this and have it go through committee properly in the normal fashion with the normal process.

Certainly, Mr. Speaker, when we are looking at the first part of this bill which deals with the fact that people who buy a bottle of wine with a meal in licensed premises may take an unfinished wine with them if the bottle is recorked by the licensee, I think this is a reasonable practice, and that this is a positive step forward. Certainly, we, on our side, would welcome those changes because it is a reasonable change, and would be helpful to people who want to go out and have a meal and have some wine with

that. Even in Steinbach, people are now able to have wine with a meal, and so even in Steinbach this would now be allowed, and that would be a positive thing for those who wish to do that in Steinbach.

Part of this bill which deals with having customers at licensed premises having an extra 30 minutes to finish their liquor purchases when liquor sales stop, I think that this also strikes me as reasonable. I think that given the various other changes that are happening, that consideration to customers, which is really what this is about, is something that, indeed, is reasonable, that we should pay attention to the needs of customers. This really deals with where and when customers want to finish liquor purchased.

I think that before ramming this through, though, I would like to hear from the owners of bars and other establishments. Because this may actually put some extra cost, because that is an extra 30 minutes that they cannot sell liquor that they have to have people employed. There may be some good intention here in helping customers, but I really think that it is quite important that we hear from the bar owners, to make sure that there is not an additional economic hardship on bar owners given this legislation. I think it is important that, before moving this through very rapidly, we are careful in terms of how we proceed, and we make sure that we hear from people. Certainly, it would have benefited had we been sitting before November 22, and been able to do this without having to do this at the eleventh hour.

I want to deal now with the section which I have some particular concerns about. That is the section which provides for employees of the Liquor Control Commission to be permitted to also be employed by individuals and businesses, such as cocktail lounges and restaurants purchasing liquor from the commission if they have received approval from the commission.

My concern here is the potential for conflict, the potential for people who are working for the Manitoba Liquor Control Commission and selling spirits to restaurants. This is being done without us seeing, you know, what the conflict-of-interest guidelines are. I have concerns about the commission. Is the commission the right body to be making these kinds of decisions?

I just think there are some issues around this which need to be looked at quite carefully, because

in what we are considering in this legislation, which is being looked at quite quickly, and both the Conservative Party and the NDP have expressed an interest in accelerating this, I would just rise to say let us be sure that we do not set up a situation in which there could be some real problems down the road. The last thing we want is to set up a framework, which is not healthy, where there may be conflicts and where we have people from the Liquor Control Commission who could be selling liquor or marketing liquor to the very establishments at which they are working.

Now one presumes that there would be some conflict rules put in place by the commission to prevent this sort of thing, but at this point we did not hear from the minister an explanation of why he wanted to put this in place. It would have been nice to have had that. We did not hear from the minister in terms of what the minister wanted to do to make sure that there were not some real conflict-of-interest problems here and some situations arising, which nobody wants.

The bill was given to us early today just a little over an hour and a half ago. Mr. Speaker, we are doing our very best to have a quick look at this bill and to help the government and to help the opposition who want to put this through speedily, but we do think it is important that we do not put through legislation which might be associated with problems down the road. Good intentions are fine. We are all for trying to help people in the industry and help customers, particularly customers, but we do not want to set up situations which could be problematic and where there could be circumstances, which as a result of hastily considered legislation, may cause problems down the road.

Mr. Speaker, I just wanted to put that on the record and to say that in looking at this very quickly, there are certainly aspects of this that we would endorse and support. There is one part of this which we have some particular concern. We do think it is probably important that we hear, as a result, from members of the community, and we hear a better explanation from the government with respect to this bill. So I put my comments on the record. Thank you.

Mrs. Heather Stefanson (Tuxedo): I am pleased as well to put a few words on the record with respect to Bill 12. I think it is important to note that outside in the hallway I believe the minister was scrummed

with respect to this bill. He mentioned that this bill probably will not pass until June.

Mr. Speaker, I think it is absolutely unbelievable that this government would bring in a piece of legislation at three o'clock, essentially the eleventh hour of when this House is going to rise. That is unacceptable. In other words, they had no intention of having this bill pass in this House at all in this session. That is what is unfortunate. They could have brought this piece of legislation in three weeks ago to allow for proper debate in this House, but, once again, this government, the heavy hand of government, is coming forward and saying we are going to shove through this legislation.

We stood up and we said for the sake of those wine stores out there, it is the Christmas season coming up. All this government wants to do they introduce the legislation on the eleventh hour because they want only the liquor store to be able to sell those extra grape-based specialty liqueurs and specialty spirits. They want to take, once again a major season for the wine stores; they want to take away that business from the wine stores and give it to themselves. I think that is absolutely unacceptable and deplorable. Again, it is absolutely ridiculous.

* (16:10)

This legislation could have come out three weeks ago. It should have for the sake of those wine stores to allow them to have access to selling these specialty products. Again, this is typical of this government bringing it in at the eleventh hour with no intention of passing it now, just to essentially put through another season of not allowing the private wine stores to have the opportunity to sell these things, these specialty products.

Obviously, this government had no intention of passing this bill this time. I think it is important for the wine store owners to understand that. They had no intention of passing this bill, and then we stood up today because we believe in the merits of this bill, that we should be allowing private wine stores to sell these specialty products. I would say that we want them to be able to sell them over Christmas but, you see, the government does not want them to do that. That is why they brought this bill in at the eleventh hour. They had no intention, no intention of passing this bill whatsoever.

The minister already stated not until June, so it took the opposition to actually stand up and say. "You know what, guys? This is all about private business and so on. That is why they brought it in at the eleventh hour with no intention for it to pass." We had to stand up for the private wine stores in Manitoba, stand up for them and say that this is ridiculous, once again, because this government cannot get its act together.

Mr. Speaker, with those few words, I will leave it at that. Again, I am very concerned with the way that this government goes about doing business in this House. You know, bringing in these bills at the last minute when the owners of the private wine stores could take advantage of this opportunity for their businesses over the Christmas holidays, and for the next several months. Obviously, this government had no intention of passing this bill and, again, just unbelievable. I will leave my words at that.

Mr. Leonard Derkach (Russell): Mr. Speaker, I would like to ask the minister responsible whether he would be prepared to take some questions during my time in debating this bill in second reading as well, because of the nature of the bill.

Mr. Speaker: The honourable member would have to have leave to do it.

First of all, is there leave for the member to ask questions, and also is there agreement of the minister to entertain those questions?

Mr. Ashton: Mr. Speaker, I do not believe there is leave. I think we already discussed it, and there was general agreement that when we reached committee stage, that is the normal process, anyway, the member will have ample opportunity when this bill gets to committee stage to ask questions.

Mr. Speaker: I am asking the House if there is leave for the honourable member to ask questions. Is there leave?

Some Honourable Members: No.

Mr. Speaker: No, okay leave has been denied. The honourable Member for Russell, to make his speech.

Mr. Derkach: Mr. Speaker, what a tangled web we weave here. First of all, we as the opposition indicated to the government that, because of the importance of this bill, we would be prepared to deal

with the different stages of this bill and to allow it to progress through at least one stage of passage. I cannot predict what is going to happen in the House, especially when I just heard one of the government members speaking against the bill from his chair.

Mr. Speaker, there is some confusion about this, but I think that is an indication that this government had no intentions of passing this legislation now. What they did, they sat on this legislation until the twelfth hour, eleventh hour. They brought it into the Chamber on the last day, the very last day of the session before Christmas and introduced the bill for first reading.

Now, Mr. Speaker, I know that there have been negotiations going on between the government and the wine stores in our city. There has been an agreement reached between the government and the wine stores in this city and I think that the public has a right to know what the agreement is about and what the contents of the agreement are about. We will be asking for that, because I know that the government has entered into an agreement with wine stores, and I think it is only the public's right to know what is in that agreement. I hope that the government is not going to keep that agreement from the public. Therefore, we will be wanting to know what the contents of that agreement are.

Secondly, Mr. Speaker, I found it passing strange that when the minister was scrummed in the hallway about passing this bill he said, "Oh, it will move through sometime in June."

Well, Mr. Speaker, before he went out into the hallway, I had indicated what we were prepared to do, and yet he is talking about not moving it through till June, so I guess we are relegated to debating the bill today. But the minister has said it will not pass till June, so I am assuming that is what the government wants to do.

Now, Mr. Speaker, then I want to ask the minister some questions in second reading, because we have been showing some co-operation and moving this along. Then I am denied leave to ask the minister any questions. So, once again, we are shut down. It is an indication that this government has no intention of moving this legislation along. They just want to play games with it. If they want to play games, then I guess

we will all play a few games here. The problem is that we called the minister's bluff, and he has not been able to handle it.

I want to say that this is legislation that the people in the beverage and the hospitality industry have actually been asking for. This is legislation that is good for the people in the industry, but I want to reference one part of the legislation, and that is something that is good for the consumer.

Many times we, as consumers, go into a restaurant and we order a bottle of wine. Maybe there are two people who order a bottle of wine. Let us say it is my wife and I. During the course of the evening, we each have a glass of wine, and then that is all we want. That is all we can consume. That is all we want with our meal, so that larger portion of that bottle of wine is returned back to the facility.

Well, Mr. Speaker, what I liked about this piece of legislation is it now enables me and my wife to take the remaining portion of that bottle of wine home with us.

Now that is done in other jurisdictions. That is good legislation. I think that is good for the consumer in several ways. One, it is a safety issue because we do not guzzle that wine down and go out of there inebriated, and try to get into our cars and drive down the street. Because we can take it home, Mr. Speaker, we can enjoy the rest of that bottle of wine, perhaps in the comfort of our home where we do not have to go out and drive anymore. It is a safety element as well.

I would have to say that I think the people who recommended this to government were wise in doing it, and the government was wise in accepting that recommendation, Mr. Speaker.

But I ask the government why did they wait until the last day of this session to introduce this legislation. The minister has said already that we will not be passing this legislation till June. He said that out in the hallway. So, Mr. Speaker, we are stuck in a situation where the government now is procrastinating its own legislation.

Now, Mr. Speaker, it is just an example of the mismanagement of issues by this government. I do not know any other time in the history of this

Legislature that I have been here, for 20 years almost, where an opposition has said to a government, "Let us put through this legislation" and where the government has stalled its own legislation. I think it is a precedent, not only in Manitoba, probably in all of Canada for that part.

But I want to tell the people out there in the wine industry, in the beverage industry, in the restaurant industry, that I think that Manitoba has matured to where we can manage this kind of legislation, and that wine stores all through this province should be able to sell wine-based products. I do not think I see anything wrong with that.

Now, the other thing I think we have to grow up about is that there should be private wine stores in places like Brandon, places like Thompson, places like Dauphin, yeah, and maybe if there is need, places like Russell, for that matter. But I do not know. We are not that big a population in my community. This is a maturing of a society where we are actually allowing for sensible things to take place in our food and beverage industry.

* (16:20)

Mr. Speaker, although we are in second reading now, I was hoping that the minister would take some questions because of the rushed nature of us moving this bill from first to second reading. There are some legitimate questions that have to be asked as a result of some of the aspects of the bill. For example, one question that I would have is what about the extension of the times that hotels are going to stay open and beverage rooms are going to stay open. Does that mean that we are extending the period of time that VLTs are going to be played? My understanding is that, no, VLTs are going to be closed down at a certain time. What this is going to do is allow, my understanding is from the interpretations that have been given to me, is that this will allow for the hotel to stay open long enough so that people can, in a normal way get a taxi if they are taking a taxi home, and they do not have to be standing out in the cold or standing out on the streets waiting or getting into their own cars and driving home. I think this was an issue that was asked for by the industry, and I would have to say that it is probably a proper way to move so that we can accommodate those people who need that ride home in a taxi or whatever.

So, Mr. Speaker, there are good things about this bill, but there are some things that concern people, that people do have to take questions or ask questions about. Everybody in this Chamber needs to be allowed the opportunity to either feel comfortable that this legislation that is good enough to move through, and if they do not, they should be given the right to say, "Hold it, because I haven't been given enough time as an individual, independent member of this Legislature to examine this legislation, I want to take more time, and so therefore I can stand this bill or I can say that I am going to deny leave for this bill to move through." I think that should be granted to anybody, regardless of whether you are in government, in opposition, in the third party or as independent members, to be able to say, "No, no. I'll see this bill through this second reading, but when we get into third reading or into committee stage, I might say I will deny leave on the basis that I need more time." I have to say that you have to allow that kind of a privilege in this kind of circumstance to any member of this Legislature without that member being seen as an obstructionist in passing this legislation, because of the rapid nature that this legislation is moving through.

Again, Mr. Speaker, I do not fault any member for saying that. What I do is point at the government and say shame on you, government, for not introducing this legislation three weeks ago, for not giving some indication that you are bringing in this legislation. Two days ago, or three days ago, we saw the Minister of Family Services give a briefing to media and others about legislation she was bringing in. Well, why did this minister not, if he was going to be introducing this legislation, give us a briefing long before today? Why did he not give the media the briefing long before today?

An Honourable Member: She.

Mr. Derkach: I am talking about him. He is not a she.

An Honourable Member: The Minister of Family Services.

Mr. Derkach: No, I am talking about the minister who is responsible for this legislation.

An Honourable Member: Intergovernmental Affairs.

Mr. Derkach: He is Intergovernmental Affairs.

But why did the minister not do the same thing as the Minister responsible for Family Services did in providing a briefing to media, to the public, to members of this House about his intentions on bringing forward this type of legislation?

So I regret that that did not happen. I regret that this government cannot get its act together. This government cannot get its priorities in order. It cannot call the House in earlier to deal with this. We had all of October. What would have been wrong with this House coming back with the Premier (Mr. Doer) saying, "You know, because of the BSE issue, because of some of the important issues that we have in Manitoba, I'm bringing this House in in October because we've got some important legislation we have to deal with. We've got some crisis issues that we got to deal with, and we're bringing the House back early."

Mr. Speaker, that would have given us ample time to debate all kinds of legislation. I dare say that if the government had introduced this legislation in October, today wine stores would be selling wine-based products, grape-based products in their stores. Today the public, the consumer, would have the ability to take his spouse or an escort or whoever out to a restaurant, have a glass or two of wine and be able to take that bottle of wine home with him.

An Honourable Member: An escort, Len? Do you want to clarify that?

Mr. Derkach: Well, if I have to clarify it for you, then we are in trouble.

An Honourable Member: You are in trouble.

Mr. Derkach: No, I am not in trouble.

Mr. Speaker, I think that the basic aspect of this is that you want to ensure that there is proper and adequate debate. Therefore, you want to bring your legislation in early to allow for that. Surely when the minister was thinking about this legislation, he had to have some idea as to when he wanted to see this legislation passed. In the negotiations that go on between House leaders, government always identifies which bills it wants to see passed.

Mr. Speaker, nobody, the Government House Leader (Mr. Mackintosh) did not identify that Bill 12 was coming forward and that it should be passed before Christmas. Had he done that, we, of course, would have looked at Bill 12, we would ask for a briefing on it, we would ask for a spreadsheet on it, and, indeed, today we could be giving royal assent to Bill 12.

But what does this government expect now? We said that we were prepared to see this legislation move through as quickly as we can through the various stages, but then the minister goes out into the hallway and he says, "Well, I expect that this will pass by June." So we have a bit of a problem.

In conclusion, in a very serious way, I want to say that we have missed an opportunity. We are missing an opportunity in Manitoba to join the ranks of other provinces who are moving ahead. We are missing an opportunity on behalf of people who run businesses in this community, because the only community we have wine stores in is Winnipeg. Those people are being deprived of an opportunity.

Manitobans, as consumers, are being deprived of an opportunity that exists in other jurisdictions. Why are they being deprived of it, Mr. Speaker? Because we have a government that cannot get its act together, that cannot manage its affairs, cannot set its priorities and comes in at the eleventh hour with legislation that is basically good and tries to give the impression that, "Oh, we are on the side of business, we are on the side of people who want move ahead in this province," when actually they are trying to drag their heels. They are not on the side of business at all. They are trying to drag their heels as long as they can, and as the minister indicated, "If we pass it by June, that is fine with us, because this is not really a priority for us."

If it had been a priority, I would have heard that from the Government House Leader (Mr. Mackintosh), we would have heard it, the critic would have heard it, from the minister. They would have had an opportunity to get together and to look at this legislation, and then we would have had a pretty strong recommendation from our critic, one way or the other. In that regard, I leave those comments on the record, because I do regret that we have not had the proper opportunity to be able to debate what I think is pretty good legislation.

Introduction of Guests

Mr. Speaker: Before recognizing honourable members, I would like to draw the attention of honourable members to the loge to my right where we have with us Mr. Binx Remnant, who is the former Clerk of the Manitoba Legislative Assembly.

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

* * *

Mr. Speaker: I have recognized the honourable Minister of Water Stewardship, because I normally go back and forth.

*(16:30)

Mr. Ashton: Mr. Speaker, if I could ask if you would indulge the House for about 30 seconds, because the Opposition House Leader was speaking at the time. I did not have the opportunity to talk to him directly.

Mr. Speaker: I recognized the honourable member to speak to it.

Did the honourable minister get up on House business?

An Honourable Member: On House business, yes.

House Business

Mr. Speaker: The honourable Deputy Government House Leader, on House business.

Mr. Ashton: I believe the Opposition House Leader will be consulting with the opposition critic, who will probably be speaking at this point in time.

An Honourable Member: If I could be of assistance, could I be recognized to speak on the bill?

Mr. Speaker: Okay, now, we dealt with House business.

* * *

Mr. Speaker: I am recognizing the honourable Minister for Water Stewardship (Mr. Ashton), to speak to the bill.

Mr. Ashton: I move, seconded by the Minister of Finance (Mr. Selinger), that the debate be adjourned.

Motion agreed to.

Mr. Lamoureux: I am prepared to speak to the bill.

Mr. Speaker: If the member wishes to speak to the bill, he would have to seek leave from the House. That would be the only way, because the bill has already been adjourned.

Mr. Lamoureux: The indication is the bill is going to be coming again; then I will speak at that time.

Mr. Speaker: Okay, as previously agreed, we will now move on to concurrence and third readings of Bill 49.

CONCURRENCE AND THIRD READINGS

Bill 49—The Municipal Amendment Act

Hon. Steve Ashton (Deputy Government House Leader): I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 49, The Municipal Amendment Act, as amended and reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Motion presented.

Mr. Larry Maguire (Arthur-Virden): I would like to put a few comments on record in third reading on this bill. I believe that the bill, as amended, will allow municipalities and jurisdictions to provide financial assistance programs and tax-increment financing programs, once this bill is passed, and bring it into all other jurisdictions outside the city of Winnipeg, into concurrence with these financial tools that are presently available in the city of Winnipeg. It is to be noted that, as the government has pointed out, this is the first province in Canada, I do not know if that is still the case, that it would be province-wide, with these tools being made available. It certainly was when the—

Some Honourable Members: You are on the wrong bill.

Mr. Maguire: What do you have, 47?

Some Honourable Members: 49.

Mr. Maguire: I am talking 49. Yes. Nice try.

Mr. Speaker, we are looking at The Municipal Amendment Act, and it talks about tax-increment financing and financial assistance programs. So, I think it shows further disarray from the government's point of view that they do not even know what is in their own bills. We have been debating another issue here this afternoon. I have been saying, "You are on the wrong bill."

These processes are, I believe, part and parcel of trying to provide people with the opportunity to have choices in Manitoba. Even though the present minister was not the minister when this bill was brought forward in the Legislature, in fact, neither was the predecessor before him, nor was the predecessor before her. I think it was three ministers ago when this bill was brought forward. I just want to say that, from our side of the House, there are some concerns with this bill, but we are voting in favour of the bill. We will be looking forward to having these kinds of financial tools made available in the House, or in the province of Manitoba.

Mr. Conrad Santos, Deputy Speaker, in the Chair

I have to caution that we will also be watchdogging the abuses that may occur on this bill, because there is potential, as I said, Mr. Deputy Speaker, for some abuse of this particular bill. By that, I mean that in the use of one or the other, either allowing the licence fees to be maintained on mobile homes and trailers in those areas, or bringing it to an assessment-based apportionment, that this bill provides the municipal jurisdictions in question the choice of what they use in regard to licences or fees or assessments on these jurisdictions.

Mr. Speaker in the Chair

I think it is important to note that we certainly do not support duplication or double taxation in these areas as has been expressed by the mobile homeowners of Manitoba in their presentation to the committee on June 8, Mr. Speaker. That was some time ago, but I certainly feel that the concerns were expressed very well, and we reiterate those concerns that the Mobile Homeowners' Association put forward in the presentation that evening.

We do not want to see the bill be abused, and so we will be watchdogging, as I have said, any kinds of abuse that the government may have in this area. I must say, Mr. Speaker, that in regard to the other areas of this bill, that of amalgamated municipalities and continuing on with the policing funds that are used in those areas, that we need to make sure that, as municipalities, if they voluntarily amalgamate in these areas, that any kinds of cutback in funds for policing from one jurisdiction to another, are not cut back.

That is certainly what the bill states, and we will be holding the government to that to make sure that there is not a shortfall in communities of, I believe it is 750 persons or under, that there is any kind of a cutback in those areas at all.

This bill allows municipal councils, the councils to bring in their own by-laws to establish tax-incremental financing and financial assistance programs, as I have pointed out. Those funds would be used in the area of a reserve fund of which the bill outlines these funds have to be used in certain matters and for developmental purposes within those particular areas, Mr. Speaker. I think that perhaps that is what we will be watching to make sure that those funds are used in the areas that they are intended to, and not to be brought forward and used in other areas, used in general revenue. That would be a bad abuse of this, so I want the government to know that we will be following them very intently.

Also, Mr. Speaker, that this bill comes into force the day it receives royal assent which is immediate. I believe that is all we have to put on the record right now, except to say that I also note that the minister in charge of this bill at the present time has also indicated to some of his cohorts in the city of Brandon, "We will not be cutting off assessment. We will not be changing the way from the licensing fees." At the same time, he is telling other mobile homeowners in Brandon, "Yes, we will be moving to assessment. If you want assessment, we will be moving to assessment on one hand, and then those who want licence fees." He is telling them, "We will have licence fees," knowing full well as minister of this bill that it only gives the municipal jurisdiction the choice that he will never have to make, because it is the city or the municipality that will have to make enforcement on those particular jurisdictions.

I just wanted to close by saying, Mr. Speaker, that also today it was brought up in this House that

you have to earn the respect of some of the persons in this House. I believe it was the Member for Brandon East (Mr. Caldwell) that was challenging the Member for Inkster today about the fact that you have to earn it. I just want to note that I had no problem in hearing the Member for Brandon East today, that his voice is back in full force. Now, with his ranting and raving going on, I would hope that when it comes to earning respect maybe the Premier (Mr. Doer) will find room for him back in Cabinet, although I hope, for his own health, that he does not hold his breath for too long. Thank you.

* (16:40)

Mr. Kevin Lamoureux (Inkster): I, too, wanted to put a few words on the record because we did not get the chance back in May and June to be able to speak to the bill. The bill itself was actually brought in for first reading back in May and then the second reading in June, where it then went to committee. The principle of the legislation, and something in which we can support, it is positive in the sense that we see the establishment of different programming that could possibly assist our municipalities. That is something in which, with some possible cautionary notes, we believe are very positive.

In regard to, at times, amalgamation we see there is concern in regard to policing. As we have seen over the last couple of days, in terms of Question Period, it is an important issue of community safety. We have to make sure that adequate policing, and where we can accommodate and when municipalities might amalgamate, that we have to ensure that it is done in a way in which peoples concerns regarding safety is being dealt with. Other issues, such as the licensing of fees, whether it is for mobile homes or others, again allows for more discretion from what I understand, or at least provides more clarity. I think that that too is a positive.

All in all, Mr. Speaker, as I indicated in general the bill is worthy of support and with those few words we are prepared to see it pass. Thank you.

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

An Honourable Member: Question.

Mr. Speaker: The question before the House is Bill 49, The Municipal Amendment Act.

Is it the pleasure of the House to adopt the motion? *[Agreed]*

DEBATE ON CONCURRENCE AND THIRD READINGS

Bill 4—The City of Winnipeg Charter Amendment Act (Differential Business Tax Rates)

Mr. Speaker: As previously agreed, I will now call concurrence and third reading of Bill 4.

Hon. Steve Ashton (Deputy Government House Leader): By leave, I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 4, The City of Winnipeg Charter Amendment Act (Differential Business Tax Rates), as amended and reported from the Standing Committee on Intergovernmental Affairs, be concurred in and be now read for a third time and passed.

Motion presented.

Mrs. Myrna Driedger (Charleswood): Just to conclude my comments from the other day, I would just like to say that I am very pleased to be supporting this bill for the benefit of the City of Winnipeg. I would just like to add that there should be a serious effort by the provincial government to rewrite The City of Winnipeg Charter in a more permissive manner from the present proscriptive document that requires the City to come to the Province cap in hand to make simple changes it would like to implement in trying to better serve the people of Winnipeg.

With those few comments, Mr. Speaker, we are prepared to see this bill move through.

Mr. Kevin Lamoureux (Inkster): We, too, would like to be able to see Bill 4 pass. This is something in which our current mayor and council have been waiting for. One could stress a little bit of frustration in terms of the manner in which the government has brought it forward, the actual timing of it, when you look in terms of the committee meeting being called. As I expressed concern in second reading, I think that it behooves us to try to accommodate our committees to be able to listen to presentations. I noted when this bill did go to committee that there really was not representation from City Council or any of the City of Winnipeg administration, from what I understand.

Mr. Speaker, I think if we would have afforded more time that maybe we would have been able to have that sort of presentation in which members of the Legislature could have posed questions and possibly got a better understanding as to why it is that this is the type of bill the City wants to see.

On the surface, it is a very positive bill, and we are pleased to see it pass. But, much like Bill 12, The Liquor Control Amendment Act, one has got to question in terms of the way in which government deals with legislation. Here is a bill, Bill 4, that could have been brought in, in September, when we should have been sitting, Mr. Speaker. Just the same thing in terms of Bill 12, it could have been brought in, in September. There was no reason why government should have been sitting out and choosing to come in on November 22, then the last day tried to push things through, and tell the opposition, "Look, we have to do this in order to be able to accommodate," and kind of put us under the thumb, apply pressure and say, "Here is the time clock, allow it to wind down." It is not a good way to govern the province.

Unfortunately, because of that attitude, there are going to be areas, such as Bill 12, where the business sector and the consumers are, in all likelihood, going to lose out, because I cannot participate in seeing Bill 12 ultimately pass through third reading. I find it very difficult even for Bill 4, because of the way in which it has been brought in, Mr. Speaker. So I say this more as a cautionary note in hopes that the government's attitude toward the introduction and debate on bills will improve in the months ahead. Thank you.

Hon. Jon Gerrard (River Heights): I just wanted to put on the record that having been in this Legislative Chamber for several years, and where a bill primarily affected the City of Winnipeg and we are changing The City of Winnipeg Act, that it was a great surprise to us that the government had not ensured that the representative from the City of Winnipeg was invited and presenting at the committee stage. It put all of us at a little bit of a disadvantage, because normally under such circumstances we would have had an elaborate explanation from the City of Winnipeg representative. If it is a municipal bill, we would have somebody from the Association of Manitoba Municipalities, and so on.

We are just raising this issue, Mr. Speaker, because in this three-week session there have seemed

to have been a number of problems in the way that the government has been organized, and that there should have been plenty of opportunity to plan this session well, given that they had five months to do the planning and make sure things went smoothly. Clearly, maybe they got rusty after being gone for five months and forgot what the procedures are here normally. Certainly, I wanted to make sure that the government was aware that this was not the way legislation is normally handled, and this is not the kind of procedure that we would expect from the government. We want to make sure, on the record here, that there are better ways of doing this.

We will be voting and supporting this bill to support the City of Winnipeg and the new mayor and his council, but we really think that the government took far too long a vacation, five months, and that they have forgotten some elements of normal procedure that are expected here. We just want to make sure the government is well aware, now that we are going to break very soon for some time, that we suggest that the government spend some of the time boning up on procedures, being ready and better prepared next time when we come back in March.

* (16:50)

Mr. David Faurichou (Portage la Prairie): I just rise to express support for the passage of this bill. I want to commend the new mayor, His Worship Mayor Katz, and council members, that put forward the information and respective requirement for the passage of this bill. I know that it is vitally important to the City of Winnipeg.

I do want to state at this time that I encourage, with the co-operation and consideration of the Department of Intergovernmental Affairs, discussions between the City of Winnipeg and the Capital Region municipalities. I believe they should be encouraged as it has been in and around Portage la Prairie where the City of Portage la Prairie and the Rural Municipality of Portage la Prairie have come to milestone agreements respecting taxation, respecting the disposal of solid waste, Mr. Speaker.

I believe that can serve as an example of the spirit of co-operation and what truly can be accomplished. Most recently, the signing of the memorandum of understanding regarding bringing investment from China for a fractionating plant in Portage la Prairie for soybeans is just an example of

what can be accomplished through co-operation, and so I compliment the Minister of Intergovernmental Affairs (Mr. Smith) and the City of Winnipeg for bringing this bill forward today. I certainly express support for it. Thank you.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is concurrence and third reading of Bill 4, The City of Winnipeg Charter Amendment Act (Differential Business Tax Rates).

Is it the pleasure of the House to adopt the motion? Agreed? [*Agreed*]

House Business

Mr. Ashton: The call going to Bill 22, I was going to suggest, and I look to the Opposition House Leader at this time, that we could go into Bill 22, as was agreed, by leave, into the amendment that the Member for Portage (Mr. Faurchou) was speaking to. Perhaps, if we can assess where we are at 5:15, Mr. Speaker.

Mr. Leonard Derkach (Official Opposition House Leader): I think that is correct. We had agreed that we would spend some time on Bill 22 today, and I think it is important that we do. I would agree with the House Leader that we will consult at quarter after five and then assess the situation at that time. Thank you.

DEBATE ON REPORT STAGE AMENDMENTS

Bill 22—The Water Protection Act

Mr. Speaker: Okay, call report stage. Resume debate on report stage amendment on Bill 22, the Water Protection Act, as previously agreed, by leave.

Mr. David Faurchou (Portage la Prairie): We are in debate of the second amendment as proposed by the opposition in regard to Bill 22 and that amendment concerned the substitution of the minister in regard to the Lieutenant-Governor-in-Council.

Mr. Denis Rocan, Acting Speaker, in the Chair

I believe that I began my comments the other day expressing the importance that the Minister of Water Stewardship (Mr. Ashton) has the support of his colleagues when making a ministerial order. It is beneficial not only for the minister but the individuals that are important, that his Cabinet colleagues or her Cabinet colleagues have opportunity to be knowledgeable of why the minister is requiring ministerial order as it pertains to water. That way then the order is received and put forward by the government as a whole, and all departments are aware of the ministerial order.

As we are all aware, there are other departments of government that have interest in water, whether it be the Department of Conservation under Minister Struthers, or it is perhaps—

The Acting Speaker (Mr. Rocan): Minister of Water.

Mr. Faurchou: The Minister of Conservation. My apologies, Mr. Acting Speaker. I recognize that I am not to mention ministers by name and my apologies for that. But it is vitally important that various ministries, the ministers of Agriculture (Ms. Wowchuk), Intergovernmental Affairs (Mr. Smith), other ministers who, as I say, have an interest in water, and even with government services and highways, one must be knowledgeable and understanding as to why, perhaps, an order is coming from the Water Stewardship and the minister, and being able to be fully briefed as a potential impact on their respective ministries.

I believe that these are important changes, and we are wanting to see that this amendment is received with full support. I understand that the minister is potentially considerate of support of at least one of the proposed opposition amendments. I hope that this is one, and I hope that at a further juncture in time, through debate, we are able to encourage the minister to support more than one and perhaps several.

I do believe that Bill 22 is a bill that provides for security of water as far as it pertains to management. It speaks volumes to engagement of the public, and it puts into the hands of those who are most concerned with water management the authority to design and management and, hopefully, to preserve the quality of water that we have today and potentially improve upon the quality of water that we see in the province of Manitoba.

Bill 22 will work hand in hand, as it is intended, I hope, between the government and the information the government departments have secured on this most valuable resource. Then designing a water management strategy based upon watersheds, engaging a water management authority, which is intended to be a local participation, engaging those who have the greatest familiarity with the area of the watershed. That, I believe, is vitally important, because we are more inclined to make the right decision as it pertains to this most valuable resource because it directly affects ourselves.

When you are distant from the particular area, then it is less of a concern. I believe that the engagement of water management authorities and individuals who will be directly affected by management decisions, the decisions will be made in the best interests of water management and the area residents.

Mr. Speaker in the Chair

* (17:00)

Bill 22 is a bill that we have studied at great length. It is a piece of legislation that we all recognize as being vitally important, and that is why this bill was carried forward from one session to another. It is unprecedented in this Chamber that a piece of legislation did not fall from the Order Paper.

It was agreed upon by the members of this Legislative Assembly that this Bill 22 would continue to stand and, once again, have the opportunity for debate into another session. Also, too, it did allow for further time for the department as well as the public to have that consultative process, which is important to making certain that the legislation is as good as it possibly can be. Although we had only one committee meeting, and I did take the opportunity at that time to encourage the minister and government members to adjourn debate at the committee and to then recall committee after having ample time to digest and research the information that was provided by presenters at committee on September 13, that was denied, however.

I find it a little curious, but I will still believe that the minister had the best intention when he and department personnel went around the province to consult with various jurisdictions, including that of Portage la Prairie, where almost 40 persons did

attend representing various interests in and about the Central Plains area.

But I would like to say to the minister that the time of announcement to the time of actual meetings was very, very short. I know that councillors and conservation district board members are extraordinarily busy, and I do know a number of individuals that were unable to attend that day simply because their schedule was made up more than a week in advance. That is all the time that I am afraid was allowed. Whether it was the minister himself that was responsible for the short time frame or department personnel, it was something that I thought could have been better scheduled so that more people could, in fact, have participated.

The event, though, as I say, was, I believe, a fruitful one. The minister heard a number of concerns, not only with Bill 22 directly, but with the management of water. The greatest concern expressed at these meetings was, in fact, the concern that municipalities have expressed at other occasions, and that is of financing. It just seems that on every occasion there is a downloading, whether it be from the federal government to the provincial government, but in this case it is from the provincial government to the municipal government. More and more is being asked of the municipalities and their respective membership in conservation districts to stretch the dollars and still maintain the programming and still maintain the ditching and any responsibilities that they have had in the past with no greater dollar allocation by this the provincial government.

So I am afraid that to say that this concern was raised, and I hope that through the minister's address he can provide some security to those asking the questions that, in fact, there will be adequate funding in regard to the operation of the conservation districts and, ultimately, the water management authorities that will be created under Bill 22 legislation.

So, looking to the Minister of Finance (Mr. Selinger), I certainly encourage him to look at supporting Bill 22 and the required financing of the activities called for under Bill 22. So I hope that that would be able to be accomplished. Thank you for the opportunity to present Bill 22, second amendment, from our critic.

Hon. Steve Ashton (Minister of Water Stewardship): I am pleased to speak on the

amendment, Mr. Speaker. In doing so, I want to express my disappointment that in his comments the opposition critic, I think, has signalled clearly that, despite the fact that this bill was debated in the previous session of the Legislature, despite the fact that we had intersessional committee hearings, despite the fact that we listened to the presentations, and despite the fact that we have brought in some fairly significant amendments, that the opposition does not see fit to see the need to support this bill. I think the member's comments certainly are reflective of that.

I am surprised, Mr. Speaker, because it was interesting, earlier on other bills, we had concern about lack of notice, while in this bill, it was debated in the last session of the Legislature. It was held over for intersessional hearings. I committed, we committed as a government, to listen. I would like to quote from a press release from the Keystone Agricultural Producers which stated, "Many of the recommendations of Bill 22 that the Keystone Agricultural Producers made in the legislative committee hearings and recent information hearings have been included as proposed amendments. This is a positive more for agriculture and for the department."

Mr. Speaker, and I want to repeat, I mean the headline of the news release, with "Changes to Water Act welcomed by farmers." So I said to myself, quite apart from some of the back-and-forth you get in this Legislature, we listen. We listened to producers at the committee. The member made reference to meetings I had around the province and, in all fairness, they were public information sessions. I went to 10 communities across rural Manitoba. I believe it is important to get outside of the offices in this Legislature. Coming from Thompson, you know, I have got that perspective that we have to all work to make sure we do not have Perimeteritist so I went to 10 separate communities.

Mr. Speaker, I was going to say that nobody spoke out against the bill. There was one person in Viriden that did not like any kind of regulation. So I want to be fair in terms of that. Not one person said, "Delay the bill." In fact, everybody said, "Good idea." Maybe it needs some amendments that have been put forward, but whether it was agricultural producers, whether it was municipal leaders, whether it was participants, in terms of CDs, whether it was people involved in environmental activities,

everybody agreed on one thing, and that is the need for this kind of legislation.

Mr. Speaker, I am beginning to wonder why we are in this situation. There is not a groundswell out there to delay this bill. Then I realized that I think the members opposite, if I were to liken their position on this bill, certainly some of their members, and I do not say the critic, because he has taken a very direct and constructive approach, constructive criticism, but he has certainly put forward amendments that are worthy of consideration, but I think there is a certain wing of the Conservative Party that is the equivalent of the Flat Earth Society when it comes to water issues in this province. I think the spokesperson for that wing is the Member for Emerson (Mr. Penner). I think I know what is happening with Bill 22. This is a direct quote from the Member for Emerson, who yesterday by the way said, "that we had hired agricultural police." He used the term "Gestapo." This is the member who then went on to say he compared Bill 22 and Bill 40—[interjection]

Point of Order

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

Mr. Jack Penner (Emerson): I think the Minister of Water wants to leave things on the record that are not correct. I just want to remind the minister that what I said yesterday that the ministers were using Gestapo tactics in our agricultural community and the agricultural community is very upset about that. That is what I said.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. On the point of order raised by the honourable Member for Emerson, it is not a point of order; it is a dispute over the facts.

* * *

*(17:10)

Mr. Ashton: I have Hansard, and I specifically have that the member referred to, first of all, hiring 28 agricultural police to police the agricultural community, and then went on to talk about "at the hands of the agricultural Gestapo." With this minister's quote in place, Mr. Speaker, it is not tactics, it is a direct attack on the many good people

who work for the Department of Agriculture. Still, today, he will not apologize for that.

But, you know, Mr. Speaker, this Flat Earth Society approach—he went on to describe this bill and Bill 40 with these words that we sometimes look at the powers that were given during the USSR when that organization governed for 70 years. Some of this is more draconian than that. It is astounding a government would even attempt to go this route.

Mr. Speaker, I was interviewed, actually, by the same reporter at the time who said he, I was quoted, had a quote from the Member for Emerson (Mr. Penner) talking about the Bill 22 being "Soviet-style central planning." You know, protecting our water—

Mr. Speaker, you want to talk about the ultimate Flat Earth Society comment, and I think this really speaks volumes as to why they do not want to pass this bill.

The Member for Emerson in an interview with *Farmers Independent Weekly* said, "I believe that we had done testing 20 years ago. Our rivers and lakes are cleaner today than they have ever been." All this, and I am not sure if I can quote this in Hansard, Mr. Speaker. It is two letters and an initial for another word about algae in Lake Winnipeg. You know where that comes from? They lowered the lake more than three feet down to generate hydro. The government is the one to blame for the degradation of the lake last year.

The member opposite put on the record, this is a Conservative member, the Agriculture critic, that there is no problem with water in this province, Mr. Speaker, that it is cleaner today than it was 20 years ago.

Now, Mr. Speaker, I would suggest that what the Conservative members may wish to do, since this bill is not going to pass, is take the time to talk to Manitobans. You know, let them go out and say that the reason they do not want this bill is because they do not think that they have got any challenges in terms of—*[interjection]*

Mr. Speaker: Order.

Point of Order

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

Mr. Penner: I would only say to the honourable minister, Mr. Speaker, that if he wants to put things on the record, then he should put the whole article on the record and not take lines out of context. The article clearly states that I said that farmers have spent billions of dollars changing the way they farm, and they cause less pollution today than they ever had and, therefore, I believe our lakes and our rivers that enter farm community are cleaner today than they have ever been before. That is what I said, and I stand by that.

Mr. Speaker: On the point of order raised by the honourable Member for Emerson, it is not a point of order; it is a dispute over the facts.

* * *

Mr. Ashton: Mr. Speaker, I do not know what part of "out of context" the member is talking about. Our rivers and lakes are cleaner today than they have ever been. That is the view of the Agriculture critic of the Conservative Party, the same one that gets into these comments about agricultural department employees. I would say, clearly, they are squirting out commitment from the members of the opposition to pass this legislation. They may want to figure out what their real position is. Are they in favour of protecting Manitoba's water with one of the most progressive acts of legislation of its kind across Canada, or are they with the Member for Emerson with his outdated, stale rhetoric?

I want to say, Mr. Speaker, I refer to them being Bush-Harper Conservatives. I think they are even further right than Bush and Harper because I do not even think that Bush-Harper Conservatives would have the Flat Earth Society approach of the member. I want to suggest then that members opposite may want to figure out what their position on this bill is.

It is unfortunate they do not see fit to work cooperatively to have this bill pass, but I can tell you one thing. This government knows what its position is. We know that our lakes and our rivers are under stress. We know that we have to work to protect Lake Winnipeg and Lake Manitoba, the Assiniboine River and lakes and rivers throughout this province. Well, that opposition may not know what their position is. They may be the Flat Earth Society, but I urge all members of this Legislature to give consideration to supporting this bill. It deserves it.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I would move, seconded by the Member for River Heights (Mr. Gerrard), that debate be adjourned.

Motion agreed to.

* * *

Hon. Steve Ashton (Deputy Government House Leader): On House business, if I could, Mr. Speaker. I would speak for all members of the House, and I particularly note that the Opposition House Leader (Mr. Derkach) was the first one to raise the fact that we should all say thank you to Tonia Grannum, the visiting committee clerk from Ontario who has been with us for the last week.

I have had the opportunity on a couple of occasions to see the Ontario House. It has characteristics in common with this House which is, at times, they can and we can have some pretty passionate debates in this House. But I am sure she will know that we are very proud of our staffing here at the Legislature, our Clerk and our deputy clerks. We certainly hope she will take back, perhaps, even some lessons from Manitoba, because I know it may be hard sometimes for Ontario to recognize, but I actually think we can probably show even the province of Ontario a few things, and we can probably learn from Ontario as well.

Also, Mr. Speaker, I was wondering in a few moments if you could call for royal assent.

But, if I could, on behalf of the Government House Leader (Mr. Mackintosh)—I know the Opposition House Leader will probably have a few words to say after this—express the best of the season to everyone. I know we have had some pretty passionate debates. I should be the first one to acknowledge that after my last comments, but this is a tremendous time of year for all of us, our families, and no matter how we celebrate the holiday season, I do think we should all take this opportunity to wish everyone all the best. Happy Hanukkah, merry Christmas, Happy New Year, Happy Diwali.

Well, I got myself into difficulty, but the great thing about Manitoba is the great diversity of culture, religion in this province. We all, I think, around this time of year, acknowledge there are many significant reasons to say happy holidays. Thank you, Mr. Speaker.

Mr. Leonard Derkach (Official Opposition House Leader): I join the Government Deputy House Leader in also thanking Ms. Tonia Grannum for gracing our Legislature over the course of the last three weeks as part of the Clerk's staff. I would like to just wish her the very best, that she returns to Ontario, and, certainly, I would welcome her to visit us at any time and join us in this Legislature at any time. Her presence was certainly positive to all of us. I would just like to say thank you to her for all the things that she did in helping us as legislators here over the last three weeks. So thank you very much for that, Tonia.

Secondly, I also join the Deputy Government House Leader in wishing everyone a very merry Christmas. Those of us who celebrate Christmas find this to be a very special time of the year. It is a very holy time of the year, and it is a time of year when we celebrate a very important occasion on earth, Mr. Speaker.

It is also a time when other cultures celebrate other events. For those of Jewish faith, I wish to wish them a happy Hanukkah as well.

* (17:20)

To those who celebrate this as a holiday season, Mr. Speaker, I want to wish everyone a very safe, joyous and happy holiday season. To all of the families today who perhaps are struggling through times of difficulty, and times of difficulty personally, in their lives or in their communities, we want to wish them a time of peace, a time of joy and a time of fellowship as they celebrate with their families. This is probably that time of year when families once again come together from the closeness of family and the closeness of community to celebrate the joys that we have experienced over the course of the year.

So, Mr. Speaker, I conclude by wishing everyone in this Chamber a very joyous Christmas, a very merry Christmas, and a very happy holiday season. Thank you.

Mr. Kevin Lamoureux (Inkster): I will be very brief, and just want to extend best wishes to the staff and all the colleagues inside the Legislature from myself and on behalf of the Manitoba Liberal Party Leader, and to give special greetings obviously to Tonia. As the Deputy Government House Leader (Mr. Ashton) has pointed out, it is a wonderful process democracy, and in Ontario they have some good things, some bad things possibly too, as we do.

Hopefully, you will remember the good things and kind of put aside those bad things that we might have demonstrated, like displaying Big Macs or anything like that.

I just want to extend to everyone the very best wishes during the holiday season. Whether you celebrate Hanukkah, Christmas, it is a joyous time to just be around, and I just wish everyone the best. Thank you.

Mr. Speaker: I also would like to begin by wishing everyone all the best in the season and also a very merry Christmas and Happy Hanukkah, but I also have a very pleasant task.

I am extremely honoured on behalf of all of the members to ask you, Tonia, to come up for a second, please. On behalf of all honourable members I would like to present to you this Manitoba book. I am sure you will come to visit the rest of the province. We have a lot of beautiful places for you to visit, and we want to really, really thank you a lot for coming on your attachment. You have made a great contribution and you have helped this session run as smooth as it could. It has been a very pleasant experience. Now, on behalf of all honourable members, I want to wish you well in your career, and please come back and visit us.

Madam Clerk Assistant (Ms. Tonia Grannum): Thank you. Thank you very much.

ROYAL ASSENT

Mr. Speaker: We will be getting ready for His Honour to come in, so I will just get the desks moved.

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

His Honour John Harvard, Lieutenant-Governor of the Province of Manitoba, having entered the House and being seated on the Throne, Mr. Speaker addressed His Honour the Lieutenant-Governor in the following words:

Mr. Speaker: Your Honour:

At this sitting, the Legislative Assembly has passed certain bills and asks Your Honour to give assent to them.

Madam Clerk (Patricia Chaychuk):

Bill 4—The City of Winnipeg Charter Amendment Act (Differential Business Tax Rates); Loi modifiant la Charte de la ville de Winnipeg (taux de taxe d'entreprise différentiels)

Bill 47—The Legal Aid Services Society of Manitoba Amendment Act; Loi modifiant la Loi sur la Société d'aide juridique du Manitoba

Bill 49—The Municipal Amendment Act; Loi modifiant la Loi sur les municipalités

In Her Majesty's name, His Honour assents to these bills.

His Honour was then pleased to retire.

Mr. Speaker: Please be seated.

Hon. Steve Ashton (Deputy Government House Leader): I believe there might be a willingness to call it 5:30.

Mr. Speaker: Is it the will of the House to call it 5:30? *[Agreed]*

The hour being 5:30, this House is adjourned and stands adjourned at the call of the Speaker.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, December 9, 2004

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