

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

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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.
JENNISSON, 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, May 12, 2005

The House met at 1:30 p.m.

ROUTINE PROCEEDINGS

PETITIONS

Pembina Trails School Division—New High School

Mr. John Loewen (Fort Whyte): I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

Overcrowded schools throughout Whyte Ridge, Lindenwoods, Linden Ridge and Richmond West subdivisions are forcing Pembina Trails School Division to bus students outside of these areas to attend classes in the public school system.

Elementary schools in Pembina Trails School Division have run out of space to accommodate the growing population of students in the aforementioned areas.

Five-year projections for enrolment in the elementary schools in these areas indicate significant continued growth.

Existing high schools that receive students from Whyte Ridge, Lindenwoods and Linden Ridge are at capacity and cannot accommodate the growing number of students that will continue to branch out of these subdivisions.

Bussing to outlying areas is not a viable long-term solution to meeting the student population growth in the southwest portion of Winnipeg.

The development of Waverley West will increase the need for a high school in the southwest sector of Winnipeg.

The government is demonstrating a lack of respect for the students and families in Whyte Ridge, Lindenwoods, Linden Ridge and Richmond West by refusing to provide adequate access to education within the community.

The Fort Whyte constituency is the only constituency in the province that does not have a public high school.

NDP constituencies in Winnipeg continue to receive capital funding for various school projects while critical overcrowding exists in schools in Lindenwoods, Whyte Ridge and Richmond West.

We petition the Legislative Assembly of Manitoba as follows:

To request the provincial government recognize the need for a public high school in the southwest region of Winnipeg.

To request the provincial government, in conjunction with the Public Schools Finance Board, to consider adequate funding to establish a high school in the southwest sector of Winnipeg.

Signed by J. Skafffeld, K. Cheema and G.A. Marchione and many others.

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

Minimum Sitting Days for Manitoba Legislature

Mr. Kevin Lamoureux (Inkster): 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 35 days in 2003.

In 2004, there were 55 sitting days.

The number of sitting days has a direct impact on the issue of public accountability.

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 Amrit Parbhakar, Hasumati Shah and Janet Nikkel.

* (13:35)

Ambulance Service

Mr. Ron Schuler (Springfield): I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

In May 2004, 46-year-old Peter Krahn suffered a heart attack while exercising in East St. Paul and was pronounced dead just under an hour later after being transported to the Concordia Hospital in Winnipeg. Reports show that it took nearly 18 minutes for an ambulance to arrive for Mr. Krahn.

The Interlake Regional Health Authority claims that 21 minutes is an acceptable emergency response time, whereas the City of Winnipeg uses a benchmark of 4 minutes.

Ambulance coverage for East St. Paul is provided from Selkirk, which is almost 25 kilometres away.

The municipalities of East St. Paul and West St. Paul combined have over 12 000 residents.

We petition the Legislative Assembly of Manitoba as follows:

To request the provincial government to consider providing East St. Paul with local ambulance service which would service both East and West St. Paul.

To request the provincial government to consider improving the way that ambulance service is supplied to all Manitobans by utilizing technologies such as GPS in conjunction with a Medical Transportation Co-ordination Centre (MTCC) which will ensure that patients receive the nearest ambulance in the least amount of time.

To request the provincial government to consider ensuring that appropriate funding is provided to maintain superior response times and sustainable services.

Signed by Al Schoffner, Marie Schoffner and Steven Schoffner.

MINISTERIAL STATEMENTS

Manitoba Day

Hon. Eric Robinson (Minister of Culture, Heritage and Tourism): Mr. Speaker, I have a statement for the House.

It is a pleasure today to rise and provide a ministerial statement to acknowledge Manitoba Day. It was 135 years ago that the Manitoba Act received Royal Assent, officially creating our province as part of Canada.

Across this great province Manitobans are attending various celebrations and events to commemorate this anniversary. These celebrations bring all people of all ages and origins together to commemorate our heritage in Manitoba, what we have achieved as a province over the years and to reflect on our hopes and dreams for the future of Manitoba.

One celebration that is taking place in Gimli is the event Manitoba Day Heritage Partnership Project, involving school children in learning about and honouring the special relationship that developed between Icelandic immigrants and the Aboriginal people who were instrumental in helping the newcomers become accustomed to life in a land much different than the land they came from.

The Grade 5 class from Strathclair Community School that won the "Thank You Farmer" card contest earlier this year are our special guests in the gallery today on Manitoba Day. Also scheduled is a meeting with His Honour the Lieutenant-Governor, other dignitaries and guests.

Today the diversity of its people is one of the many characteristics that make Manitoba an exciting and appealing place to call our home. Indeed, celebrating Manitoba also honours the First Nations people who have lived here and respected the

land and the waters of this wonderful province for thousands of years.

As I mentioned before, when explorers and settlers from other lands began to arrive here, First Nations people shared their knowledge of the land. They also shared place names and legends associated with those places from Aboriginal name and legend to official title of the province. The name "Manitoba" is our shared legacy and a lasting way of honouring Aboriginal people who are integral to the heritage of this province.

My department is a proud and energetic supporter of heritage initiatives throughout Manitoba. As an example of that, I would like to share with you some of the details of a small celebration I will be attending later today. I will be meeting with representatives of the Churchill River Diversion Archaeological project to formally acknowledge a very special relationship between the Province of Manitoba, Manitoba Hydro and First Nations.

* (13:40)

This partnership has actually been in place for about 15 years, and it has resulted in the reality of the rich legacy of heritage sites. It has also shown us where future partnerships could allow northern communities to manage precious cultural resources directly. Signing this agreement in principle is long overdue recognition of the roles played by all these parties in the past, and the roles that they will play in the future to preserve a heritage and an historic record of the value of all Manitobans.

Mr. Speaker, I believe this agreement in principle represents acknowledgement of First Nations people as the first residents of this province, and it highlights the extremely important contributions their descendants are making to the history of Manitoba today in preserving and managing precious and new cultural resources.

As a First Nations person and as a Minister of Manitoba Culture, Heritage and Tourism, I believe that signing this agreement is a highly appropriate way to celebrate Manitoba's 135th year as a province.

I wish to conclude my remarks by thanking Manitoba Hydro, the Nisichawayasihk Cree Nation,

the O-Pipon-Na-Piwin Cree Nation, the Manitoba Museum, the University of Winnipeg, Manitoba Aboriginal and Northern Affairs and the Historic Resources Branch in my department for their co-operation in putting together this important agreement today.

Mr. Jack Reimer (Southdale): I thank the minister for his comments in regard to Manitoba Day and the celebration that we will be going through today and over the next short while. It is my distinct pleasure to share a few remarks about Manitoba Day, celebrated today, May 12, in honour of Manitoba's 135th birthday. I would like to take the opportunity to highlight a few important points in Manitoba history. I hope this brief historical journey reminds us of how far our province has come in 135 years.

As mentioned, in 1870, the province of Manitoba came into being with the Manitoba Act. The 1880s was a decade of expansion for the CPR, extending tracks through Winnipeg and across southern Manitoba. 1885 was a time when Louis Riel changed Manitoba's political landscape. In the 1890s, Manitoba experienced a great deal of immigration, becoming home to Ukrainians, Russians, German Mennonites, Icelanders and many other Europeans, as well as United States and Ontario homesteaders.

In the 1900s, Manitoba petitioned the federal government to extend the western boundary. In 1913, the foundation of the Manitoba Legislature, the building that we are in, was laid. In 1916, Manitoba was the first province to grant women the right to vote, and 1919 was the year of the infamous Winnipeg General Strike. During the 1920s, the United Farmers party both entered and exited provincial politics. The 1930s was a challenging decade across Canada. An interesting little fact was that during that time the RCMP took on provincial policing duties here in Manitoba. In 1941, the Royal Rifles of Canada and the Winnipeg Grenadiers were sent as reinforcements to Hong Kong. The 1950s brought the flood of the century, and in 1962 Duff Roblin began the construction of the Manitoba floodway.

In 1979, overturning a court decision, Manitoba again became bilingual. 1980 brought much devastation to many of Manitoba's forests. At the time, the forest fires of 1988 were the worst in our history. 1997 was Manitoba's most recent flood of the century. In addition, we had the privilege of

hosting the Pan American Games. In our recent history, Manitoba hosted the North American Indigenous Games, the Junos, and, the Golden Boy, one of the many wonderful symbols of the province, had a thorough makeover.

Mr. Speaker, these highlights of Manitoba history are but a few of the many events, organizations and individuals who have had an impact on the people, the development and the growth of our great province. I am sure I speak for all members of this Chamber when I say that this is an especially important day for us as legislators and representatives of the citizens of Manitoba. I trust that all members will take a few minutes to ponder the importance of remembering and celebrating Manitoba's history and the people who have helped make Manitoba what it is today.

Today is a day not only to celebrate Manitoba's history but also a day to celebrate our rich cultural traditions. We, in Manitoba, make up a culturally diverse and culturally rich population. Although we may share different customs, practices and languages, we are all proud to be part of this great province of Manitoba. As this House is well aware, one of our greatest strengths is Manitoba's celebration and inclusion of cultural diversity. I encourage all members of this House and, in fact, Mr. Speaker, all Manitobans to learn more about the people and the cultures that make up this great province, and to celebrate this wonderful occasion—

* (13:45)

Mr. Speaker: Order. Leave?

Some Honourable Members: Leave.

Mr. Speaker: Continue.

Mr. Reimer: —to celebrate this wonderful occasion, the 135th anniversary of the day of Manitoba coming into being.

Mr. Speaker, today, as Manitobans, we remember our individual and our collective past. We celebrate the accomplishments of our province this far and we look to the future, a bright peaceful and prosperous future for all Manitobans, and I encourage all Manitobans and legislators to hug a buffalo today.

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

Mr. Speaker: Does the honourable member have leave?

Some Honourable Members: Leave.

Mr. Speaker: Leave has been granted.

Mr. Gerrard: Mr. Speaker, happy Manitoba Day. On May 12, 1870, the Manitoba Act received Royal Assent, and this made Manitoba the fifth province of Canada and the first province in western Canada. Today marks the 135th anniversary of the beginning of our province.

Manitoba has a glorious past and a very promising future. It is scandalous that as a poll last year showed, a mere 2 percent of our province's population even know that this is Manitoba Day, May 12. It is time to change that. Something must be done to raise awareness and to raise pride in Manitoba. We need to recognize our Aboriginal heritage, First Nations, the Métis heritage, the Francophone people who have come here, and people who have come to Manitoba from all over the world. It is very important that we celebrate in a more meaningful way, Manitoba Day. That is why I have called on all members of the Manitoba Legislature to come together to institute, beginning next year, a half-day provincial holiday on May 12, Manitoba Day.

In calling for a half-day provincial holiday on Manitoba Day, I am mindful of the importance of children having a half day in school on this day. In this way schools can organize a learning program around Manitoba Day, and I would like, for example, to congratulate Strathmillan School for doing just that. I was there this morning and they have a wonderful program around Manitoba Day.

So let us move forward with this idea. Let us look seriously and move on having a half-day holiday so all of us can celebrate. You know, there have been a variety of memorable activities on previous Manitoba Days: May 12, 1966, Manitoba's official flag was dedicated and unfurled; May 12, 1996, the Louis Riel statue was unveiled; May 12, 2004, last year, the Manitoba Chamber of Commerce organized Manitoba Day 21 with 21 organizations supporting an effort to build a better awareness of Manitoba Day. Our provincial history is far too important for this day to be so neglected.

Mr. Speaker, it is time to have a half-day holiday for all Manitobans every year on May 12 so that we

can celebrate and honour our province together. We have a lot to be proud of. Let us show our pride with an official holiday starting next May 12.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, I would like to draw the attention of all honourable members to the public gallery where we have with us today Grade 5 students from Strathclair school. These students won the "Thank You Farmer" card contest that was held earlier this year. They are the guests of the honourable Member for Russell (Mr. Derkach) and the honourable Minister of Agriculture and Food (Ms. Wowchuk).

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

* (13:50)

ORAL QUESTIONS

Livestock Industry Slaughter Facilities

Mr. Glen Cummings (Ste. Rose): Mr. Speaker, my enthusiasm to ask this question is exceeded only by my disappointment in this NDP government where they have failed to respond to the need in this province to assist and build slaughter capacity so we could market our cattle, but we want to celebrate Manitoba Day.

We are soon to be celebrating the second anniversary of the closure of the American border to our cattle. We need federally inspected capacity to move beef anywhere outside of this province. Natural Prairie in Neepawa, Rancher's Choice in Dauphin need infrastructure development to build their plants. What priority has this government given that project?

Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives): Mr. Speaker, the member opposite may be celebrating that it is almost two years since the closure of the border, we are not celebrating. We are working with the industry. We are working with people at Rancher's Choice, and we are moving forward on that proposal to build slaughter capacity in Dauphin. We are working with other people who have put different proposals forward. That is why we put additional money in place to cover off feasibility studies.

I can tell the member opposite there are people who have applied for funding to have their feasibility study done and there are people coming forward with business plans. It is my goal and all of our goal to see slaughter capacity in this province increase. We will continue to work with people opposite. If the members opposite would support and offer support to people who are looking for the increase to their slaughter capacity, we would welcome their support.

Mr. Cummings: Mr. Speaker, anyone listening to that answer would realize this government has done almost nothing to support this industry. We cannot move beef out of this province without federally inspected plants. We have an opportunity to produce more capacity in this province. We are desperately in need of leadership from this government so they can get into production, so they can develop their capacity. They have not yet, as this minister said, exceeded or gone past the stage of doing a feasibility study.

Will she assist these plants and hurry up with the process?

Ms. Wowchuk: I would like to remind the member opposite of where slaughter capacity was at the end of their term, Mr. Speaker, because during their mandate slaughter capacity declined dramatically. Under our leadership slaughter capacity is increasing. We are working with people who want to build slaughter capacity in this province. We are working with Rancher's Choice. We are working with others. We have put money in place for feasibility studies. People are taking that money, they are coming forward with plans. I hope we will see further growth, and I hope we would have members opposite, rather than just being critical, being there to support the industry.

Mr. Cummings: Mr. Speaker, we are not critical of the people who are entrepreneurs in this province who want to get on with the job. We are talking about infrastructure developments that support these plants. That is the government's job. That is where the government has a role and they are failing. They are failing the plants; they are failing the cattlemen.

Mr. Speaker, I want an answer today as to when they will tell the communities what support they can expect for their infrastructure.

Ms. Wowchuk: Mr. Speaker, each application is an individual application. Each application is dealt on

an individual basis. I say to the members opposite that we are working with them on the facility in Dauphin, and I hope we would have support from the members opposite rather than just criticism because this is a co-operative. This is a group of people that have been wanting to see the slaughter capacity.

I can tell you, Mr. Speaker, we have staff dedicated to this, and it is through our leadership that, in fact, the slaughter capacity in this province has gone up from where it was under the previous administration.

Livestock Industry Slaughter Facilities

Mr. Ralph Eichler (Lakeside): Mr. Speaker, today we hear yet of another processing plant nearly developed, but not here in Manitoba. No, it has opened in Alberta at a reasonable cost of \$21 million and processes 500 head of cattle per day. This minister seems to lack the ability to attract investment in Manitoba or even develop a straightforward program such as Rancher's Choice.

Will the minister put on the record today when a plant will open in Manitoba?

* (13:55)

Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives): Mr. Speaker, I can tell the members opposite that the equipment is in Dauphin. The equipment has been bought. Our government has supported Rancher's Choice in the purchase of that equipment, and we are working with them. They are putting their business plan together and the infrastructure plan is being done by the people of Dauphin and the R.M. of Dauphin.

We are working with the industry. We have had increased capacity in this province. We need much more. We need Rancher's Choice and we need others. We will continue to work with the industry that wants to have slaughter capacity in this province. I hope the members opposite would offer their support rather than the criticism that we have heard from them, Mr. Speaker.

Mr. Eichler: We have done more than offer criticism. We offered this minister, time and time again, suggestions, our five-point plan. They have yet to answer those. That is the problem with the government over there.

On Manitoba's birthday we should be celebrating our successes, but we are not, Mr. Speaker. Rancher's Choice has purchased truckload after truckload of equipment doing their part, yet this NDP government once again is left lagging behind.

When will this minister finally make a meaningful announcement and announce the start of this project?

Ms. Wowchuk: Mr. Speaker, I want to recognize the people who are involved in Rancher's Choice and the work they have done to bring this idea forward. I can tell you, as I can tell members opposite, our government has worked very closely with them to ensure that this plant will move forward. I can tell the member opposite stay tuned. The plant will be going into construction. We will see a plant in operation in Dauphin.

Mr. Eichler: Mr. Speaker, I will ask the minister to stay tuned because we have more news for her if she would just listen. We have brought realistic proposals forward to the minister. We have expansions in Winkler and Beausejour, also projects from Neepawa, Arborg and Dauphin. The minister has done nothing. Two years, no plants, no action, just empty announcements. Our producers are tired of these hollow promises.

Will the minister make a commitment and keep our cattle in the province along with the jobs in the province of Manitoba?

Ms. Wowchuk: Mr. Speaker, I will stand beside our record of what we have done to support the industry through this very difficult time. It has not been an easy time for people in the cattle industry. Our government—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Ms. Wowchuk: Thank you, Mr. Speaker. This has been a difficult time for producers in the cattle industry over these last two years.

Our government has put in place programs that were designed in consultation with the industry. The producers and processors have come forward with ideas and our government has been there to support them as they move through this process of increasing slaughter capacity. We will continue to work with

them because it is our goal to increase slaughter capacity in this province and have plants built to the federally inspected standard.

Probate Fees Increase

Mr. Gerald Hawranik (Lac du Bonnet): Mr. Speaker, last Friday the Finance Minister issued a press release raising probate fees by 17 percent. Yesterday the Finance Minister introduced Bill 44, increasing probate fees by a further 36 percent over Friday's increase. In a period of five days, the Finance Minister increased the fees a total of 58 percent.

Given the fact that the Province has record high revenues this year, courtesy of the federal government, I ask the Minister of Finance what possible excuse does he have for increasing this tax twice over a five-day period. Why did you do it, Mr. Minister?

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, at the time of the budget we said there would be an adjustment in the probate fees when it was brought forward by the Department of Justice. When it was brought forward we announced it. It is encoded in The Budget Implementation and Tax Statutes Amendment Act, 2005. All the information is there. It was announced publicly. The member says that a public press release is a backdoor way of doing it. It was announced twice and now it is being followed through on in legislation.

Mr. Hawranik: Increasing probate fees is a tax on widows and children. A total increase of 58 percent is unconscionable. The taxes for a \$150,000 estate went from \$890 to \$1,050 on Friday, and then now today, a mere five days later, to \$1,405.

I ask the Minister of Finance has he already spent the extra \$525 million in additional revenues available to him this year in the budget. Is that why he is increasing the taxes on widows and children twice over a five-day period to a total of 58 percent?

* (14:00)

Mr. Selinger: The member asked if we have spent the extra money we received from Ottawa. He will note that the Fiscal Stabilization Fund has been replenished very close to the 5% target. The money

has been put there. The probate fee was brought into the middle range for the probate fees across the country. It had fallen severely behind.

All the money that is being drawn from the probate fee goes back to doing what the Minister of Justice is doing today: 23 new police officers are graduating of the 54 that we announced in the budget. So the money is going to make our communities safer for everybody including senior citizens.

Mr. Hawranik: Mr. Speaker, a 58% increase in probate fees in five days by this NDP government is unconscionable. Obviously, the NDP cannot increase taxes fast enough to fuel their spending habits. Obviously, the NDP cannot stoop low enough in their quest for more money. They have to go after widows and children.

I ask the Minister of Finance who is next on the minister's tax radar screen. Who is next? The food banks and the homeless?

Mr. Selinger: Mr. Speaker, we reduced taxes in this budget by \$149 million. We have increased the property tax credit for senior citizens up to \$800. We have put more resources into middle-income families. We have increased the minimum wage. We have increased shelter options for low-income families within this province. As a matter of fact, in the year 2003, we were one of the only provinces in Canada where food bank use actually declined, and that was in part a result of restoring the National Child Benefit clawback. Members opposite clawed back the National Child Benefit from low-income families. We restored it, and that is why families are doing better in Manitoba today than when you were in government.

Crocus Fund Election of Directors

Mr. John Loewen (Fort Whyte): Mr. Speaker, Clause 3(6) of the prospectus for the Crocus Fund reads, and I quote, "as with most corporations, responsibility for the management of the business and affairs of the fund rests with the board of directors."

Today we are learning that the six board of directors appointed by the MFL are going to resign their position and four or five new directors are

going to be appointed. These are the directors responsible for the loss of over \$60 million of unit holders' money. Mr. Speaker, the new board of directors, whose names we have seen, will be a vast improvement, but they still are short of any experience in venture capital investing.

This still leaves a big hole in the fund but the real issue, Mr. Speaker, is that the same prospectus indicates, and I quote again, "holders of common shares are entitled to elect two directors."

Mr. Speaker, I would ask the minister to indicate to the House and to unit holders today what this government is prepared to do to see that the rights of the unit holders are upheld when they get the opportunity to elect two directors.

Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines): Mr. Speaker, I think what the member forgets is the Auditor General's report is going to recommend changes. What he is going to do is recommend changes to improve the system. The system that was set up in 1992, by the former Filmon government, was improved. It was improved in 2001 to ensure that the Auditor General had oversight of the fund. We will continue to listen to the Auditor General, listen to the investigations that are ongoing to make sure we improve the system, make sure there is more additional protections for shareholders and make sure the board is reflective to the best interests of the shareholders.

Mr. Loewen: Once again, Mr. Speaker, the minister indicates the Auditor General will make recommendations. I would remind him he has got the report of the Auditor General, as does the Minister of Finance, but that is not the issue. The issue is that it is this government's responsibility to uphold the law and see that the rights of the shareholders are protected. Section 106(3)(b) of The Corporations Act reads, and I quote, "if there are no remaining directors elected by that class or series, any holder of shares of that class or series may call a meeting of the holders thereof for the purpose of filling this vacancy."

What this means simply, Mr. Speaker, is that when Charlie Curtis resigns, as we are told he may do today, it gives the unit holders the right to call a meeting to do as indicated in the prospectus and elect

two new directors, unconflicted, two experienced directors to stand up for their interests.

I would simply ask this government to indicate today what they are going to do for the unit holders to see that their interests are protected.

Mr. Rondeau: Mr. Speaker, once again the member opposite is a little bit confused. It is not the government's right, it is not the government's role to call a general meeting. It is the role of the Crocus Fund. It is a right of the management of the fund.

So what the member is confused about is our role, and our role is to ensure that the Auditor General has the appropriate information. Our role was to make sure he had the right to go in and make a report. Our role is to react to the draft report and the final report once it is presented, to make sure it appropriately reflects the proper protection for all shareholders. That is what we are doing. That is the prudent thing.

The member opposite forgets the management of the fund is left to the board and the fund. We are the ones who set the rules by which the fund operates. That is what the investigation is going to do. We are going to continue to improve the fund for all shareholders and approve what you started.

Mr. Loewen: Mr. Speaker, obviously it is the minister who is confused time and time again. He needs to understand his role is to do what his government said it would do, and that is to monitor the fund, to see that it acts within the act it was set up to act under. The real issue here is who is standing up for the unit holders. Once again this government continues to try and distance themselves because it is embarrassed by its appalling lack of oversight that has led to the fleecing of Manitobans to the tune of \$60 million.

Mr. Speaker, the issue is simple. If Mr. Curtis resigns, it triggers automatically the rights of the unit holders to call a meeting to elect two directors to stand up for their interests. I would ask him today will he give his assurance to the unit holders that they will get the opportunity that a meeting will be called, which is within his right to see the law is upheld to ensure they get the right to elect two unconflicted and experienced directors to look after their interest.

Mr. Rondeau: Mr. Speaker, the member opposite must be very confused because yesterday he said I am not asking you to manage the fund. What you have to understand is we do not manage the fund. It says in the act that there will be a general meeting and there will be people elected to represent the shareholders when that happens. You are talking about a hypothetical situation. The fund will work within the parameters as designed.

What you are asking us to do is manage the fund. We do not manage the fund. We do not manage the everyday operations of the fund. We do not call the meetings of shareholders. What we do is we have extended The Auditor General's Act. We gave permission for the Auditor General to go in and audit the fund. We allowed the MSC, an independent body, to go in and investigate the fund. We are going to get their reports and we are going to improve the situation that was set up by you.

Seven Oaks School Division Land Acquisition and Development

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, from the minutes of a March '05 meeting of the Public Schools Finance Board, it says that on September 14 of '04, the Seven Oaks School Division asked the Public Schools Finance Board for approval to sell off parcels of land in Swinford Park in the Grady Bend area, which are the 20 properties on the cul-de-sac. Strange, considering Mr. O'Leary said all of this surplus land had already been sold in 2003.

I would like to ask the Minister of Education if he can tell us why the Public Schools Finance Board waited five months to pass a motion giving them permission to sell off this land.

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): Once again, Mr. Speaker, the process of acquisition and disposition of land, the guidelines are in place so that the Public Schools Finance Board acts appropriately. When school divisions approach them in acquiring land and when they approach them in disposing of land the decision rests with the arm's-length organization that is Public Schools Finance Board. The duly elected school boards bring forward these proposals.

Obviously in this case, Mr. Speaker, something has gone awry and we have committed to look at how this transpired. All these questions are going to

be addressed in the review we have committed to do and all these questions will be answered on or before the 2nd of June as we have committed to do.

Mrs. Driedger: Mr. Speaker, certainly things have gone awry in this situation. In fact, it is a big mess. At the March 16 meeting the Public Schools Finance Board also passed a motion that no future land development projects of this nature will be approved by the Public Schools Finance Board.

Considering that the Public Schools Finance Board had an opinion on February 8 that land development by a school division is illegal, why did it take them until March 16? They had the legal opinion on February 8. They waited until March 16 to relay this to the school division. Why did it take them that long to do that?

* (14:10)

Mr. Bjornson: Once again, Mr. Speaker, these are very specific questions that will be dealt with in the review process. In Estimates it was discussed that the legal opinion that had been requested, as well as the land management review, were documents that had to be dealt with together. The Public Schools Finance Board, when they received those documents, were responding to questions raised as a result and getting the information back and forth.

It is a very complicated process. We have talked about it in Estimates and we are talking about it in the review. The review is going to answer all the specific questions, Mr. Speaker.

Mrs. Driedger: Mr. Speaker, until last week this minister said he knew absolutely nothing about this, despite having the allegations come to him a year before. In the last two weeks he has demonstrated serious, serious mismanagement of this whole issue.

Mr. Speaker, a motion was also passed at that same meeting saying that the Public Schools Finance Board wanted a full accounting of the Swinford Park development by way of a special financial statement upon conclusion of this project.

I would like to ask this Minister of Education if this project is concluded and if there is a complete financial analysis already completed and handed in.

Mr. Bjornson: Once again, very specific questions are all going to be dealt with in the review process. We have the co-operation of all parties in this

process. We have got a team that is assembled to address this. We have got a lot of expertise lined up to deal with this, and it will be dealt with on or before June 2, Mr. Speaker.

Physician Resources (Brandon) Shortages

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, Brandon's doctor shortage has reached crisis proportions. Not only are they short orthopedic surgeons, pediatricians, internal medicine specialists, ophthalmologists, psychiatrists, anesthetists and ER doctors, but now we have learned that on Monday two pathologists gave notice of their resignations. Clearly there is a disturbing trend that we are seeing in the exodus of doctors from Brandon.

How many more doctors have to leave before this government will recognize the very seriousness of this issue?

Hon. Tim Sale (Minister of Health): Mr. Speaker, I would like to quote Doctor Dhaliwal, the head of CancerCare Manitoba, when he spoke on CJOB on March 10 of this year. He said that, of the cuts of the previous government to medical school, it takes 10 years to train a pathologist, and, also, if you will remember there were cutbacks in the intake of medical students 10 or 15 years ago. Now we are seeing the effects of these cuts. That is Doctor Dhaliwal.

Now, Mr. Speaker, I am very concerned about what is happening in terms of the supply of doctors for Brandon general hospital. That is why we have been working very intensely through Doctor Burnett, through the regional health authorities of Manitoba with the RHA to try and strengthen their recruiting. They are actively recruiting in the areas the member mentioned. They are competing with health authorities all across this country. I hope they will be successful.

Mrs. Stefanson: Mr. Speaker, the new phenomenon of highway medicine is alive and well in Manitoba today. This government continues to force people from Brandon to travel to Winnipeg to seek health care services that should be available to them at home.

Why does the Minister of Health not recognize the seriousness of this issue? Stand up for the people

of Brandon and develop a serious plan of action to recruit and retain physicians in Brandon.

Mr. Sale: Mr. Speaker, as I was saying, the effect of our work over the last five years has been that, in total, we have 139 more doctors practising in this province than we had in 1999. That does not solve the problem, but it is an immense improvement over the situation we faced when we came into government.

Mr. Speaker, we have very recently been working with the medical college to fulfil our commitment to expand the spaces by a further 15 by a year from now. That is in addition to having brought back the enrolment of the medical college from the cuts of the previous government down to 70, back up to 85. We are actually running at about 87 this year. Next year we will be up over 90, close to 95. Unfortunately, it will take another four years to graduate those doctors and seven years before they become effective in our system. We are committed to a long-term solution to a problem caused by a previous government's bad decisions.

Mrs. Stefanson: Mr. Speaker, clearly the members for Brandon East and Brandon West are not standing up for their constituents, so we will.

Mr. Speaker, people in Brandon deserve better than the empty promises and rhetoric of this government. Why does this Minister of Health not have a plan to stem the exodus of people like the pathologists who are leaving for another province from Brandon?

Mr. Sale: Mr. Speaker, the Brandon RHA has also been successful in recruiting physicians over the last number of years. Yes, there are areas in which we need to recruit more, but they have also been successful in finding and retaining people in the area of orthopedics, for example.

I want to just remind the member opposite that it was the previous government that cancelled the Brandon hospital five times, Mr. Speaker. It was this government that built the hospital. It was this government that put the first MRI outside of Winnipeg, in Brandon. It was this government that built the new ambulance four-bay garage, the first four-bay garage that we have had in this province in a long, long time. This government is the government that has made available 13 more

surgical beds in that hospital so they can increase their orthopedic throughput this year. We are acting, they cut.

Mental Health Services Accessibility

Hon. Jon Gerrard (River Heights): Mr. Speaker, today, Manitoba Day, is also Canada Health Day. The MLA for Rossmere (Mr. Schellenberg) and I were at the Clubhouse last night to meet with people concerned about mental health issues. We heard from many people who are experiencing difficulties with the present NDP-run health care system. Indeed, we heard from a mother who has a severe mental health problem in her son. She called up to get her son into the PACT program and was told that the list was so long they had stopped keeping a list because there was no purpose to it.

I ask the Minister of Health (Mr. Sale) why is it that his government is spending money to go to court to protect his right to give long waiting lists, instead of spending money to fix the problem and allow people access to problems like PACT, which they need.

Hon. Theresa Oswald (Minister responsible for Healthy Living): I thank the member for the question. It is a fact that the PACT program, that is Program for Assertive Community Treatment, has been a very effective program in our community. The WRHA has this program in place to assist people who are suffering with mental illnesses, severe and persistent mental illnesses, Mr. Speaker, with doing as much as they can to live in community in a healthy and, indeed, happy way.

Certainly we find that the PACT program is considered one of the best practices in mental health care, a community-integrated program. It has been very, very successful, in fact, in reducing hospital stays for mental health patients somewhere in the neighbourhood from 90 days down to 10 days. We have seen that success here in Winnipeg and, indeed, we are working very hard to expand this program to rural Manitoba.

Mr. Gerrard: Mr. Speaker, this is exactly the point. This is a program which is doing good. In Ontario they have about 60 PACT teams. In Manitoba we have one. We should have four, five, six, somewhere like that. What is happening is that people who are

severely sick with mental illness cannot get access. Instead these individuals end up in hospital in crisis because there is not the adequate support in the community.

The question here to the minister is why on earth is her government spending money to go to court to protect their right to have long waiting lists instead of spending the money to make sure people have access to PACT programs when they need it.

Ms. Oswald: Indeed, I believe I just stood in my place and agreed with the member opposite that the PACT program is very successful. That is, in fact, why we are working hard to expand the program to help more people in Winnipeg and, indeed, assist those who are suffering with debilitating mental illnesses in rural Manitoba.

The PACT program is one component of our mental health treatment plan. One of the most important components, as I have said before, Mr. Speaker, is mental health promotion. That is why we are working hard within our schools. That is why we are working hard within our communities with organizations such as Teen Touch and Teen Talk to ensure that we can do the best we can to prevent mental illnesses.

I find it curious, strange, that the member opposite who is standing in his place crying out for more services voted against our budget to improve health care in Manitoba.

* (14:20)

Mr. Gerrard: Mr. Speaker, the fact is when it comes to health care this is a government in crisis. This is a government which spends to address a crisis instead of spending to prevent the problem in the first place. They could use those dollars much more effectively if they increased the number of PACT teams instead of just standing there and saying, "Oh, there is nothing that we are doing or could do that is more."

The reality is that two years ago they got \$200 million more from the federal government, last year \$450 million from the federal government and, yet, they are spending it on crisis management instead of preventive health. When is this government going to start realizing that, instead of going to court to protect their right to have long waiting lists, they

should be spending the dollars preventing the problems, keeping people healthy and in the community, as the PACT program does?

Ms. Oswald: I will reiterate for the member that not only do we concur that prevention and promotion is a very important part of a mental health strategy, but we in fact put the PACT program in place, the program that he is lauding today. That is indeed why we are going to work hard to expand that program.

I will also correct the record for the member opposite. Indeed when he claims that nothing is being done, in fact, we have increased our funding to mental health spending by 38 percent since 1999. That is close to \$20 million. Again, this is a member who stood in his place and voted against increases to health care. I find comments about funding coming from a Liberal a little daunting today.

Winnipeg Housing and Homelessness Initiative Update

Mr. Rob Altemeyer (Wolseley): Today we are celebrating Manitoba Day, but for residents of the inner city Manitoba Day on the annual calendar brought very few reasons to celebrate under the previous government's watch. The complete abandonment of inner-city issues led to severe neighbourhood decay and extreme housing deterioration. I was hoping that members opposite—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Altemeyer: Thank you, Mr. Speaker. I appreciate that those reading Hansard afterwards will not understand that the opposition did not want me to ask my question. They do not want history reviewed and they certainly do not want to be reminded. However, I am pleased to inform members of the opposition that today we are, in fact, celebrating the 5th anniversary of the Winnipeg Housing and Homelessness Initiative. I am hoping that our Minister of Housing might be able to offer some headline stories for all of us here in the Chamber today.

Hon. Christine Melnick (Minister of Family Services and Housing): Well, I thank the member from Wolseley for both the question and the accurate accounting of the history of Manitoba here. It is

indeed the 5th anniversary of the Winnipeg Housing and Homelessness Initiative. It is the only tri-level agreement of its kind in Canada in which we have agreed to work with the federal government, the City of Winnipeg and, I think most importantly, the three of us working with community groups and community renewal corporations to renovate, rehab and build new housing in the inner city. Our record is over 2300 units within the inner city of Winnipeg, Mr. Speaker. We also have 100 new infill housing projects on the go, many of which have already been pre-bought. I would like to say that today we made another wonderful announcement for a co-housing project in north Point Douglas.

Hip and Knee Replacement Surgery Wait Lists

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, last week it was 84-year-old World War II veteran Don Dundas' hip replacement needs that I brought to the minister's attention. This week it is Mrs. Brennan from Elkhorn who wrote, "The Premier seems to think that health care is not a priority. So hallway medicine has now become a highway of undone hip and knee replacements."

Why will this callous Health Minister not listen to Manitobans like Mrs. Brennan, remove his self-imposed quotas and provide necessary hip and knee operations for otherwise healthy Manitobans like Mrs. Brennan?

Hon. Tim Sale (Minister of Health): Mr. Speaker, let me first correct the member. There are no quotas on hips and knees. They do not exist. These are simply myths that the opposition keeps repeating in the fond hope that if they say them often enough somebody will believe them. We put in place a thousand extra procedures in the next couple of years. That is our goal. Brandon will do an extra 120, Boundary Trails will do an extra 80, and, in Winnipeg, we will do an extra 800.

Mr. Speaker, I am proud of the fact the Canadian orthopedic society said that more had been done in Manitoba than in any other province in the past five years to the orthopedic waiting lists. So I am confident our system, our doctors, our nurses, our physiotherapists will help us provide people with better health care before they need their surgery, when they need their surgery and in recovery. We will make our target of a thousand extra procedures.

Mr. Maguire: Mr. Speaker, this is cold comfort to persons like Mrs. Brennan. She said, and I quote again, "I phoned the Morden hospital on April '05 and was told that they were just now booking last April's patients. Since April all they have been able to do are fractured hips and knees."

Will this minister end his false platitudes, remove his ideology, remove the pain and fund the backlog of painful hip and knee replacements?

Mr. Sale: Well, Mr. Speaker, we have agreed that we have too long a waiting list for hips and knees, so I am not sure where the member has been. We can now do more hips and knees in Brandon. That is a lot closer to Virden than Winnipeg is. They are going to do 240 over the next couple of years. So we have committed to increased volume.

We are recruiting more surgeons. We have six more orthopedic surgeons than we had in 1999 when the previous government left office. We have 10 more anesthetists than we had in 1999 when they left office. We put in two state-of-the-art surgical suites in Concordia Hospital to allow them to make a vastly increased target. They exceeded their target for last year. They tell us they will exceed it again this year. We agree the problem needs to be fixed. We are fixing it.

Mr. Maguire: Well, Mr. Speaker, who are we supposed to believe, the minister or the people writing these comments to us, these people in pain in Manitoba?

She stated further, "Do I have to fall and break a hip to get it done before I am in a wheelchair and the quality of life is deteriorating each day?" Mrs. Brennan needs both hips replaced, Mr. Speaker. There are existing alternatives.

Will the minister set aside his rhetoric, implement these options and relieve the pain and suffering of Manitobans waiting for these hip and knee replacements?

Mr. Sale: Mr. Speaker, when my colleague, the former Minister of Health, moved to assure patients that the Pan Am Clinic would be available for many orthopedic procedures which previously took up time in our acute care in-patient hospitals, he made it possible for many more surgeries to be done in our hospitals because the recovery time for hips and knees requires a hospital stay. The alternatives that

have been put forward by the opposition are all on the mistaken assumption that somehow a hip procedure is an out-patient procedure. It is not; it requires a hospital stay.

We are very much committed to reducing these waiting lists to an acceptable level. We know that our friends and neighbours are also waiting for surgery. We know the pain can be very, very severe. I have friends in that situation. That is why we are putting all the energy we can to fixing this problem so that the waiting lists are shorter and Manitobans get the care they need. We need everyone's support to ensure Manitobans that we can make our targets and reduce that list.

Mr. Speaker: Time for Oral Questions has expired.

MEMBERS' STATEMENTS

New Community Centre in Elmwood

Mr. Jim Maloway (Elmwood): Mr. Speaker, I rise today in the Manitoba Legislature to report on an exciting new project that will take place in my constituency of Elmwood.

In the not-too-distant future Bronx Park Community Club and Good Neighbours Senior Centre will be housed in a brand new facility that will serve as a model for future community centres in our province. The \$3.9-million facility will be 35 000 square feet, will include a wellness zone, games room, computer lab, creative arts studio, home improvement shop, as well as administration, storage and meeting areas. Funding will come from all three levels of government, administered through a \$43-million recreation and leisure initiative announced last month.

The benefits this facility will offer the community are numerous. It will enrich local neighbourhoods by acting as a community campus which will promote interaction between individuals of all ages. It will enhance the quality of life of seniors, children and their families by providing a safe place to pursue recreational activities in a social setting. It will help to keep the youth in the community physically active setting them on a path to healthy living for years to come.

Mr. Speaker, although this ambitious project is important to the future of East Kildonan, we must not forget that thousands of constituents do not have

cars and must walk or take the bus to their local clubs. Bearing this in mind, it is difficult to deny the value that small neighbourhood community clubs like Kelvin and Chalmers have to the local residents.

Again, I would like to congratulate all of my hardworking constituents for their efforts in this visionary project. Thank you.

Strathclair Community School

Mr. Leonard Derkach (Russell): I rise today to congratulate the Grade 5 students from Strathclair Community School in their achievement of winning the first prize in the "Thank You Farmer" contest that the Minister of Agriculture (Ms. Wowchuk) put forward.

Mr. Speaker, these students, we learned today, worked very hard to comply with the rules of the contest and to try to make this as original and as unique as possible. I think from the judges scaling of these projects, certainly the Grade 5 students from Strathclair Community School demonstrated they can compete with the best in this province and they can achieve.

Today, the Minister of Agriculture hosted a luncheon for these young Manitobans. It was very appropriate she did that because, when the students were supposed to be here to receive their awards, we had a snowstorm in this province, Mr. Speaker, and the students were not able to attend at that particular day. So it was indeed a pleasure to join the Minister of Agriculture today at the luncheon. I am happy to say that Mr. Speaker (Mr. Hickes) was able to join us at the same time. It was truly a wonderful short lunch that we were able to enjoy with the students and the teacher as well as some of the support staff and parents.

I understand the students are touring the city of Winnipeg today. As well, they were here at Question Period. I think it would be appropriate for all of us to join together as legislators in this province to congratulate this small school in western Manitoba and the small class of Grade 5 students for their wonderful accomplishment and their achievement on this very important day, Manitoba Day. Thank you, Mr. Speaker.

Joyce McLean

Mr. Doug Martindale (Burrows): Mr. Speaker, I rise to congratulate Joyce McLean for being awarded

the 2005 Volunteer of the Year Award from the National Association of Activity Professionals. Joyce received this award on April 20 in Washington, D.C., the first individual outside the U.S. so honoured. Joyce was chosen for her remarkable 39 years of dedicated commitment to the residents of Fred Douglas Lodge. I am delighted that she was able to join us in the public gallery today.

Joyce began her close relationship with the lodge in 1966. She started working as a dietary aid, but so strong was her interest in serving others that, a week later, she volunteered to help in the recreation department on her days off. When Joyce later became the manager of that department, she continued volunteering, going above and beyond the call of duty to make someone else's life, or their leaving of life, a little easier. Besides involving residents in enjoyable activities, Joyce worked tirelessly to organize fundraising projects to ensure that these activities continue.

Joyce is still volunteering at the lodge. A year ago she logged 4000 hours. These days she can be seen in the dining room before each meal, setting the tables for the residents, assisting them getting to and from the dining room, conducting Sunday hymn sings, or showing them movies twice a week.

The staff and volunteers of Fred Douglas Society foster a caring, respectful and supportive living environment. Joyce, as a member of that society, has adopted volunteerism as a way of life, bringing hope, comfort, joy and dignity to others. She has been called the "heart and soul" of Fred Douglas Lodge, and the "glue that holds the lodge together."

I am proud to congratulate Joyce McLean for being awarded the 2005 Volunteer of the Year Award by the National Association of Activity Professionals. Thank you to all staff, board of directors and volunteers with the Fred Douglas Society for their hard work and volunteerism, which makes Fred Douglas Lodge such a wonderful place to live for its residents.

Manitoba Day

Mrs. Mavis Taillieu (Morris): Mr. Speaker, I am pleased to put a few words on the record today, Manitoba Day, Manitoba's 135th birthday.

In celebration of Manitoba Day, *The Scratching River Post*, a community newspaper in Morris,

initiated a Manitoba Day photo contest and invited photographers to submit entries which depicted Manitoba.

Mr. Larry Manson of Domain was the winning entry with his landscape featuring a grain elevator at Ste. Agathe, Manitoba. Mr. Manson's lens also captured the hope of better things associated with a burst of golden sunlight on the elevator at the moment he took the photograph. The photograph will be hanging in the Legislature for a week. I would encourage everyone to have a look at it. *The Scratching River Post* in Morris currently intends to offer this as an annual photographic contest and hopes that it will become a province-wide contest as well.

Today, the Grade 11 students from Morris School also celebrated Manitoba Day here at the Legislature to raise awareness of Manitoba Day and its truly multicultural mosaic. I want to congratulate these students on their attention to culture, heritage and on their family roots and the projects they did on that. I would also like to congratulate Julianna Rhymer on achieving fourth place in Manitoba for her Canada Day poster depicting our multicultural Manitoba.

In particular, I want to congratulate Doug Penner and Laura Rempel from *The Scratching River Post*, a community newspaper in Morris, for their innovation and creativity in celebrating Manitoba Day. Thank you, Mr. Speaker.

* (14:30)

Asian Heritage Month

Mr. Andrew Swan (Minto): Mr. Speaker, May is Asian Heritage Month, another opportunity for Manitobans to celebrate the diversity of our province. Today, I recognize the efforts of Magdaragat Philippines, located in Minto constituency, which has preserved and promoted Filipino culture in Manitoba for nearly 30 years.

Magdaragat Philippines, established in 1976, is a non-profit organization dedicated to the promotion of the Filipino culture through dancing and performance arts. Using traditional Filipino folk dance, poetry, theatre and a host of other influences, they express various aspects of Filipino culture. Over the years, Magdaragat has performed at community

events, conferences, business functions and fundraising concerts. Magdaragat helps to organize annual events which promote multiculturalism in our province.

Each year, Magdaragat holds a Culture Share and co-operates with members of another culture to give both groups an opportunity to learn from one another. This year they joined with the India School of Dance. In years past, Culture Shares have included co-operation with the Spanish, Ukrainian and El Salvadorian communities.

Each summer, Magdaragat serves as the principal sponsor of the Pearl of the Orient Pavillion at Folklorama. Here, Magdaragat helps other groups from the Philippine community share Filipino entertainment, cuisine and cultural displays with the rest of Manitoba. Magdaragat Philippines is helping to promote Filipino culture in Manitoba, and in the process they are contributing greatly to our diverse community.

Mr. Speaker, I would like to thank Magdaragat Philippines for sharing Filipino culture with the rest of Manitoba. I invite members of the House to celebrate Asian Heritage Month in May, and Philippine Heritage Week in early June. Thank you.

ORDERS OF THE DAY

(Continued)

GOVERNMENT BUSINESS

Hon. Steve Ashton (Deputy Government House Leader): Mr. Speaker, could you please call debate on second readings in the following order: 18, 25, 5 and 8? Then could you please call the report stage for Bill 22?

DEBATE ON SECOND READINGS

Bill 18—Le Collège de Saint-Boniface Incorporation Amendment Act

Mr. Speaker: Resume debate on Bill 18, Le Collège de Saint-Boniface Incorporation Amendment Act, standing in the name of the honourable Member for Carman.

Mr. Denis Rocan (Carman): Monsieur le Président, je suis très heureux aujourd'hui de me présenter ici dans cette Chambre pour donner mon appui au projet

de Loi 18, Loi modifiant la Loi constituant en corporation le Collège de Saint-Boniface.

Translation

Mr. Speaker, I am very pleased today to be present in the House to give my support to Bill 18, Le Collège de Saint-Boniface Incorporation Amendment Act.

English

It is unfortunate that certain events that led to the Auditor General's investigation into the practices and governance of the college prompted this amendment to this particular act. It is fair to say that St. Boniface college is a valued institution that offers a great deal to the province of Manitoba and to the Francophone community.

Nous les Conservateurs [*We Conservatives*] believe that the college has a bright future ahead of it and that there are many things that could be done to increase the value of the college and to increase the value of the educational experience for the college's students, which I believe the Auditor pointed out in his report. I am certain that there are many other different ways that we could assist in making this institution a world-class university when it comes to French-language sponsored programs.

À travers le Canada, nous voyons qu'il y a plusieurs établissements postsecondaires qui offrent des cours en français.

Translation

Throughout Canada, we see that there are several post-secondary institutions that offer courses in French.

English

Many of these schools are outside of Québec, and entering into partnerships with them would be a valuable alliance for St. Boniface college and, indeed, the province of Manitoba. However, this legislation is still very restrictive in that only schools that offer instruction primarily in the French language qualify.

Unfortunately, this mindset means that the students at St. Boniface will not be able to take advantage of programs in the faculties of Education, Arts or Social Sciences offered in French at, say,

Simon Fraser University in British Columbia. The quality of French language education at Simon Fraser University is so high that the university has alliances with EduFrance that gives Simon Fraser University students the opportunity to study in France and earn Simon Fraser University credits.

As well, the University of Regina also has a rich and broad selection of French language instruction, headed up by the university's Institut français. The institute was set up in response to the important role Francophone Canadians have played in the development of Saskatchewan.

Regina's Institut français is remarkably similar to St. Boniface College in terms of their mandates to offer French language instruction in a variety of disciplines, while also promoting French language, culture and history within their province. This, I believe, would be one example of a way that we could expand the direction of the université de Saint-Boniface. However, despite the similarities and the obvious opportunities for partnership and alliances, St. Boniface College is not being allowed an opportunity to explore these types of partnerships.

J'ai eu l'occasion dernièrement d'écouter des étudiants et des membres de la communauté francophone chez nous à La Montagne—

Translation

I have recently had the opportunity to hear students and members of the Francophone community, in my region of La Montagne—

English

—who see tremendous and untapped potential for the college. It would be extremely beneficial to our province, and indeed, our education system, if we could work towards making this a reality. There appears to be an opportunity now in our history to establish St. Boniface College as a full-fledged university in the very near future.

However, this would require a great deal of effort on behalf of this minister and her government in terms of funding and programming. The college, as well, would have to deal with a great deal of programming issues to ensure it can offer appropriate class selection to offer degrees. As well, a great deal of work needs to be done on behalf of the

community to ensure that government understands the merits and demands for an actual, stand-alone university serving the needs of Franco-Manitobans as well as Francophones around Canada and the world.

Quand nous regardons le nom "collège universitaire", je vois que c'est un peu difficile à comprendre, parce que je ne suis pas capable de trouver un autre établissement avec ce titre dans le réseau d'universités canadiennes. C'est pour cette raison que nous devons remplacer le nom par "Université de Saint-Boniface".

Translation

When we look at the name "collège universitaire," I see that it is somewhat difficult to understand, because I cannot find any other institution having that title within the network of Canadian universities. It is for that reason that we should replace that name by "Université de Saint-Boniface."

English

Bill 18 does address some concerns that were raised about the governance of the college. The amendments are an important step to bolstering the credibility of the college as a consumer of taxpayers' dollars and a place of higher learning and development for Manitoba students of all ages. I am pleased that there will be greater transparency in accounting measures and governance that will mirror requirements that other post-secondary institutions have to follow.

There will now be representatives from the University of Manitoba, as well as public members on the Board of Governors. I am pleased to note that there will also be student representation on the Board of Governors. However, I would have preferred that the student representation would have been selected by the students, rather than by the minister through an Order-in-Council.

It is to this end that I see that we have a responsibility to the professionals who give of their time to instruct the students in the other official language of this bilingual province. We see many advantages for our young people who want to educate themselves in the French language. To this end, French should be the official working language of the université de Saint-Boniface. Also, I believe that the minister should support this institution by

recommending that students be required to answer their exam questions in French, unless, of course, the student were taking an English course. Then it would make common sense to have them done in English.

Ce qui nous concerne aussi est le renvoi—

Translation

What concerns us as well is the reference—

English

On that part, I want to retract that statement because, giving considerable consideration, I see that the minister has already—and she talks about it in the bill on the affiliation with the University of Manitoba, so I will not have to address that part of the bill at this present time.

Yet, there seems to be some sort of dragging of the heels on the part of this minister to help address some of the many shortfalls that she has created with a lack of resources and understanding where a French university is concerned.

* (14:50)

We have in our milieu one of the finest French colleges, or as I like to say, universities in western Canada. We should be promoting it as such to give us more influence, or at least a better understanding to those who wish to migrate here to beautiful Manitoba and who want to have access to a French university.

I would have expected more from this government, especially with the Minister of Finance (Mr. Selinger), who just happens to have this college which should be called a university right in his own back yard. Thank you very much, Mr. Speaker.

Mr. Peter Dyck (Pembina): I move, seconded by the honourable Member for Carman (Mr. Rocan), that we adjourn debate.

Motion agreed to.

Bill 25—The Workers Compensation Amendment Act

Mr. Speaker: Bill 25, The Workers Compensation Amendment Act, standing in the name of the honourable Member for Turtle Mountain (Mr. Cullen).

What is the will of the House? Is it the will of the House for the bill to remain standing in the name of the honourable Member for Turtle Mountain? *[Agreed]*

Mr. Daryl Reid (Transcona): I am pleased to rise to add my comments to Bill 25, The Workers Compensation Amendment Act, Mr. Speaker.

I want to start first by thanking the Minister of Labour (Ms. Allan) for her work in bringing forward this piece of legislation and for her department in recognizing the need to amend The Workers Compensation Act, in fact, to modernize the act.

Mr. Speaker, there are a number of changes occurring in the new act that have been long interests of mine, and I wanted to see some improvements to those. In particular, it was the section dealing with protection for firefighters, both full time and part time, for those employed in that occupation in Manitoba. I will save those comments for a few moments and start, perhaps, with an overview of the legislation itself and talk a bit about what changes will be incorporated in this new piece of legislation that I am proud to support.

Mr. Speaker, in Bill 25, our government proposes to make some significant changes over what had been in place through previous legislation brought in by the Filmon government during the 1990s. I can remember debating quite clearly those pieces of legislation, and Bill 59 comes to mind. I know Bill 56 preceded Bill 59 in the early 1990s. Of course, during that time those amendments to The Workers Compensation Act were deemed to have, in our view, eroded the benefits and the wage loss protection for Manitobans who were injured in workplace accidents and then had to sustain time loss and, of course, subsequently, loss of some of their benefits.

I recall in the early 1990s, in fact, Mr. Speaker, going back a bit further than that, in 1985 the then-Howard Pawley government had introduced the King Commission report, or King Commission, to review The Workers Compensation Act in the province of Manitoba. That committee travelled across Manitoba consulting with Manitoba stakeholders about the state of our workers compensation system and, of course, subsequently brought back its report in 1987.

Mr. Speaker, that report was about an inch thick in its size and contained a significant number

of recommendations. Unfortunately, and I recall quite clearly, the then-Filmon government chose to cherry-pick that report and not take all of the recommendations contained within it, and then implemented Bills 56 and 59 which eroded the benefits and wage loss protection for injured workers in Manitoba. I know when we were in opposition we spoke against and voted against those two particular pieces of legislation.

Now, Mr. Speaker, we have before us a piece of legislation that will right the wrongs caused by Bill 56 and Bill 59 and will bring back and restore some balance and protection for injured working people and their families in Manitoba. I am quite proud of the progress we have made in this regard. In particular, I am quite proud of the fact that, for the first time in Manitoba, we will have wage loss protection for minimum wage earners, and that protection will be 100 percent. It will not be prorated, as the previous legislation Bill 59 had implemented. Bill 59, in 1991 in particular, changed the process of measurement of payment that would go to an injured worker from a 75 percent of gross system of net pay and changed it to a 90% net pay system.

In fact, Mr. Speaker, it went on further to penalize injured workers and their families by penalizing those families and workers an additional 10 percent of net pay after two years. So, if an injured worker was injured longer than two years and was off work, their net pay was reduced a further 10 percent from the 90 down to 80 percent. The net effect of that was considerably less. In fact, we had calculated at the time that the wage loss that the injured worker would receive would be somewhere in the range of 75 percent of net income. So there was a considerable financial penalty for anyone that was unfortunate enough to be injured in a workplace accident as a result of the impact of Bill 59 that was brought in and became effective January 1, 1992.

Now, Mr. Speaker, in this new bill that we have brought forward, Bill 25, we have put in place, as I have indicated, wage loss replacement of 100 percent for minimum wage workers, because I think it is important to recognize that those in our society who are living on minimum wage, eking out a living, are very hard pressed to keep their commitments and to support their families at that level of income. It is only fair that if they should unfortunately sustain a workplace accident 100 percent of their wages are protected.

Mr. Speaker, we also have increased benefits for those people who have sustained permanent injuries. I do not like to use the term, and I use it guardedly, that some have referred to the "meat chart" with respect to how individuals are compensated for perhaps the loss of a finger, or an arm, or a leg as a result of a workplace accident. Those levels of compensation have been increased and will help to offset some of those losses and to in some way help to reduce the suffering that person, that individual who would have lost those parts of their body, would have to live with for the rest of their lives. So this in some way, some small measure, helps to compensate for that particular loss.

Mr. Speaker, one of the issues that I had, and I recall the debate quite clearly in this House sitting across the way and debating Bill 59, was an age discrimination that was built into Bill 59 of 1991. At that time the former Filmon government decided that if a worker was injured and was 45 years of age or older their benefits would be reduced for every year that they were over the age of 45. So for 20 years there would be, if a person was unable to return to work and was injured at the age of 45, they would have their benefits reduced every year from the time they were 45 up until the time they were age 65, when their benefits would end. So there was an age discrimination actually built into Bill 59, which I never supported at any time in this House. I think it is only fair to say, and I am quite proud of the fact, that our government has decided that we will eliminate that age discrimination as a part of The Workers Compensation Act here in Manitoba.

Now, Mr. Speaker, with respect to other parts of Bill 25 that we have brought forward, there are some benefits in here for employers as well. I congratulate the minister and the Workers Compensation Board for striking a committee that would travel across the province of Manitoba, consulting with all stakeholders with respect to the state of our compensation legislation, workers compensation legislation. I know they brought back a very extensive report. I have a copy here in front of me and, having looked at it, there are quite a number of recommendations contained within that report. We have incorporated almost all of those recommendations into the legislation that we have before us today in Bill 25.

One of the other items, Mr. Speaker, that had been put in place by Bill 59 during the 1991 legislation that we are removing through Bill 25 is

the wage cap that had been incorporated by the previous Conservative legislation. I know this is an issue that is important to the miners in the North for individuals who are, through their employment, achieving a fairly decent wage.

Under the existing provisions of the workers compensation system, the wage loss benefits are capped under the current legislation and do not allow those who are making a higher level of income to receive the full wage loss benefits should they sustain a workplace injury. So through Bill 25, we have removed the cap on earnings that would be used in the calculation for wage loss replacement.

* (15:00)

Now, Mr. Speaker, there is also, for employers, the cost of transporting injured workers to hospitals will now be borne by the workers compensation system which will put in place, obviously, I believe, a responsibility where it rightly belongs, and that is into the hands of the workers compensation system to care for the worker from the moment that person is unfortunately injured until the time they return to work. I know the compensation system we have in place tries very earnestly to restore the worker as close to whole as possible and to encourage them to return to active work life and a normal life and to provide the necessary supports along the way.

Having been the critic for the workers compensation system for a number of years, I know and can reflect on many of the cases that came to my office as a result of the legislation that had been in place. In fact, Mr. Speaker, looking back over some of my old speeches here in the early nineties, I recall when first being elected as a member of this Assembly, my caseload as a MLA was 75 percent workers compensation related, which is a huge volume related to an area that unfortunately, at that time, was penalizing folks for being injured in workplace accidents.

Now, Mr. Speaker, the legislation itself will also bring in place changes to the government structure relating to the workers compensation system and will allow for members of the Workers Compensation Board to be chairs of the subcommittees of that particular board. I think it is only fair and reasonable that some individual who is part of the Workers Compensation Board chair those subcommittees because I think it allows for a complete involvement

of all board members to participate in the activities of the board decisions and the subcommittee recommendations that might go through to the full Workers Compensation Board itself.

So I support that the chair of the board will no longer be the sole person responsible for chairing all of the committees. I also support the fact that we have given the opportunity to have Value-for-Money Audits contained within the legislation that will allow for those audits to take place, I believe, once every five years, and will allow the board itself and perhaps the government of the day to determine the effectiveness of the policies that are in place, and if there are any amendments required that will allow those reviews to occur.

I believe, Mr. Speaker, we have also built a provision into this legislation that will allow for a 10-year review of the workers compensation system. I know this legislation has not been reviewed for—well, the last piece of legislation we brought in was in 1991, so it has been some 14 years since the last piece of legislation. This will allow for a 10-year review and, hopefully, ongoing into the future and to make sure that our compensation legislation stays current with the best practices and policies from across the number of jurisdictions in North America, and perhaps around the world. So this will allow us to take that change in that direction.

Mr. Speaker, there are a number of other recommendations we have with respect to Bill 25. One of the areas I support quite strongly, in fact, very strongly, is the fact we have said through this legislation that the responsibility for prevention and investigation of workplace accidents must and should remain a part of the Workplace Safety and Health branch of the Department of Labour. I believe very strongly that it is important to keep a separation between those two functions and to keep them independent of each other to make sure we take the necessary preventative steps to prevent injuries in the first place. This legislation reinforces that it would be the practice in the province of Manitoba.

With respect to the investment policy, going back to governance for a moment, the WCB will have its board of directors now set the WCB investment policy. I know it is a practice of MPI and that we rely quite strongly on the advice we would receive by fund managers. I think it is important to have the board involved in the investment policy

decisions being made because they are ultimately accountable to the stakeholders, to the working people of the province of Manitoba and to the employers that fund the workers compensation system in our province.

Mr. Speaker, there also have been changes to the Workers Compensation Appeal Commission that will strengthen that particular process, and we have confirmed that workplace injury and disease prevention are part of the WCB mandate. Now, picking up on that part, I want to talk for a few moments about The Workers Compensation Act amendments in Bill 25 that will restore something that is very near and dear to my heart, and that is protection for firefighters in the province of Manitoba.

I was quite proud to be a part of a provincial government that brought in amendments, I believe it was in 2002, to the workers compensation system that recognized that firefighters would be protected for certain types of cancers. We were quite proud to pass that particular piece of legislation and to this Bill 25 will expand on those protections.

I want to go back and review some of the historical facts that were related to firefighter protection and how we arrived at this point, Mr. Speaker. I know the Member for Thompson (Mr. Ashton) and I had been working on this issue since—the Member for Thompson, in particular, had been working on this issue since 1988. Of course, when I was the critic, I became the critic for Labour in, I believe it was 1990 or '91, then I kind of picked up where the Member for Thompson had passed the torch, and we moved forward. It has been some 15 years of work, moving to the point where we will restore whole a protection that had been in place for the firefighters in our province, both full- and part-time firefighters.

Now, Mr. Speaker, when we look at the legislation that we had, or the regulations that we had from 1966 until 1988, firefighters in our province, full-time firefighters, were protected by WCB regulation that if they sustained a heart, lung, brain or kidney injury or disease during the course of their employment as a firefighter, they would be deemed to have encountered that disease or that injury as a result of their employment. In fact, WCB, the first regulation was brought in in 1966 and was subsequently amended in 1977 to be WCB regulation 24-77 that protected firefighters.

Now, unfortunately, in 1988, the then-City of Winnipeg management and council decided that that regulation was not in their best interest and they decided to challenge that regulation before the courts of Manitoba. Subsequently, in their challenge they were successful when Justice Sterling Lyon ruled that such a matter of protection for firefighters must be proscribed in legislation and not in regulation. Subsequently, Justice Lyon terminated heart and lung presumptive WCB benefits for firefighters. That was a sad day in the history of the province of Manitoba when that occurred.

Now, I know, Mr. Speaker, firefighters at that time were very distressed and of course they subsequently went to the government of the day, the Filmon government, which was fairly new in office at that time and asked the government to reinstate that protection for firefighters into legislation. There had already been the King commission study that had been ongoing, but the legislation associated with that had not been implemented and had not been brought forward.

Bill 56 subsequently came forward, and I am looking at the historical records that we have available to us, Mr. Speaker. We see where the Member for Thompson once again added comment to the fact that the Bill 56 that was brought in by the previous government did not incorporate protections for firefighters and did not reinstate that protection for those firefighters.

So, Mr. Speaker, in 1990 the Member for Thompson, recognizing that the government of the day, the Filmon government of the day, was not serious in bringing back those protections for firefighters, introduced Bill 97, a private member's bill, that would restore heart and lung and cancer protection for firefighters. That bill subsequently died on the Order Paper, unfortunately, and it was a time of the minority government, so perhaps that had something to do with it. It was then subsequently brought back in following years after the '90 election.

Mr. Speaker, I know the Member for Thompson had asked the then-Conservative government to introduce amendments to Bill 56 and, reading the comments, he tried a number of times. In fact, on March 12, 1990, the Member for Thompson brought in his own amendments to Bill 56, trying to amend it to restore those protections for firefighters, and the then-government of the day voted against those amendments.

It is interesting to note all along the way that the practice or the policy of the previous government was to deflect or to defeat any amendments that would provide those protections for firefighters.

* (15:10)

Now, Mr. Speaker, after first being elected in 1990, I had the good fortune to encounter one Bill Laird, who was a firefighter. God rest his soul, he unfortunately died of a heart attack not long after we had the opportunity to meet him. He was playing with his grandchildren and died while, I believe, still an active firefighter. Bill had brought to my attention, and I know had worked very clearly with the Member for Thompson (Mr. Ashton) to restore the benefits for firefighters. We thank him for his efforts and honour his memory for the work he has done on behalf of firefighters and for all those that succeeded him in that role. There are a number of folks in the firefighters' organization that I was thankful to have met and worked with.

In fact, Mr. Speaker, one of the folks I want to reference here today, it was announced, I believe, it was yesterday, a number of Manitobans have been invested into the Order of Manitoba. One of those folks I had the honour to work with on firefighters' legislation was one Martin Johnson, who was very actively involved in the firefighters organization, the union at the time. I can remember having discussions one winter day outside a meeting hall where I happened to be attending a meeting. Mr. Johnson stopped me on the street when we were leaving the meeting. We proceeded to stand outside in the freezing temperatures for an hour while he impressed upon me the importance of restoring the benefits for firefighters and how we could achieve that. My answer to him at the time was well, if you can provide me with some of the scientific evidence you have available to you, I would be pleased to take a look at it. Little did I know that the next day I would have four inches of paper on my desk leading me to the only obvious conclusion one could arrive at, and that was there was enough scientific evidence to support the restoration of heart, lung and cancer protection for firefighters.

It was after that time I was honoured to present to the Legislative Assembly changes to the private members' bills that were introduced in this Chamber. On April 29, 1994, we introduced Bill 207 and then

again on December 9, 1994, we introduced Bill 213, that would try to restore the protection for firefighters. Now, unfortunately we got very close, but it was subsequently defeated on a procedural challenge by the then government of the day. I know one of the members in the Chamber here was the Speaker of the day. I was very distressed that a procedural challenge would actually shutdown the debate that occurred. I recall it as if it were yesterday.

When no other members rose to speak on Bill 213, I rose to close debate. After waiting a few moments and then at that point, it was members of the government that stood up and challenged my right to close debate. I remember that quite clearly occurring in here. It prevented that private members' bill that would have protected firefighters from going into committee to allow the firefighters of this province to come forward to reflect their viewpoints on what this would mean to them, and to those firefighters who had died and the surviving families. That was a dark day in my time in the Chamber here when the government used a procedural motion to stop me from having that bill moved to committee. I remember that quite clearly, Mr. Speaker.

So, Mr. Speaker, with the changes occurring here, we have introduced some improvements to the compensation act that will protect firefighters. It will put in place, for those firefighters, protections that had been taken away from them through a City of Winnipeg court challenge in 1988.

Mr. Conrad Santos, Deputy Speaker, in the Chair

Firefighters now, as a result of the legislation that our government has brought forward, has introduced in 2002 protection for firefighters that will recognize there were a number of cancers for which they will be compensated. It is a difficult—*[interjection]* Well, I waited 15 years for this to happen, 11 of it was in your time for which you had no hesitation in denying the rights for firefighters.

I am quite distressed your government would have done that. Now you purport to defend and to support the legislation which I appreciate you are doing now, but it is obviously for different reasons than what you had for not allowing it to pass—*[interjection]* Yes, converts on the road to Damascus, I guess, is the term that is used often here.

I know I have heard members of the Chamber use that a number of times.

So, no, I do not want to use that term, because members seem to take offence to being, as was referenced in Question Period yesterday, so I will try not to use that term for fear that they might want to challenge that. *[interjection]* Well, that could be a term that could be used.

I know, Mr. Speaker, this legislation will expand on the number of cancers that firefighters are protected for. Having attended, unfortunately, the funerals of firefighters that have passed away from cancer, having attended a number of those funerals here in the last five years, it is very distressing to sit in the church and to see those young families affected by the loss of their father, in these cases. To know that person will never be there for them as those children grow up and that those firefighters had gone into properties to protect our security as human beings and our property, they paid the price as a result of their selfless act.

So I think it is only important and responsible for the Legislative Assembly to put in place protections that will allow for the continued wage loss protection and benefit protection for those surviving families and for other firefighters continuing to live and battle the cancers.

One of the things I am also most proud of, Mr. Deputy Speaker, is the fact that we have put in place protections now for heart and lung, something that was a key component of our private members' bills of the early 1990s and through the 1990s. We are quite proud, in fact, that we have put in place that if a firefighter sustains a heart injury within 24 hours of attending an emergency response scene, that firefighter will be protected for that particular incident. Hopefully they will survive, but should they not survive, it will be deemed to have arisen of and occurred as a result of their employment as a firefighter.

If a firefighter sustains a lung injury, lung cancer, for example, and as a non-smoker, that would obviously have to be demonstrated, the firefighter would then be in the position to have claims against the workers compensation system for wage loss, other benefits and survivor protections as a result of sustaining that injury, something I think that has

been missing for a long time. I think that will help the firefighters and their surviving families.

Mr. Speaker, there are a number of provisions in this bill that restore and right all of the wrongs, from my viewpoint, that have occurred for the last 15 years with the workers compensation legislation. I am very proud to be able to say here today that I support the amendments the Minister of Labour (Ms. Allan) has made with respect to Bill 25. I know, in fact, that having talked with a number of folks in my community and having talked with firefighters in my community, they are quite proud of the fact that we have introduced these amendments through Bill 25 and that our government has made that progressive step. We continue to support the work that both full-time and part-time volunteers and volunteer firefighters have in the province of Manitoba.

I want to personally thank the Minister of Labour for allowing the Member for Thompson (Mr. Ashton) and I, after 16 years of work, to be able to achieve something we believe so strongly in. I wanted to thank the Minister of Labour for recognizing that we have taken the right steps and have brought legislation forward, so I thank the Minister of Labour for that.

Mr. Speaker, thank you very much for the opportunity to add my comments on Bill 25. I will be supporting this bill.

Hon. Steve Ashton (Minister of Water Stewardship): Mr. Speaker, I just want to put some brief remarks on the record in support of this bill. First of all, by the way, I would like to commend the Member for Transcona (Mr. Reid), who has been outspoken for years, I think ever since he was first elected to this Legislature, about the need for reform to workers compensation legislation. I am really proud of the contributions that member has made towards the bill that we are seeing today, a bill that is the result, very much, of the hard work of the Member for Transcona, the Minister of Labour, and if you really want to see what the NDP is all about, it is about this kind of legislation.

I will put on the record, Mr. Speaker, I am proud to support this bill. I am particularly proud that it extends the presumptive coverage for firefighters. It is indeed something that I have been fighting for for more than 15 years. I remember bringing in amendments that would have reinstated it back in

1990 and it was voted down by the Conservative government of the day.

* (15:20)

So the members opposite now have seen the light when it comes to firefighters, Mr. Speaker. I say on the record, nothing like a convert. I hope it will bring them to fast-track this bill, because I have always said, in addition to the presumptive coverage for firefighters that we brought in before that dealt with cancers, I have always said that heart and lung are no-brainers. That is what this bill does. It brings in presumptive coverage for heart and for lung conditions. I say it is a no-brainer because anybody who ever sees what firefighters go through, they understand.

It is Bill Laird, who the Member for Transcona (Mr. Reid) pointed to, who, by the way, organized one of the biggest petitions in Manitoba history in support of the return of presumptive coverage. Bill always used to tell people, "You have to remember firefighters are rushing in to what everybody else is rushing out of." Having seen in my own community a major fire just recently where a couple of firefighters came that close to some very significant consequences, where they saved the life of a child, I will be the first to say that it is, quite frankly, time that we had the presumptive coverage back that was taken out by Justice Sterling Lyon in the 1980s. And it is going to be an NDP government that is going to bring it back with this legislation. That is what the NDP is all about.

I also want to put on the record that I remember what the idea of the Conservatives was when it came to workers compensation reform, and I want to kind of use it in the same sense as the "reform" that was put in that Reform Party before they were whatever they are nowadays, Mr. Speaker, the Alliance and the Conservatives, the same old bunch. Their idea of reform was to bring in an act that had dramatic consequences for many injured workers in this province.

You have to remember no one is more vulnerable than an injured worker, Mr. Speaker. In my community I have seen, whether they work at Inco, whether they work in construction, whether they work at any number of employers making enough money to get by, making enough money to have a decent life for their families, who, through no

fault of their own, have an injury and then find themselves dealing with many of the consequences of the act that the Conservatives brought in 1993: the limitations of the "meat chart," the discrimination against older workers and the kind of a system that for far too long has forgotten what workers compensation is all about. It is about replacing the court system with a system that works for employers and for employees. I say, with this legislation today, we are going to bring in significant changes that are going to make a real difference to injured workers and at the same time maintain a system that will be fair to everyone.

I will be interested to see where the Conservatives vote on this. Are they going to vote against presumptive coverage for firefighters? Are they going to vote against the improved benefits for injured workers? Where are they going to stand? It will be interesting to watch as we go through the debate.

I know where we stand as the New Democratic Party. We, as a fundamental principle, recognize the need for safe workplaces, and, indeed, I am proud that one part of the equation is that we have reduced workplace injuries by 19 percent, thanks to the efforts of the ministers of Labour, including the former minister, well, the former-former. I am the former minister, so I do not want to be patting myself on the back, but Becky Barrett, who led the way by bringing in changes to the workplace safety and health legislation. By the way, Mr. Speaker, members opposite opposed that.

You wonder why I call them the 1895 Conservatives, Mr. Speaker, because they are kind of stuck in the 19th century, maybe verging on the 20th century. They see a bill, they see it brought in by the Minister of Labour, they oppose it. They even oppose workplace safety and health.

I want to see where they come down on workers compensation. I can see the knees jerking already over there. There it is, that knee-jerk reaction. They want to oppose this bill. I can just see it, Mr. Speaker, but we will see if they oppose fairness for firefighters and fairness for injured workers.

Mr. Speaker, I know this is what the NDP is all about. It is a party that is committed to the fundamental principles of protecting workers against injuries. It is a party that is fundamentally committed

to fairness for working people who are injured. It is a party that is committed to the true workers compensation, the true vision of the system that understands that when workers are injured, when they are vulnerable, what they need is a timely and a fair way of making sure that they have an income, and this bill does that. Each and every one of the amendments in here is about fairness. It is also, quite frankly, about bringing back the vision of the workers compensation system that has served us well since 1915, no thanks to the Conservatives who, in 1993, turned back the clock decades.

Well, the members opposite are stuck in the past. This bill is about 2005. It is about modernizing the workers compensation system, and when I say modernizing, making it far fairer for firefighters, far fairer for injured workers.

That is where Manitobans are at. So that is why I strongly urge everyone, including the Conservatives, if they have converted on firefighters maybe they can convert the rest of the way and support all of the injured workers of this province by supporting this tremendous legislation brought in by the Minister of Labour (Ms. Allan).

Mr. Speaker in the Chair

Mr. John Loewen (Fort Whyte): I move, seconded by the Member for Southdale (Mr. Reimer), that debate be adjourned.

Mr. Speaker: Are there any other speakers?

When this matter is again before the House, it will remain standing in the name of the honourable Member for Turtle Mountain (Mr. Cullen).

An Honourable Member: 5:30.

Mr. Speaker: 5:30?

Some Honourable Members: No.

Mr. Speaker: No.

Bill 5—The Manitoba Public Insurance Corporation Amendment Act (Injury Compensation Appeal Commission)

Mr. Speaker: Okay, we will now move to Bill 5, The Manitoba Public Insurance Corporation

Amendment Act (Injury Compensation Appeal Commission), standing in the name of the honourable Member for Fort Whyte (Mr. Loewen).

What is the will of the House? Remain standing in the name of the honourable Member for Fort Whyte? *[Agreed]*

Okay. No speakers.

Bill 8—The Manitoba Council on Aging Act

Mr. Speaker: Okay, we will move on to Bill 8, The Manitoba Council on Aging Act, standing in the name of the honourable Member for Carman (Mr. Rocan).

What is the will of the House? Is it the will of the House for the bill to remain standing in the name of the honourable Member for Carman? *[Agreed]*

Any speakers? Okay.

DEBATE ON REPORT STAGE AMENDMENTS

Bill 22—The Water Protection Act

Mr. Speaker: Now we will move on to resume debate on report stage amendments to Bill 22, The Water Protection Act. We have four amendments moved by the honourable Member for River Heights (Mr. Gerrard).

The first amendment, standing in the name of the honourable Member for Ste. Rose (Mr. Cummings). What is the will of the House? Is the will of the House for the amendment to remain standing in the name of the honourable Member for Ste. Rose? *[Agreed]*

Now we will move on to subamendment to clause 21(1), standing in the name of the honourable Member for Pembina (Mr. Dyck). What is the will of the House? Is it the will of the House for the amendment to remain standing in the name of the honourable Member for Pembina? *[Agreed]*

Now, we will move on to the third amendment, standing in the name of the honourable Member for Portage la Prairie (Mr. Fauschou). What is the will of the House? Stand? *[Agreed]*

We will move on to clause 4, standing in the name of the honourable Member for Portage la

Prairie. What is the will of the House? *[interjection]* Amendment standing in the name of the honourable Member for Portage la Prairie. What is the will of the House? Stand? Is it the will of the House to stand? *[Agreed]*

We will now move on to eight amendments moved by the honourable Member for Portage la Prairie.

The first one, standing in the name of—

An Honourable Member: Stand.

Mr. Speaker: First amendment, moved by the honourable Member for Inkster (Mr. Lamoureux). What is the will of the House?

An Honourable Member: Stand.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, this is clause 4(2) we are referring to.

Mr. Speaker: Clause 4(2).

Mr. Lamoureux: Yes. Mr. Speaker, I will take this opportunity, I realize it has been standing in my name for a few days now, to put a few words on the record. I can appreciate the fact that the member from Portage la Prairie introduced this amendment. I think what you have seen is a genuine effort on all sides of this House to try to clean up a mess the Minister of Water Stewardship (Mr. Ashton) kind of got us into.

I did say I would be kinder. Mr. Speaker, if Hansard would retract that last sentence or two, I would appreciate it. *[interjection]* With leave, no.

Mr. Speaker, it is an amendment in which, and as I read the amendment because I did not really expect it to come up right now, it would appear just to include "salt" after the word "nutrients." We all know the significance of salt and the impact that salt has in very real and tangible ways.

* (15:30)

I suspect the member from Portage la Prairie has good reason for having that particular amendment there. As I have asked in the past that there would have benefit in dealing with a number of these amendments in a committee stage so an individual such as I would be afforded the opportunity to ask questions directly of the member from Portage la

Prairie in this case in terms of getting a better understanding of what it is he is trying to be able to accomplish with this particular amendment.

I would look to the current minister, Mr. Speaker, in terms of trying to get a sense of what it is this minister feels about this particular subamendment, or amendment, to the bill. I have not necessarily heard the cons against it. I appreciate the fact that the member from Portage did comment on it, and I look forward to hearing some comments from the minister responsible. Then we would be able to be in a better position to make a more informed decision as to how to vote.

Mr. Speaker, The Water Protection Act is an act which has been before us for a great deal of time. One could go back to March of 2004 when it was actually first introduced. No one questions the value and the importance of water and water stewardship in the province and how critically important it is to develop the legislation. What has surprised me has been the great length of time it has taken to be able to get the bill to this stage. Even though we are at this stage now, we have these amendments.

I would very much appreciate hearing from the Minister of Water Stewardship (Mr. Ashton) if he is not going to be addressing these amendments one by one as they have been introduced. Then those that he has spoken on we will review, but those he might not be speaking on, if he could provide me and then I will ensure that Mr. Gerrard does have the opportunity then to look—I am sorry, the member from River Heights will have the opportunity then to make, as I say, a more informed decision. Those amendments he is not going to be speaking to, if he could ensure that he provides us a position on it, we would very much appreciate it.

With those few words, Mr. Speaker, I am prepared to allow others to speak. Thank you.

Mr. Speaker: Is he ready for the question? Stand?

Mr. Leonard Derkach (Russell): Mr. Speaker, I move, seconded by the Member for Ste. Rose (Mr. Cummings), that debate be adjourned.

Motion agreed to.

* * *

Mr. Speaker: Now we will move to the second amendment, clauses 7(1) and (4), standing in the name of the honourable Member for Inkster (Mr. Lamoureux). What is the will of the House?

Mr. Lamoureux: Mr. Speaker, this amendment again seems to be fairly straightforward but has some potential significant consequence in the sense that what we are doing is substituting a minister with the L-G of our province, or requiring what I suspect would be an Order-in-Council.

Generally speaking, Mr. Speaker, when you see an amendment of that nature what you are really talking about is ensuring there is more of a check put in place, as opposed to a minister making some sort of decision that it is going through some form of an Order-in-Council, potentially, which would then obligate the minister to bring it before Cabinet.

Again, much like the amendment I just finished speaking to, it depends in terms of what it is the minister responsible has to say on this particular amendment and doing some more work on it. I just do not want to hold it up at this point. We are prepared to see it be spoken to by other members. Thank you.

Mr. Speaker: Is the House ready for the question? No?

Mr. Derkach: I move, seconded by the Member for Ste. Rose (Mr. Cummings), that debate be adjourned.

Motion agreed to.

* * *

Mr. Speaker: Now we will go to the third amendment, clause 7(5)(b), standing in the name of the honourable Member for Emerson (Mr. Penner). What is the will of the House? Is it the will of the House to keep it remain standing? *[Agreed]*

Now we will move to fourth amendment, clause 7(6), standing in the name for the honourable Member for Russell (Mr. Derkach). What is the will of the House? Is it the will of the House for the amendment to remain standing in the name of the honourable Member for Russell? *[Agreed]*

Now we will move to the fifth amendment, clause 23, standing in the name of the honourable

Member for Emerson. What is the will of the House? Stand? *[Agreed]*

Now we will move to the sixth amendment, to clause 24(4)(b), standing in the name of the honourable Member for Emerson. What is the will of the House? Is it the will of the House to remain standing? *[Agreed]*

We will move on to the seventh amendment, clause 32, standing in the name of the honourable Member for Emerson. What is the will of the House? Stand? *[Agreed]*

We will move on to the eighth amendment, clause 33(3), standing in the name of the honourable Member for Pembina (Mr. Dyck) who has seven minutes remaining. What is the will of the House? Stand? *[Agreed]*

We will move on to 12 amendments moved by the honourable Minister of Water Stewardship (Mr. Ashton).

The first amendment, clause 1(1), standing in the name of the honourable Member for Russell (Mr. Derkach). What is the will of the House? To remain standing? *[Agreed]*

We will move on to the second clause, to 2(d) and (e), standing in the name of the honourable Member for Russell. What is the will of the House? Stand? *[Agreed]*

We will move on to the third amendment, to clause 2.1, standing in the name of the honourable Member for Russell. What is the will of the House, for it to remain standing? *[Agreed]*

We will move on to the fourth amendment, to clause 4.1, standing in the name of the honourable Member for Russell. What is the will of the House? Is it the will of the House for it to remain standing? *[Agreed]*

We will move on to the fifth amendment, to clause 4.2, standing in the name of the honourable Member for Russell. What is the will of the House? Stand? *[Agreed]*

We will move on to the sixth amendment, to clause 4.3, standing in the name of the honourable Member for Russell. What is the will of the House? Stand? *[Agreed]*

We move on to the seventh amendment, to clause 8.1, standing in the name of the honourable Member for Russell. What is the will of the House?

Sorry, there is a subamendment to that, so we will deal with the subamendment.

Okay, the subamendment to clause 8.1, standing in the name of the honourable Member for Selkirk (Mr. Dewar). What is the will of the House? Stand? *[Agreed]*

We will move on to our eighth amendment, to clause 11(1)(b)(iv), standing in the name of the honourable Member for Russell (Mr. Derkach). What is the will of the House? To remain standing? *[Agreed]*

Now we will move on to the ninth amendment, to 20(a.1), standing in the name of the honourable Member for Russell. What is the will of the House? To stand? *[Agreed]*

We will move on now to the tenth amendment, to clause 32.1, standing in the name of the honourable Member for Russell. What is the will of the House? Stand? *[Agreed]*

Now we will move on to the eleventh amendment, to clause 33(1)(h), standing in the name of the honourable Member for Russell. What is the will of the House? Stand? *[Agreed]*

Now we will move on to the subamendment to clause 33.1, standing in the name of the honourable Member for Pembina (Mr. Dyck). What is the will of the House? Stand? *[Agreed]*

Okay, we have eight amendments that were moved by the honourable Member for Emerson (Mr. Penner).

First amendment to the preamble, moved by the honourable Member for Selkirk (Mr. Dewar). What is the will of the House? Stand? *[Agreed]*

We will now move on to the second amendment, to clause 1(1), standing in the name of the honourable Member for Selkirk. What is the will of the House? Stand? *[Agreed]*

* (15:40)

Now we will move on to the third amendment, to clause 11(1), standing in the name of the

honourable Member for Minto (Mr. Swan). What is the will of the House? Stand? *[Agreed]*

Now we will move on to the fourth amendment, to clause 11(2), standing in the name of the honourable Member for Selkirk (Mr. Dewar). What is the will of the House? Stand? Agreed? *[Agreed]*

Now we will move on to the fifth amendment, to clause 33(1.1), standing in the name of the honourable Member for Minto. What is the will of the House? Is it the will of the House to stand? Agreed? *[Agreed]*

Now we will move on to the sixth amendment, to clause 34(4), standing in the name of the honourable Member for Minto. What is the will of the House? Stand? Agreed? *[Agreed]*

Now we will move on to the seventh amendment, to clause 35(7), standing in the name of the honourable Member for Minto.

Mr. Andrew Swan (Minto): Mr. Speaker, the committee hearing on Bill 22 is one of my first chances as a member of the government to participate in the committee process. I recall it was the first night I had met the member from Portage la Prairie, and he gave a very impassioned speech to me, as a young member of this House, about how we should certainly keep our eyes open and make sure that we listen when people are speaking.

Certainly, there are a number of amendments on this bill. There are a very large number of amendments that have come forward after the amendment stage. I know that the Minister of Water Stewardship (Mr. Ashton) has worked very hard to make sure this is a bill which is going to be for the benefit of all Manitobans. There has been a lot of effort put over on the other side of the House as well.

Clause 35(7), as put forward by the Member for Emerson (Mr. Penner), we can certainly adopt, or we can certainly accept, as the government side of the House. We are prepared to support that amendment. Those are my comments, Mr. Speaker.

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

An Honourable Member: No.

Mr. Speaker: No?

Mr. Derkach: I move, seconded by the Member for Ste. Rose (Mr. Cummings), that debate be adjourned.

Motion agreed to.

Mr. Speaker: Now we will move on to the eighth amendment, to clause 35(8), standing in the name of the honourable Member for Selkirk (Mr. Dewar). What is the will of the House, for it to remain standing? Agreed? *[Agreed]*

Hon. Steve Ashton (Deputy Government House Leader): Mr. Speaker, notwithstanding the suggestions that we turn Manitoba Day into a half-day holiday, I am wondering if we could do some more business of the House and call the remaining bills that have not been called, in order.

Mr. Speaker, actually, we could start with the second readings and then move to concurrence on third readings. Start with second readings. Yes.

Mr. Speaker: The honourable Government House Leader, are you calling to resume debate on second readings?

Mr. Ashton: Resume debates, Mr. Speaker, on second reading, which would be the ones that were not called earlier, which would be 2, 3.

DEBATE ON SECOND READINGS

(Continued)

Bill 2—The Child and Family Services Amendment Act (Child Protection Penalties)

Mr. Speaker: We will resume debate on second readings in order. First, we will call Bill 2, The Child and Family Services Amendment Act (Child Protection Penalties), standing in the name of the honourable Member for Fort Garry. What is the will of the House?

An Honourable Member: Fort Whyte.

Mr. Speaker: I mean Fort Whyte. What is the will of the House? Is it the will of the House for it to remain standing? Agreed? *[Agreed]*

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I wanted to put a few words on the record in regard to Bill 2. I understand the primary purpose of Bill 2 is

to provide stiffer penalties in order to ensure better child protection, and that is really the bottom line.

In addition to that, there is a number of relatively minor housekeeping changes that will hopefully give better clarification. Mr. Speaker, it is absolutely critical as a Legislature that we do what we can for our children. Where the opportunity is there to enhance legislation that will allow for us to protect our children and maybe get a little bit stiffer in regard to those who are the perpetrators of what would be any form of child abuse, I think, is a positive thing. I do not have a problem in terms of this bill going to the committee stage to see if there is any sort of feedback in regard to Bill 2. The principle of it is something we can support, recognizing that there is a fairly significant increase from the \$500 example maximum up to now what is being proposed, I believe, \$50,000.

It is fairly significant. Children are abused in many different ways, Mr. Speaker, physically, sexually, mentally. I think it is important for all of us to recognize the role we can be playing as legislators in ensuring that our children which we often say, and I know it goes far beyond just the political platitudes, are our most valuable resource. We want to be there for them in a very real and tangible way, and therefore we do not have a problem with this particular bill going to committee at this time. Thank you.

Mr. Speaker: When this matter is again before the House, it will remain standing in the name of the honourable Member for Fort Whyte (Mr. Loewen).

**Bill 3—The Recreational Trail Property Owners
Protection Act (Occupiers' Liability Act
Amended)**

Mr. Speaker: We will move on to resume debate on second reading of Bill 3, The Recreational Trail Property Owners Protection Act (Occupiers' Liability Act Amended), standing in the name of the honourable Member for Carman (Mr. Rocan).

What is the will of the House, to remain standing in the name of the honourable Member for Carman?
[Agreed]

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, again, I would like to take this opportunity just to put a few words on the record in terms of Bill 3.

These outdoor recreational trails are very valuable and important to, if not most, possibly all Manitobans, especially when we take a look at the importance of healthy living. There are so many different outdoor activities that we can be participating in, and there is all sorts of potential for trails.

As the member from Turtle Mountain will know, I have a cottage out in the Pelican Lake area, and you see these railroad tracks being taken out, nice pebbled paths left behind. Whether it is those sorts of paths that are in our parks, different types of trails that are out there, I think they are just wonderful opportunities, not only in rural Manitoba but in urban centres where issues such as the paths or recreational trails could be a very positive thing, especially, as I say, if you take a look at it from the point of view of healthy living.

Again, I would not say this is a controversial piece of legislation. It is fairly decent to be here, and it is something in which we do not have a problem in terms of giving support for it going to the committee stage to get a better sense of what other people might have to say in particular.

I personally think the development of recreational trails is very positive. It is also possible to drop injuries because where these trails are done in a more experienced fashion, they are more professional. There are all sorts of benefits and we, as I say, very much want to see recreational trails expanded in the province. We see this particular bill as a bill that might better enable that expansion to occur. For that reason, Mr. Speaker, we do not have a problem in terms of seeing this bill going to committee. Thank you.

Mr. Speaker: Any other speakers?

When this matter is again before the House, it will remain standing in the name of the honourable Member for Carman (Mr. Rocan).

Bill 6—The Real Property Amendment Act

Mr. Speaker: We will move on to second reading, Bill 6, The Real Property Amendment Act, standing in the name of the honourable Member for Fort Whyte (Mr. Loewen).

* (15:50)

Point of Order

Mr. Speaker: The honourable Member for Portage la Prairie, on a point of order.

Mr. David Faurichou (Portage la Prairie): Mr. Speaker, you are calling bills that at the present time the government has not provided for briefings. For us to be entertaining in this House bills that we know very little about, other than they have been introduced into this Chamber, and it has been past practice that we as opposition critics have been afforded briefing and spreadsheet on the explanation as to the intent of the bills, the government is calling these bills today, No. 6, The Real Property Amendment Act, without having that take place yet.

Mr. Speaker: I thank the honourable member for that. It is not a point of order, and any discussions for briefings or whatever should be in discussion, probably with the House leaders, off the record, because we normally do not do negotiations on the floor. So I would encourage the members, the House leaders, to meet and discuss the issue that the honourable Member for Portage la Prairie just raised, but he does not have a point of order.

* * *

Mr. Speaker: I am calling second reading, Bill 6, The Real Property Amendment Act, standing in the name of the honourable Member for Fort Whyte.

What is the will of the House? Stand? *[Agreed]*

Bill 7—The Personal Investigations Amendment Act

Mr. Speaker: Move on to second reading, Bill 7, The Personal Investigations Amendment Act, standing in the name of the honourable Member for Fort Whyte.

What is the will of the House? Stand? *[Agreed]*

Bill 9—The Manitoba Centennial Centre Corporation Act

Mr. Speaker: We will move on to second reading, Bill 9, The Manitoba Centennial Centre Corporation Act, standing in the name of the honourable Member for Fort Whyte (Mr. Loewen).

What is the will of the House? Stand? *[Agreed]*

Bill 11—The Provincial Court Amendment Act (Justices of the Peace)

Mr. Speaker: We will move on to Bill 11, The Provincial Court Amendment Act (Justices of the Peace), standing in the name of the honourable Member for Carman (Mr. Rocan).

What is the will of the House? Remain standing? *[Agreed]*

Bill 14—The Electricians' Licence Amendment Act

Mr. Speaker: Now we will move on to second reading, Bill 14, The Electricians' Licence Amendment Act, standing in the name of the honourable Member for Springfield (Mr. Schuler).

What is the will of the House, to remain standing? *[Agreed]*

Bill 15—The Emergency Measures Amendment Act

Mr. Speaker: Bill 15, The Emergency Measures Amendment Act, standing in the name of the honourable Member for Carman.

What is the will of the House, to remain standing? *[Agreed]*

Bill 16—The Wildlife Amendment Act

Mr. Speaker: Bill 16, The Wildlife Amendment Act, which remains open. What is the will of the House? To leave the bill remaining open? *[Agreed]*

Mr. David Faurichou (Portage la Prairie): I move, seconded by the honourable Member for Turtle Mountain (Mr. Cullen), that debate on Bill 16 be adjourned.

Motion agreed to.

* * *

Mr. Speaker: Bill 17, The Regional Health Authorities Amendment and Manitoba Evidence Amendment Act, standing in the name of the honourable Member for—

Point of Order

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

Mr. Kevin Lamoureux (Inkster): Yes, Mr. Speaker, on a point of order. Just listening in terms of as the bills are being called, I am wondering because I am not necessarily in the loop, I know at one time there was a discussion that we were going to be going through the bills and then going into concurrence. Is that the reason why we are passing the bills? I guess I am looking to the Government House Leader. Was it the government's intention to go into concurrence after we have gone through this second reading process? If not, then I would be more inclined to want to put more words on the record. So, if we are going to go into concurrence, I will be quite content to stop talking on bills allowing us to do the concurrence.

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

Hon. Gord Mackintosh (Government House Leader): Same point of order, the intention was to do bills. Originally, that was to be yesterday and today, but, given the accounts of yesterday, it is even more important that we go through bills today. Following second readings, it would be our intention to call third readings.

An Honourable Member: We have done that.

An Honourable Member: Did we do third readings already? Today?

Mr. Speaker: Order. It is not a point of order. I would encourage members to use the loge and do their negotiations, instead of on the floor of the Chamber. I would strongly encourage members to meet in the loge to have a private discussion on negotiations, but I am going to deal with the first point of order. The honourable member does not have a point of order.

* * *

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, could I then just ask for leave to go back to Bill 8? I thought we were going into concurrence, so I would like to put a few words on the record on Bill 8, if possible.

Mr. Speaker: Is there leave for the honourable member for us to revert to Bill 8 so the honourable member can speak to it?

Some Honourable Members: Leave.

Mr. Speaker: Okay. It will remain standing in the name of the honourable Member for Carman (Mr. Rocan).

Okay. Leave has been granted.

Bill 8—The Manitoba Council on Aging Act

Mr. Speaker: The honourable Member for Inkster, to speak to Bill 8, The Manitoba Council on Aging Act.

Mr. Kevin Lamoureux (Inkster): Thank you, Mr. Speaker.

Bill 8, I believe, is a very important bill. It is one of the bills which the government has brought forward this session that actually does, from my perspective, have a significant amount of substance to it.

We all are a part of life. We all are born and we are all destined to, at some point, pass away. Everything that happens in between, I think, Mr. Speaker, is important and relevant and we have to do what we can to ensure that our seniors, the people we owe a great amount of gratitude for, are represented and represented well.

I notice in particular with Bill 8 that the minister is wanting to establish a committee of 15 people that would be advising the minister on the aging process, Mr. Speaker. I have always thought it is important that we seek information from people before we make decisions, and in that sense I would applaud the government in recognizing the need for having a committee or creating a committee to be able to deal with this very important issue.

I have, some more than others, some individuals that constantly want to keep me abreast as to what is happening within our senior community, different types of issues that are important to them. I have one individual in particular, Mohinder Singh Pannu, a very good friend, like a brother to me and my family, very close to the family, and he feels very passionate about our seniors.

Mr. Speaker, when I think in terms of individuals like this, an individual that truly is apolitical in many different ways, and we have others that are out there that have a passion for our seniors in advocating for our seniors. There are some areas

we really need to improve on in terms of ensuring there is adequate advocacy. What I am thinking of in particular is the area of different ethnic groups, Mr. Speaker. We have to ensure—because the very nature of problems that seniors have that come from different ethnic groups vary significantly. That is why I think when we talk about the creation of a council in which we are going to have 15 people advising government, we have to ensure that representation is fair and just and represents a wide selection, a variation of Manitobans.

* (16:00)

That is the concern I have. In the spirit of not wanting to be too mean in my comments to the government, Mr. Speaker, I would suggest to you that what I would like to see is the government start tying more of those appointments into different organizations. I have had this discussion in the past on other committees that the government has established. I think it would be very much beneficial if government as a whole would look at the positive impact that it can have if we saw legislation that was being introduced that recognized many of these different valuable organizations and the roles they could play in providing representation to advisory types of groups or committees that government puts together from time to time.

It does a number of things when you do that, I believe. First and foremost, it allows the government to access, in a very natural way through apolitical groups, very good quality individuals who are quite committed, because chances are they have likely done a great deal of volunteer work for that organization. That is one of the reasons why that organization might, in fact, give recommendation to that name. Further to that, Mr. Speaker, it also adds to the organization in itself, when an organization gains the credibility and has government acknowledge that credibility by saying, "Look. As an organization we have confidence, faith and trust that you have the ability to be able to identify someone and recommend that individual to a government advisory committee."

I think that is wonderful. That is the type of thing we should be doing, and that is why when I do get the opportunity to talk about advisory groups the government puts together I like to be able to emphasize that. You know, governments come and go. There is always going to be a certain number of

political appointments, and you want to, as much as possible, I believe, make sure that there are just as many, if not a whole lot more appointments that are being done in a more of apolitical fashion. What we should be doing is looking at how we can start empowering different organizations that are out there so that they are, in essence, getting and ensuring that valuable viewpoints are, in fact, being heard.

Mr. Speaker, when you talk about a seniors group or the whole issue of aging and getting people sitting around the table, I think it would be a mistake if we did not look at the ethnic diversity our province actually has. I say that because there are issues such as food, cuisine, what people actually eat. Different cultures have different things. I think it was the other day, Canada Health, I understand, is going to be changing their food index. You might recall in high schools they would have the major components of meals in the day, and it was a nice colourful poster. It made circles and you had to make sure that you had each one of those categories.

Well, what it did not reflect is the very multicultural nature of our nation. As a result, for example, rice is a major staple and provides breakfast for many. I trust, Mr. Speaker, knowing the area that you have represented, whether it is the Aristocrat Restaurant or Julio's, there are places that you can go, and you will have a nice healthy portion of rice with some pork. You have to excuse me for not knowing the true ethnic word, but you know it is and someone advises me that it is rice and pork. Yes, that is the essence of it. But it is great tasting food.

You know, that is just one culture. Squid is a very popular thing. I have a restaurant I quite often frequent in the North End, and I have roti and, again, not necessarily appreciating the language as I should, I always kind of kidded and said the peas and cheese. Fortunately the owners of the restaurant know what it is I am referring to. There are so many different cuisines that are out there, and when we talk about the aging process we need to be sensitive to the many different foods that are out there and the role that plays. Food is one thing.

There are different sorts of cultural activities, Mr. Speaker, that are out there. Some groups are more inclined to do different types of activities that we might not even be nowhere near as familiar with. You could attend some of the different pavilions during Folklorama, you will see the different levels

of activity and how people engage themselves in what one might even say post-retirement times.

An Honourable Member: Post-retirement is death. Post-retirement.

Mr. Lamoureux: After they have retired. I will just say after they retire, Mr. Speaker, there are many activities that they engage themselves in. I think that we have got to be able to get assurances that all of those things are being taken into consideration. The only way in which we do that is that we ensure the representation that makes up this group of this committee, is going to be, in fact, advising the minister, is really and truly reflective of our population. That is why I believe that far too often there are certain sections of society that are too quickly overlooked in favour of political appointments. Even though these particular appointments are done through, ultimately, the L-Gs, what I would have liked to have seen is something that is a little bit more definitive, a little bit more empowering for different organizations. This way, it would ensure that we are, in fact, going to get the different viewpoints from the many different individuals, communities, and I make reference just to the ethnic, there are also different groupings of classes of individuals.

The bottom line is that there are some people that are wealthier than other people. Some people live in poverty. Again, when we talk about the whole aging process, people age in different ways. Economics plays a very significant role. We want to make sure, again, that the people that are providing the advice to the minister are ensuring that the perspective of someone living at the poverty line is there. We want to ensure that there is a perspective of someone that is relatively well-to-do, if I can put it that way, that is there. Equally important, of course, is the middle class.

So whenever it is that you put committees together, and the reason why I say this, Mr. Speaker, is that whenever you put committees together you have to ensure that it is a fair reflection of the population in which, ultimately, it is that we claim to serve. When I see legislation that comes before the House that does not necessarily reflect what I believe is in, ultimately, the best interest of people, I think that it is important to get up, get on the record and to be as clear as possible to the minister responsible, in

this case Bill 8, and say to the minister that there is a responsibility of that minister to ensure that there is better representation on this advisory committee than what would be there with just strict, "Well, I will appoint so-and-so because he helped so-and-so on the campaign, or this so-and-so was a contributor to our party." Far too often there are too many appointments based strictly on that. The government might say, "Well, you know, this is something that all governments have done in the past, different levels of government, and so forth." I would not deny that. I suspect there have been and there always will be. It does not necessarily mean that it is right, nor am I suggesting to you that you have to wipe out all political appointments.

* (16:10)

What I am suggesting to you is that there needs to be an agreement in principle among politicians of all levels that the idea of having apolitical appointments can be very positive, can be very beneficial. Sometimes, if we are too partisan, we are missing the boat. We lose. We do not get the type of people that could be, or should be, on a particular committee.

Yesterday I was at a local school in the constituency, and I had a constituent who approached me about the Film Classification Board. You know, I was somewhat wanting to give good advice to this individual. The person came to me and said, "Well, how does one go about getting appointed to something like the Film Classification Board?" The last thing I wanted to do was to tarnish this individual's chance to be able to get an appointment of this nature. What I had suggested to him was that, you know, I will look into it, but, generally speaking, these appointments of this nature are made by the government of the day and, unfortunately, some appointments are being made primarily where they are too strong of a political nature, and that I would get back to the individual.

Well, how nice it would be able to be, to say to the individual here that, you know, here is the department, here is the phone number. You give this department a call. Get your bio on file with the department and let the department—why can we not have a system that allows for certain numbers of positions in which it goes through more of an apolitical fashion, Mr. Speaker? I think at the end of the day we would have a healthier system as a result.

I had the privilege, and it was a privilege, to be able to sit on a special committee that went and looked at hiring an ombudsman and a child advocate, and I very much appreciated that opportunity. Even though everything might not have been the exact way that I would have wanted to have seen it worked out, at the end of the day, Mr. Speaker, I truly believe that we got two wonderful people, two qualified, wonderful people, and Manitobans will be better for it as a direct result.

I think that there are certain positions in which this Legislature has to guarantee that, such as the auditor, our provincial auditor, our Elections Manitoba, and, as we have just gone through, the Ombudsman and the Child Advocate. These are important positions; they have to be done in an apolitical, as much as possible, fashion. Mr. Speaker, I trust and look forward to that to be able to continue.

Having said that, Mr. Speaker, you bring it to this legislation that we are debating today. I would argue that if, in fact, a certain percentage of appointments were done in a more apolitical fashion, at the end of the day we would have better advice going to the government. So, in one sense, there is a bit of a political cost to pay because you are not getting as many political appointments that you are going to be handing out, but at the end of the day there is a better chance you are going to get better quality advice coming into the minister's office. So I look at that and I see that that is a net-benefit trade-off. At the end of the day, as I say, we all want to say that we represent Manitobans and that we are doing the best job that we can, and one of the ways we can do that is by looking at the way in which we fill the many different appointments that government makes.

Having had the chance to say those few words, I do want to hear what the minister responsible for Bill 8 has to say about my comments and the comments of others. I would hope and trust that the minister would see the value of possibly making some changes to the legislation, and look forward to this bill ultimately going to committee and hearing possible other input provided by, possibly, other organizations or individuals. But, most importantly, it will be interesting to see when it comes back in for third reading where, hopefully, it will not be necessary to bring a report stage amendment that the government would see the value in, in terms of what it is that is being talked about and debated inside this Chamber. Having said that, I appreciate the members

giving me leave to go back to put my comments on the record in regard to Bill 8. Thank you, Mr. Speaker.

Mr. Speaker: When this matter is again before the House, it will remain standing in the name of the honourable Member for Carman (Mr. Rocan).

We will now move on to—

An Honourable Member: 5:30 p.m.

Mr. Speaker: 5:30 p.m.?

Some Honourable Members: Oh, oh.

Mr. Speaker: I heard a no.

**Bill 17—The Regional Health Authorities
Amendment and Manitoba Evidence
Amendment Act**

Mr. Speaker: We will move on to Bill 17, The Regional Health Authorities Amendment and Manitoba Evidence Amendment Act, standing in the name of the honourable Member for Carman.

What is the will of the House? Is the will of the House for the bill to remain standing in the name of the honourable Member for Carman? *[Agreed]*

Bill 20—The Life Leases Amendment Act

Mr. Speaker: Bill 20, The Life Leases Amendment Act, standing in the name of the honourable Member for Carman (Mr. Rocan).

What is the will of the House? Stand? *[Agreed]*

**Bill 21—The Oil and Gas Amendment and Oil and
Gas Production Tax Amendment Act**

Mr. Speaker: Bill 21, The Oil and Gas Amendment and Oil and Gas Production Tax Amendment Act, standing in the name of the honourable Member for Carman.

What is the will of the House? Stand? *[Agreed]*

**Bill 24—The Consumer Protection Amendment
Act (Cost of Credit Disclosure and
Miscellaneous Amendments)**

Mr. Speaker: Bill 24, The Consumer Protection Amendment Act (Cost of Credit Disclosure and

Miscellaneous Amendments), standing in the name of the honourable Member for Carman (Mr. Rocan).

What is the will of the House? Stand? *[Agreed]*

Bill 26—The Margarine Repeal Act

Mr. Speaker: Now we will move on to Bill 26, The Margarine Repeal Act, standing in the name of the honourable Member for Carman. Stand? *[Agreed]*

Bill 27—The Horse Racing Commission Amendment and Horse Racing Regulation Repeal Act

Mr. Speaker: Bill 27, The Horse Racing Commission Amendment and Horse Racing Regulation Repeal Act, standing in the name of the honourable Member for Carman.

What is the will of the House? Stand? *[Agreed]*

Bill 29—The Municipal Councils and School Boards Elections Act

Mr. Speaker: Bill 29, The Municipal Councils and School Boards Elections Act, standing in the name of the honourable Member for Arthur-Virden (Mr. Maguire).

What is the will of the House? Stand? *[Agreed]*

Bill 30—The Manitoba Agricultural Services Corporation Act

Mr. Speaker: Bill 30, The Manitoba Agricultural Services Corporation Act, standing in the name of the honourable Member for Lakeside (Mr. Eichler).

What is the will of the House? Stand? *[Agreed]*

Bill 31—The Condominium Amendment Act

Mr. Speaker: Bill 31, The Condominium Amendment Act, standing in the name of the honourable Member for Pembina (Mr. Dyck).

What is the will of the House? Is it the will of the House to remain standing? Stand? *[Agreed]*

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I wanted to take this opportunity to put a few words on the record on Bill 31. Actually, I could say that I

could very easily speak for a half hour or so on this bill.

Let me start off by indicating that I do currently sit on a condominium board. Actually, I chair the board. So one could say that it is a potential conflict of interest. If, in fact, it is a conflict of interest, I would indicate to others to stand and let me know that that is, in fact, the case. I do not believe it is. I do want to be able to put some words on the record on it.

An Honourable Member: You have disclosed it.

Mr. Lamoureux: I have disclosed it, so I think I am covered. Good enough. That is like legal counsel on the run.

Mr. Speaker, condominiums are a wonderful alternative form of housing that many Manitobans, thousands of Manitobans, have come to support in a very real and tangible way by going out and purchasing condominiums. I think, over the years ahead, that we are going to see the condominium industry continue to grow. I think that it is important for us to be able to do what we can to ensure that condominium purchasers and, ultimately, owners, are, in fact, protected in the best way that we can.

* (16:20)

Bill 31 does provide for additional protection, Mr. Speaker. I know, myself, now we are actually selling a condo. It is quite a bit different, in the process of selling one, and having sold a house, that there is a huge difference. There is a difference primarily because it is a whole lot more complicated in the purchasing of a condominium than it is for a house, because when you purchase a condo unit there are other things that you have to take into consideration, things that you would not have to take into consideration when you purchase a house.

So, for example, you can talk about the condo fees; that is one. I will comment quickly on that shortly, but the biggest one is probably the reserve funds, and the declaration of what is actually happening and getting a sense in terms of what has happened with the board itself.

So, Mr. Speaker, I think that, for those reasons, in most part, it is important; and, by emphasizing that importance through legislation, at the end of the day,

we are actually protecting the condo owner because, when you have someone that is going to purchase something, it is important that they be aware of what actually is happening, what is taking place within that condo complex.

The reserve fund is typically a fund that would be used in order to support surprises that might come up, surprise repairs that might come up time to time which can be fairly costly. That is the reason why you have a reserve fund, Mr. Speaker, and knowing how much money is in that reserve fund is critically important. From a purchaser's standpoint, they might not necessarily know to ask about the reserve fund, so it is important that they are protected with respect to that.

The condo fees, again there are individuals that will look at buying a condo and not necessarily be aware of the mandatory need to collect condo fees. I can tell you that that is, in fact, there, again, because I was talking to someone that was not aware that, if they bought the condo, they would actually have to pay a monthly fee for it.

Other things, Mr. Speaker, that you would pay for would be your property tax. You know, because you live in a condo, it does not excuse you. Your condo complex does not typically cover your property tax, so you are responsible for paying your property tax. As I say, it is quite different and very unique than when you purchase a house. That is the reason why I believe that the government and some of the measures that it is using in Bill 31 are, in most part, very positive, and I would have no problem in terms of seeing this bill going to committee stage to see what others might actually have to say on it.

Again, in principle, we do not have a problem with this bill going into the committee stage. In fact, I believe that it is fairly positive for condominium owners.

When we take a look at the growing population that Manitoba has, in particular, seniors, quite often you find a lot of seniors after moving out of a home will want to go into a condominium setting for a multitude of lifestyle reasons, Mr. Speaker. We see that happening more and more. That is why I think that the timing of the legislation is good. There are other issues that are facing condominiums. There are other things that government could be doing. I know there is a very genuine real concern in terms of the level of property taxes that condominiums have to

pay in comparison to others. It has been an issue, continues to be an issue, and we look for the government to be able to address that.

I will not be a strong advocate on that one as of today, per se, Mr. Speaker, even though I believe that it is necessary for government to do something on it, but I no doubt will become an even stronger advocate for our condominiums very shortly after we have sold ours. Then there is absolutely no conflict of interest.

Having had the opportunity just to get those words on the record, we are quite, as I say, prepared to see this bill go to committee. As I say, in principle, I think that it is positive. We see the difference between, in particular, as I say, condo sales versus residential versus other commercial type of sales, and see it as a positive step forward.

With those few words, Mr. Speaker, I will leave it at that. Thank you.

Mr. Speaker: Okay. Any other speakers?

When this matter is again before the House, it will remain standing in the name of the honourable Member for Pembina (Mr. Dyck).

Bill 32—The Rural Municipality of Kelsey By-law No. 5/02 Validation Act

Mr. Speaker: We will now move on to Bill 32, The Rural Municipality of Kelsey By-law No. 5/02 Validation Act, standing in the name of the honourable Member for Turtle Mountain (Mr. Cullen).

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

Bill 33—The Planning Act

Mr. Speaker: Now we will move on to Bill 33, The Planning Act, standing in the name of the honourable Member for Pembina (Mr. Dyck).

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

Bill 34—The Highway Traffic Amendment Act

Mr. Speaker: Bill 34, The Highway Traffic Amendment Act, standing in the name of the

honourable Member for Portage la Prairie (Mr. Fauruschou).

What is the will of the House? Stand? *[Agreed]*

Bill 35—The Capital Region Partnership Act

Mr. Speaker: Bill 35, The Capital Region Partnership Act, standing in the name of the honourable Member for Pembina (Mr. Dyck).

What is the will of the House? Stand? *[Agreed]*

Bill 36—The Courts Administration Improvement Act

Mr. Speaker: Bill 36, The Courts Administration Improvement Act, standing in the name of the honourable Member for Pembina.

What is the will of the House? Stand? *[Agreed]*

Bill 37—The Municipal Assessment Amendment Act

Mr. Speaker: Bill 37, The Municipal Assessment Amendment Act, standing in the name of the honourable Member for Pembina.

What is the will of the House? Stand? *[Agreed]*

Bill 38—The Residential Tenancies Amendment Act

Mr. Speaker: Bill 38, The Residential Tenancies Amendment Act, standing in the name of the honourable Member for Fort Whyte (Mr. Loewen).

What is the will of the House? Stand? *[Agreed]*

Bill 39—The Investment Trust Unitholders' Protection Act

Mr. Speaker: Bill 39, The Investment Trust Unitholders' Protection Act, standing in the name of the honourable Member for Fort Whyte.

What is the will of the House? Stand? *[Agreed]*

Bill 41—The Drivers and Vehicles Act and The Highway Traffic Amendment Act

Mr. Speaker: Bill 41, The Drivers and Vehicles Act and The Highway Traffic Amendment Act, standing

in the name of the honourable Member for Pembina (Mr. Dyck).

What is the will of the House? Stand? *[Agreed]*

Bill 42—The Health Services Insurance Amendment and Prescription Drugs Cost Assistance Amendment Act

Mr. Speaker: Bill 42, The Health Services Insurance Amendment and Prescription Drugs Cost Assistance Amendment Act, standing in the name of the honourable Member for Carman (Mr. Rocan).

What is the will of the House? Stand? *[Agreed]*

Bill 43—The Regulated Health Professions Statutes Amendment Act

Mr. Speaker: Bill 43, The Regulated Health Professions Statutes Amendment Act, standing in the name of the honourable Member for Minnedosa (Mrs. Rowat).

What is the will of the House? Stand? *[Agreed]*

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, would you please call concurrence and third readings on page 5?

CONCURRENCE AND THIRD READINGS

Bill 12—The Liquor Control Amendment Act

Mr. Speaker: Bill 12, The Liquor Control Amendment Act, as amended from the committee.

Hon. Gord Mackintosh (Government House Leader): I move, seconded by the Minister of Education (Mr. Bjornson), that Bill 12, The Liquor Control 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. Speaker: Any speakers?

Is the House ready for the question?

An Honourable Member: Question.

Mr. Speaker: The question before the House is concurrence third reading—oh, the honourable Member for Inkster wishes to speak.

Mr. Kevin Lamoureux (Inkster): Yes, Mr. Speaker. I just wanted to acknowledge that Bill 12 is a bill which I did get a chance to speak to in second reading and, unfortunately, I did not have the opportunity to go over the committee notes to see in terms of what actually had taken place at committee.

* (16:30)

I know that I did ask the minister in terms of what impact the passage of this bill would have with the industry and the minister then had indicated that there are a number of businesses that are anxiously waiting for this bill to come and be passed because he believed that it was going to have a very positive impact. For that reason, at least in part, I think the minister, in this case, is actually right because there are some aspects to Bill 12 that will make a very real difference.

In particular, the one example that I would give is the unfinished wine bottle. You know, in the past, what you would do is you would speak on a, I should not say speak, you would be going to a restaurant, a licensed beverage room, have a nice meal, enjoy a good bottle of wine and, maybe, there is a little bit of that wine that is left, but you want to depart the facility, but you are not allowed to take the leftover wine. Well, this particular bill will allow you the opportunity to be able to take that bottle of wine with you so it does not force you to gulp it down and, maybe, possibly, get behind a wheel or something of that nature. That is one of the reasons why we see it as a good bill.

I think that it is important to recognize that sometimes it is important to work with industry reps. I suspect this is an idea that originated not necessarily from the government. It likely came from the industry, the hospitality industry as a whole. So it is encouraging sometimes when you get a sense that the government was actually listening to representatives from an industry that is really going to make a very positive difference.

You know, in this particular example, the example that I gave, everyone wins. There is no loser here. The restaurants did not know what they could technically do with the bottle of leftover wine. The

consumer was upset with the fact that here you have valuable wine that is left in the bottle and they just do not want to finish it right now, and they are not allowed to take it with them. The restaurant would kind of lose out. Perhaps, maybe, enjoying a beautiful meal and having a little bit of wine, the consumer is a little upset because the restaurant will not let them take the bottle of wine. The restaurant owner says, "Well, I cannot let you take the bottle of wine," as much as they would like to do that, quite possibly, but they cannot do that, or they could not do that, or still cannot do that today. As a result, the restaurant owner feels bad; the consumer, obviously, felt bad.

So here we have a piece of legislation that actually the government, as I say, appeared to have listened. Now they have acted upon, and now we see an issue that is being resolved. So how has that changed the situation? Well, the simplicity of it is now someone that goes into that restaurant and enjoys that cup of wine or glass of wine with their meal and, at the end of the meal, if they feel that it is time to go, they can then go to the restaurateur, or the waitress or waiter and say that, "Look, can we take that bottle of wine with us?" The restaurateur is able to say, "Yes," and not worry about breaking a law.

So, in this situation, the consumer is happy because they get to take their bottle of wine. They are not being forced to drink the wine before they leave, or leave without being able to take the wine in which they have, in all likelihood, paid for. So the consumer wins. They get to have the product that they actually purchased. The restaurant wins too, Mr. Speaker. The restaurant wins because they have a happy consumer that is leaving. In that sense, as I say, everyone wins. That is why with this particular amendment, this change, that it is good to see. It is nice to see when government tends to work and be able to make a difference, a positive difference.

The bill addresses the serving of complimentary samples of liquor in retail premises, from its liquor vendors to sell the licences, and sets out when liquor vendors may deliver liquor to purchasers. It also enables a distiller to operate a store at its distillery to sell spirits it manufactures. Mr. Speaker, this is verbatim right from the bill itself. Again, it is positive stuff in which everyone wins.

You know a lot of people were quite disappointed when we had Labatt leave the province. You

know the industry, the brewing industry, has left in a very, sadly, a very real way. Now we have the small-business man or business person coming to the forefront and establishing other types of breweries, Mr. Speaker, and, as a result of this particular legislation, again, now they are going to be able to provide samples of consumers that might be able to come in.

I know other jurisdictions you can do that. This bill is, in essence, allowing for that sampling to take place which, again, I believe, you know assists the industry, a different component to the industry. Again, once again, everyone wins. You know that is why Bill 12 receives the type of support that it is getting. That is why I think that people want to see it ultimately passed. For that reason, I will not continue any longer than that, but just to say that it is nice to see the bill, and we look forward to it passing and, ultimately, receiving Royal Assent. Thank you, Mr. Speaker.

Mr. Denis Rocan (Carman): I move, seconded by the honourable Member for Southdale (Mr. Reimer), that debate be adjourned.

Motion agreed to.

Bill 13—The Milk Prices Review Amendment Act.

Mr. Speaker: Okay. We will move on to Bill 13, concurrence and third reading. Bill 13, The Milk Prices Review Amendment Act.

Hon. Gord Mackintosh (Government House Leader): I move, seconded by the Minister of Education (Mr. Bjornson), that Bill 13, The Milk Prices Review Amendment Act; Loi modifiant la Loi sur le contrôle du prix du lait, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Mr. Speaker: It has been moved by the honourable Government House Leader, seconded by the honourable Minister of Education, that Bill 13, The Milk Prices Review Amendment Act, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Any speakers? No.

Mr. Denis Rocan (Carman): Mr. Speaker, I move, seconded by the honourable Member for Portage la Prairie (Mr. Faurichou), that debate be adjourned.

Motion agreed to.

Bill 23—The Workplace Safety and Health Amendment Act (Needles in Medical Workplaces)

Hon. Gord Mackintosh (Government House Leader): I move, seconded by the Minister of Education (Mr. Bjornson), that Bill 23, The Workplace Safety and Health Amendment Act (Needles in Medical Workplaces); Loi modifiant la Loi sur la sécurité et l'hygiène du travail, reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Mr. Speaker: It has been moved by the honourable Government House Leader, seconded by the honourable Minister of Education, that Bill 23, The Workplace Safety and Health Amendment Act (Needles in Medical Workplaces), reported from the Standing Committee on Legislative Affairs, be concurred in and be now read for a third time and passed.

Mr. David Faurichou (Portage la Prairie): I move, seconded by the honourable Member for Steinbach (Mr. Goertzen), that debate now be adjourned.

Motion agreed to.

* * *

Mr. Speaker: Is it the will of the House to call it 5:30? No?

An Honourable Member: Is it agreed?

An Honourable Member: Agreed.

Mr. Speaker: It is the will of the House to call it 5:30?

Some Honourable Members: Agreed.

Mr. Speaker: Agreed. Okay.

An Honourable Member: No.

Mr. Speaker: No? There is no agreement.

* (16:40)

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Point of Order

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

Mr. Kevin Lamoureux (Inkster): On a point of order. I recognize the Government House Leader was going to call it 5:30. We are prepared to go into concurrence. We think that concurrence is an important thing, given the number of days that we have in this session.

Mr. Speaker: Leave has been denied.

* * *

Mr. Mackintosh: Well, Mr. Speaker, if you would call adjourned debate on second reading on Bill 38, please.

Mr. Speaker: Our rules in the House are that you cannot call bills twice in one day, so you would have to have leave. You would have to have leave to call a bill twice.

Mr. Mackintosh: Mr. Speaker, is there leave to call Bill 38 for a second time today?

Mr. Speaker: Is there agreement to call, for the second time today, Bill 38, The Residential Tenancies Amendment Act? Is there leave? *[Agreed]*

Bill 38—The Residential Tenancies Amendment Act

Mr. Speaker: So we will call Bill 38, The Residential Tenancies Amendment Act, and it is standing in the name of the honourable Member for Fort Whyte (Mr. Loewen).

What is the will of the House? Is it the will of the House for the bill to remain standing in the name of the honourable Member for Fort Whyte? *Agreed? [Agreed]*

Mr. Doug Martindale (Burrows): I am pleased to put a few remarks on the record regarding Bill 38, The Residential Tenancies Amendment Act. This is something that, even without speaking notes in front of me, I know a little bit about. In fact, I have a long history with The Residential Tenancies Act.

I think it began with a demonstration out in front of the Landlord and Tenant office about 1985 or '86. I think the Minister of Housing of the day kind of panicked because very shortly after that he appointed a review committee to review The Landlord and Tenant Act and The Rent Control Act. I was one of the representatives on that committee, representing tenants. It was a very interesting process because it had landlord representatives on it, and it had civil service representatives, civil servants, and it had tenant representatives. We basically operated on a consensus model.

It is my understanding that that is what the minister responsible for Consumer and Corporate Affairs has done in this case. He had representatives of the different stakeholders, as they are known, who came up with consensus recommendations for the government to move forward on.

But we met very frequently, my recollection is approximately between it might have been 1985 and 1988. Anyway, eventually the bill was ready to be introduced sometime in 1988 or 1989, but the Filmon government stalled on it. They were lobbied by their landlord friends. Eventually, it did get introduced in 1990.

I happened to have been elected in 1990. So it was very interesting to be at the beginning of the process, criticizing the Landlord and Tenant office of the Pawley NDP government on behalf of low-income tenants because I was working for the United Church at the time in a prophetic ministry, then being appointed as a tenant representative, and being part of a very long process where we drew up a very thick document with recommendations to combine the Landlord and Tenant office and the rent regulation branch into one piece of legislation, and then to be here as an MLA in 1990 when it was introduced and debated and passed in the Legislature.

Actually, the Minister of Finance (Mr. Selinger) and I go back even further than that because the first time I was ever in the Manitoba Legislature, I

believe, was in the summer of 1980, when the Sterling Lyon government was repealing The Rent Regulation Act.

Mr. Conrad Santos, Deputy Speaker, in the Chair

This is all a matter of public record, Mr. Minister, so if you presented, I do not know if you presented, but there were people from CEDA and the inner city who presented at the committee stage of the bill and, as I recall, there were maybe 20, 25 people there opposing the repeal of rent regulation. Then a year later or a couple of years later, in 1982, I was at the committee presenting, and actually Clayton Manness, a former Minister of Finance, about 10 years later, no, 15 years later, maybe longer, he said he remembered me making a presentation at the committee. Perhaps it was my beard or my appearance or something, I am not sure.

But the Pawley government brought back rent control as we know, and it was very popular. In fact, one of the reasons the Pawley government got elected in 1981 was because the Sterling Lyon government, a very right-wing Conservative government, had repealed rent control, and after the Pawley government was formed, we brought it back. Then, when the Filmon government took office, the landlords lobbied the Filmon government, the Minister of Housing, I remember Mr. Ducharme was one of those ministers, they wanted to get rid of rent control, and what they were told was that the NDP had won 10 seats in the 1981 election on the issue of rent control. So they were not about to do it. In fact, the Filmon government was in office for 11 years and never brought back rent control because they knew that it was such a potent political issue. They did not want to touch it, and so we still have rent control.

But I think our government has moderated it. For example, there are exemptions for new construction, I believe it might be 15 years, an exemption from rent control for new construction to try and encourage the construction industry to build rental accommodation. Whenever I talk to landlords, for example, my landlord at 788 Selkirk Avenue that I rent from, and he says, "Why do we have rent control?" and I say that we do not actually have strict rent control in Manitoba. What we have is rent pass-through legislation because if landlords want to make capital improvements, they can submit their cost, have it evaluated and raise the rent based on the

capital improvements. They get their rent increase, and it is amortized so that those expenses are considered to be paid over a certain number of years.

But what happens when those capital expenses are recovered through rent? Does the rent go down? No, the rent stays on that plateau. It goes up because of the capital improvements and then when the capital improvements are paid for, the rent stays the same. Then, if they do more capital improvements, the rent goes up again from that plateau which, I think, is satisfactory to landlords, except depending on market conditions. They may not be able to raise the rent based on capital improvements in some low-income areas because there is not the demand, although I suspect that that has changed because rental vacancy rates are so low, this current time being an example of that.

The result is that rents are going up everywhere and landlords are investing. For example, in the inner city, in the North End, there is a company, I believe it is called Northern Properties, and they have bought up a lot of properties in the inner city, including in St. Johns and in Burrows. They have made capital improvements, jacked up the rent and, of course, all the tenants move out. I really do not know where they are going because there are so many places that have been improved and so many places the rent has increased that I kind of wonder where some of these low-income people are going.

I know of a place on Aberdeen, I believe Aberdeen and McKenzie, I believe it used to be a three-plex and Northern Properties bought it. They renovated it. They put on new siding. It looks really good, and they jacked the rent up to about \$750 a month for two suites. So I think there are new tenants in there for sure and many other places.

I think it is the same company that bought the row housing behind the Lincoln Motor Inn on McPhillips Street and did extensive renovations and repairs and jacked the rent up. I am told the rent is now \$700, \$750 a month there. My guess would be, and I have not been knocking on doors there recently, that all the former tenants have probably moved out and new people moved in because of the new rent.

So I do not think that landlords have much to complain about. They can get their capital costs recovered through rent increases. But nonetheless,

we still support rent control because it is important to protect renters.

Mr. Speaker in the Chair

* (16:50)

We know what had happened in places like Ontario where they got rid of rent control. Now they have thousands and thousands of people who are homeless because they cannot afford to pay the rent anymore.

So, in Bill 38, the amendments to The Residential Tenancies Act, we have a package of changes to rent regulation. This is a balanced approach. There are some changes to benefit tenants and others to benefit landlords. These amendments do not undermine rent regulation.

There was, as I mentioned, the landlord and tenant advisory committee appointed by the minister who reviewed and approved this package of amendments. These changes were discussed with the landlords' organization, the Professional Property Managers Association or PPMA. The president and two representatives met with the minister on April 11, 2005. These changes are meant to stimulate the rental market and to encourage landlords to refurbish their rental stock and to invest in new construction.

This package includes changes that are a benefit to tenants, for example, rent discounts. Landlords will be required to give tenants a three-month notice of a reduction or elimination of a discount.

Secondly, compensation for unreasonable delay. This bill introduces provisions allowing tenants to apply to the director of the Residential Tenancies Branch for compensation through a temporary rent reduction where there has been an unreasonable delay by a landlord in repairing and maintaining a rental unit.

Thirdly, extension of prohibition. This extends the prohibition against rent increases that are made with the intent to include tenants in rental units that are exempt from rent regulation. As we know, this is a problem where landlords in the past have raised the rent in order to get someone out. This prohibition is going to extend to units that are exempt from rent regulation.

There are also changes to benefit landlords. There are three of those as well, the first one

being unit rehabilitation. It would allow for unit rehabilitation where a unit has been voluntarily vacated subject to an annual maximum number. A rehabilitated unit would be exempt from rent regulation for up to two years depending on the level of investment. The program would be reviewed after a pilot period to determine whether it should continue or needs modification.

Secondly, compliance. This bill gives the director of the Residential Tenancies Branch discretion to validate rents on a one-time only basis where the landlord has increased rent by the annual guideline or less, but did not fully comply with the act with regard to notice to tenants regarding the rent increases. The director will weigh whether the landlord's failure has resulted in unfairness to tenants.

The third refers to distressed properties. This bill provides an exemption from rent regulation for up to 15 years for rehabilitation of a distressed property on the condition that some units are to be kept at or below median rent levels for a specified period. This is a new rehabilitation category. We certainly hope that this encourages landlords to renovate suites.

In addition, as was announced in the budget speech, the exemption period from rent regulation for new construction will increase from 15 years to 20 years. I need to correct myself because I had used the figure 15 years and, in fact, it is 20 years.

I also have lots of information here about rent regulation and the guidelines, but that is not totally relevant to this bill.

It is interesting, though, to compare provinces. For example, four other provinces have rent control: Ontario, P.E.I., Québec and B.C. Mr. Speaker, B.C., Ontario and P.E.I., like Manitoba, set an annual rent increase guideline. Québec has a tenant-complaint driven rent review process and does not set a rent increase guideline. Québec will, however, reduce rents where warranted. Now, my reading would suggest that, even though Ontario has what they call rent control, in fact, it is not very effective, and the result has been that market forces are at play; the rent has gone up causing a lot of the homelessness that we see in major cities like Toronto. I think our rent regulation is much more effective.

So I commend the minister for this modest group of consensus amendments. I think it is important to note that landlords and tenants were part of the

review process and that they came to consensus recommendations which the minister has approved and brought in, to the benefit of both landlords and tenants. I think this is typical of our government, of our balanced approach which you have seen in balanced budgets, putting more spending into social programs, putting more money into the rainy day fund, reducing debt, reducing taxes, but investing, nonetheless, in Health and Education and other important departments like Conservation, for example.

An Honourable Member: I was just going to say that.

Mr. Martindale: I am glad I mentioned that before the Minister of Conservation (Mr. Struthers) had to prompt me. Well, we cannot refer to the presence or absence of members. That would be against our rules.

I am always pleased to speak on a bill like The Residential Tenancies Amendment Act because many tenants in Burrows constituency are renters, and many of them are low-income renters. In fact, we have a fair amount of public housing in Burrows constituency, especially Gilbert Park, being the largest, and other Manitoba Housing Authority units scattered throughout Burrows constituency. I have often thought that if we had a plan, it would be good to turn some of those units into co-operative housing.

I think people would be much better served to be in self-governing organizations rather than in MHA. In fact, I was privileged to go with people from the North End Housing Project and the North End Community Renewal Corporation to Saskatoon in February to look at Quint Housing. Quint Housing is a wonderful model. In fact, North End Housing Project is considering adopting it. As the Minister of Justice said, it was started by a guy from Winnipeg. I did not know that. I got to learn that.

Their model, instead of being rent-to-own like North End Housing Project, which has some problems because people are tenants until they become owners and they have had problems with collecting rent, but in the Quint model, everyone belongs to a co-op. So they have 10 families, 10 houses and one co-operative. They have a number of these co-operatives all with a maximum of 10 families. So they have to have their own by-laws and they screen their own applicants, and there is a pressure because of the fact that people belong to

co-operatives, on people to make their monthly payments and to be good co-op members. I think that is a good model. It is something that we are encouraging.

In fact, I just had lunch with the acting director of North End Housing Project just last week at a wonderful Lao Thai Restaurant on Selkirk Avenue across the street from my constituency office. If anyone would like to join me there some day for some delicious food, I would be happy to take you there as my guest, and I will pay, especially the Minister of Family Services and Housing. I would be delighted to take her there to talk more about co-op housing. But I was personally encouraging the acting director, Mr. Ken Murdoch to adopt this co-op model because I think it will be more successful.

I have lived in a co-op. I lived in Willow Park East Housing Co-op for three years and was on the board of directors, and I helped organize Charles Cathedral Housing Co-op in the former St. John's United Church in the beautiful constituency of St. Johns. I have a lot of faith in the co-operative housing model so whenever I can I try to encourage the co-op model. I think it has a lot of merits. For one thing, they are exempt from rent control, ironically, but that is because they are owners as well as renters. They are a kind of a combination of both, and so they are a self-governing organization.

When I organized Charles Cathedral Housing Co-op, we had a problem in naming it. The board members wanted to name it Nellie McClung Housing Co-op, and we have this crazy policy in the former Department of Co-operative Development where they would not allow the co-op to name it after a person unless you contacted all of their living descendants, and we decided that that was almost impossible to do in the case of Nellie McClung, and so they want to name it Martindale Housing Co-op and I said no, which I was quite glad I made that decision subsequently, because whenever there was problems, they used to phone me because I had got the co-op going. So, when there were problems, I was kind of glad it was not name Martindale Housing Co-op. Now they have kind of forgotten about me. They do not phone me anymore, but when they did, I would say, "I am sorry, I cannot—*[interjection]*"

* (17:00)

Well, the Member for St. Johns (Mr. Mackintosh) remembers that I was instrumental in

organizing Charles Cathedral Housing Co-op. But one of the ironies is that Woodsworth represented a Winnipeg constituency, but there is no Woodsworth Housing Co-op in Winnipeg. There is in Toronto, and there is a Tommy Douglas Co-op in Toronto. They have named co-ops after many famous people in Canada, but none in Winnipeg. It is quite unfortunate that we were not able to do that. Maybe we can in the future name co-ops after people in Winnipeg. That is something that we should encourage, I think.

When people from a housing co-op phone me, whether it is Charles Cathedral Housing Co-op or MAPS Housing Co-op or Willow Park East Housing Co-op or Willow Park Housing Co-op in my constituency, I tell them, "Sorry, I cannot solve your problems as your MLA." I refuse to get involved, because co-operatives are self-governing organizations, and if they cannot solve their problems, the only recourse that they have with the provincial government is if they are not following their charter by-laws, in which case they can call the corporations branch, I believe it is, to intervene.

I think that more self-governing organizations that we have in Manitoba, the better, regardless of what kind of co-operative they are with, whether it is a retail co-op or a housing co-op. There are many different kinds of co-operatives: agricultural resource co-op and—[interjection] Well, I could talk for hours about housing co-ops.

It is an alternative kind of housing. It is a very good kind of housing, and I am very happy to say that the largest continuing or oldest housing co-op in Canada is in Burrows constituency, Willow Park Housing Co-op. They were the first. They were organized by a lot of labour people, and it is still there. In fact, they are so old that they have paid off their mortgage, and they are financially very sustainable. In fact, they needed new carports, so they did not ask the government for money. They just went to a bank, and they borrowed \$1.25 million—[interjection] They pay taxes, yes, and they built new carports. It is still a very affordable place to live.

I have lots of good things to say about housing co-ops, especially for low-income people, for example, MAPS Housing Co-op, which was started by Tom Simms and the staff at CEDA. MAPS is actually an acronym; I believe it stands for

Mountain, Andrews, Parr, Selkirk. They have townhouse units on Dufferin Avenue, which their local city councillor, former city councillor, opposed, actually. They have scattered units throughout the North End.

If you drive down these streets like Manitoba and Pritchard and other streets, you can actually pick out the infill houses that were built under the Pawley government; you can pick out the MAPS Housing Co-op units; you can pick out the Habitat for Humanity houses; and everything else that is private sector is run down. The owner-occupied houses are fine, but it is the private sector that is the problem in the rental market in the North End, which is one of the reasons why, well, I should qualify what I am saying, in saying there are some responsible landlords, and there are some that let their properties go.

It is very frustrating dealing with the slum landlords and the absentee landlords. That is why we need rent regulation, and that is why we need a residential tenancies act, not just for tenants. We need it for landlords, because sometimes landlords get ripped off, sometimes their suites get trashed, and so they need a process where they can go to have an adjudication done, to have a hearing. In fact, the Member for Minto (Mr. Swan) was a representative appointed by the government, I believe, on one of the panels at the Residential Tenancies Branch, and I am sure that, when the members opposite are in government, their appointees will be on the Residential Tenancies Branch panels as well.

The only person that I have ever heard say that they did not believe in these kinds of appointments in the Manitoba Legislature was the former Member for River Heights, Sharon Carstairs, who said that she was opposed to all those kinds of appointments, until she got the big one, the Senate appointment. Then, when they asked her, "Well, we thought you made a speech in the Manitoba Legislature opposed to patronage appointments, what gives?", she said, "But this is a good appointment." Kind of a big flip-flop, I would say.

A big flip-flop, but that is a Liberal, both sides of every issue. It is hard sitting on the fence, because those pickets get awful sharp. I am sure she is enjoying herself in the Senate of Canada, and I am sure she has totally repudiated her remarks in the Manitoba Legislature now that she is a senator, at

least I would hope so, that she has had a change of heart.

Well, I am running out of inspiration on Bill 38, The Residential Tenancies Amendment Act, but if other people would like to speak on this side, we now have speaking notes, but I only—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Martindale: I could tell you whose name is on the bottom. It is one of the staff in the minister's department. I thank her for providing the speaking notes. It is not the person being mentioned by the members opposite, I can assure you of that. The speaking notes are quite helpful, and I did refer to them a little bit. I read the changes that benefit tenants and the changes that benefit landlords, which are all in Bill 38, if members opposite care to read it.

We look forward to hearing their remarks on this bill to see whether they support it or not, or whether they are going to vote for it or not. If they vote against it, then we know that they are totally in support of landlords and have no sympathy for tenants. So we will be looking forward to see how members opposite speak and vote on this bill. Thank you.

Some Honourable Members: Oh, oh.

Mr. Rob Altemeyer (Wolseley): The moment you have all been waiting for.

Mr. Speaker, it is my sincere pleasure to have this opportunity to put some comments on the record about our marvellous Bill 38 amendments to The Residential Tenancies Act. I very much want to applaud the sentiments of a previous speaker, my fine colleague, the MLA for Burrows, and begin with a big thank you to our minister for bringing forward this positive language.

An Honourable Member: Oh, oh.

Mr. Altemeyer: I am going to get to this for a bit.

I also certainly want to thank the members of the committee, both people advocating from a tenant's perspective and also those advocating from a landlord's perspective, who sat down together in

what is normally a very acrimonious environment—I am not mentioning any names of members in the Chamber at the moment—and managed to negotiate a package which they all felt had some components in it that would move their cause forward. That has now been brought forward to our Legislature for us to debate and, potentially, amend and improve. I certainly want to commend the process that was used to bring this fine document forward.

This probably will not come as a surprise to anyone who knows the riding of Wolseley, but residents there do not have much difficulty articulating or sharing their views with their MLA. It is one of the many things I love about them. So I actually will not need speaking notes for this presentation. I will be talking about the impact that this legislation is going to have in our local context, at the local community level and in my riding, and very positive impacts that they will be.

Shortly after being elected, and even before then, it was very apparent to me that housing is one of the biggest issues in the Wolseley riding. Not everyone might know this, so I will share a little geography. The Wolseley riding is actually made up of three very different neighbourhoods. The Wolseley part most people are probably familiar with, to the west of Maryland Street all the way out almost to Polo Park, but the riding is also made up of the West Broadway neighbourhood and a very large piece of the Spence and West End neighbourhoods. So the University of Winnipeg is actually the northeast corner of my riding, and three completely different realities when it comes to the housing environment.

In West Broadway, for instance, over 90 percent of the people who live there are living there in a rental context. There is enormous turnover in West Broadway and in Spence neighbourhood, far more so than in a more stable neighbourhood, more stable in the housing context, in Wolseley.

* (17:10)

So, very early on, after becoming an MLA, I have launched several initiatives to help inform my constituents about the existing rules and the procedures under The Residential Tenancies Act. Just last night, I was very proud to join one of the newest MLAs in the Chamber, my colleague the MLA for Minto, as we co-hosted an event right on the border, right on Ellice Avenue, at John M. King

School, the border between our ridings, where members of the public could come out and learn about the existing rules governing residential tenancies, and also learn a bit about some of the new pieces that we are bringing forward in this legislation.

The evening was very well received. I want to commend the staff that came out from the RTB to provide the information packages, and be there to answer a wide range of questions that citizens had on their mind. There were both tenants and landlords present. These are the types of initiatives that I really believe quite strongly in as an elected official, that the more information that we can provide to our citizens so that they understand what their rights are, what their obligations are, it leads to a much better situation for them, and for everyone in the community. So I am sure that my colleague and I, the MLA for Minto, will be hosting future events like that on this issue and many others.

To continue on with the impact of The Residential Tenancies Act in Wolseley, and by Wolseley, I mean the Wolseley riding, because of the complete abandonment of the inner city under the previous administration throughout the 1990s, we saw enormous decay in the quality of life for people living in the inner city, and in the physical quality of the apartments, rental apartments in particular, that people were forced to live in. The federal government is also quite culpable in this. In 1995, that infamous budget, which the current leader of the Manitoba Liberal Party voted in favour of when he was a Cabinet minister there, slashed all support for public housing throughout the entire country. Absolutely nothing was done here in Manitoba to attempt to address that situation.

What a remarkable turnaround that has been accomplished by our government, our hardworking ministers, many of them here today in the Chamber right now, the Minister of Housing (Ms. Melnick), the Minister of Intergovernmental Affairs (Mr. Smith) and our Minister of Finance (Mr. Selinger), who together all have very significant pieces in a new strategy, and a new renewal of the inner city in Winnipeg, and also in other communities in Manitoba. We are not just a perimeter party. We have programs for housing happening in the North. We have programs for housing happening in rural Manitoba. Of course, the changes and improvements that we are making to The Residential Tenancies

Act, will apply to all rental situations, regardless of their geographical location.

With that enormous abandonment of the inner city and the declining quality of the housing stock, and now with the enormous renewal and revitalization and enthusiasm that is happening in what were once abandoned neighbourhoods, we are seeing an enormous amount of investments happening in the inner city. These investments are not without their negative consequences. Everyone knows the stock markets are a pretty difficult place to make a living these days, unless you are a multi-millionaire and not many of us get to be in that situation. So an enormous amount of investment capital is now being directed into real estate with the result that low income people are being displaced from homes and communities that they have stuck with, through thick and thin, throughout the 1990s, when so many of their concerns, so many of their legitimate issues, were completely ignored by the governments of the day.

I am so proud of the accomplishments which we heard about today in Question Period. The number of new units, new affordable housing units, that have been built in Winnipeg alone is 2300, and far more to come. I was very happy to join our Minister for Housing quite recently at the Magnus Eliason Recreation Centre in Spence neighbourhood, where an announcement was made extending the five-year Affordable Housing Initiative agreement for an additional year, but would involve 23 million new dollars, shared equally between our province and the federal government, in order to build hundreds of new affordable housing units across our province. This is the type of partnership, the type of commitment and dedication, that I think exemplifies our government's desires to see everyone living in Manitoba in a strong community and under very respectable circumstances compared to what the priorities were in the past.

A key part of our new emphasis on providing affordable housing is on the low-income rental side to address this issue of private-sector money coming in to formerly undesirable communities, ratcheting up the rents through investments in properties, and then the economic relocation of low-income residents, one of our top priorities now.

I commend the Minister of Housing (Ms. Melnick) for dedicating the entire current round that

just finished under the Affordable Housing Initiative. She dedicated all of the resources to low-income rental initiatives. I commend her for that. I commend our government for that. The results that we will see in West Broadway and Spence and elsewhere will be legacies of our government for years to come. Those buildings will stand strong. There are so many innovative approaches being taken to how these will operate. The previous speaker, the MLA for Burrows, my colleague, talked about the importance of co-ops in his part of the community. They certainly play a strong role in my neighbourhoods as well.

A big focus of late for us also has been trying to incorporate environmental approaches to new housing, in addition to maintaining the affordability features that we are so desirous of. There are projects now at the planning stages, and also others that are nearing completion, which could have some very important lessons and some very exciting developments which could be copied right across our province, and even across the country in this area.

The Residential Tenancies Act amendments play into this because, of course, it is so important that we make sure that the rules are clear when rents are increased and when disputes arise between tenants and landlords. Regardless of who the tenant is, or regardless of who the landlord is, the process is consistent for everyone involved, and that everyone knows what the rules are in advance.

Some of the new features that we have brought in with our proposed legislation are, I think, going to be very beneficial for the tenants, many of whom, of course, have contacted my office since being elected with exactly these types of concerns, which will now be addressed.

One example of these is, of course, discounts. Sometimes a landlord will offer a discount to a renter so the rent may perhaps, let us say, be \$500, but the landlord will offer a discount of \$75 to get someone to move in, and they pay at the reduced rate.

At the moment, though, there is absolutely no protection, no matter how many years have gone by or what the circumstances may be, for a landlord to immediately remove that discount. It is just at the whim of the owner of the building. This, of course, can cause extreme hardship for someone on a limited income or fixed income when, suddenly, they have

to pay \$50, \$60, \$75 more each month, 12 months of the year on a budget which probably is not much more than \$10,000, \$12,000, \$14,000 a year in many, many instances for seniors on a fixed income or low-income working people.

So, with our new legislation, we have put in a provision that a landlord now who is offering a discount must provide a three-month notification period so no one will have this extra cost sprung on them on such a short-term basis. The landlord will have to provide three months' notice that they intend to remove the discount, giving a tenant a reasonable amount of time to decide, okay, am I able to afford to continue to stay living here, or do I need to find alternative accommodations which still match the amount of rent money that I have to pay for my rent?

Another very important issue that numerous tenants have brought to my attention concerns repairs, both to the building as a whole and repairs to their individual suites. I had visited rooming houses and apartment blocks in my riding, which are in appalling condition. Up until now, there has been no mechanism for a tenant to be able to force a landlord directly to fix the repairs that are owing.

The current process has been that a tenant can go to the Residential Tenancies Branch. They can indicate they have asked for a repair to be done, and indicate that it has not been completed, and then their rent can be paid to Residential Tenancies Branch which could then use that rent to effect the repairs. But there has been no direct mechanism to get a landlord to actually do what they should have been doing all along, and that is maintaining the equity of their building and providing decent accommodations for low-income people to live.

*(17:20)

With our new proposal, there will now be a mechanism whereby a renter in this situation will be able to apply to have their rent partially or fully reimbursed if that is determined to be appropriate by the director at the Residential Tenancies Branch.

It is a relatively small change. I am sure there will be other initiatives that we will look at in the future. But it is a very positive step forward to trying to address some of the really deplorable living conditions that far too many of our residents are currently faced with.

On the landlords' front, there are also some improvements there, addressing some long outstanding issues that some landlords have brought forward. One of these is that, if a landlord has failed to follow the proper procedure for notifying a tenant when their rent is going to go up, the director under our proposed legislation will now have the discretionary power to decide if the amount that the rent has gone up is in compliance with the rent control which we have brought in, in each of the years in question. This results, at the end of the day, in an appropriate level of rent being charged to a tenant, if it is simply that, whether through oversight or a mistake on the part of the landlord, they did not follow the proper notification process.

This notification process is very important. If a landlord has, in fact, been found to have charged too much in a year that is in question, then they will not be given the power to proceed under this section of the act. However, if it is found that the rent increases that have been applied by the landlord in the years in question have been in compliance with the rent controls which our province has established, then this enables for the situation to be resolved without undue hardship on either the tenant or the landlord's part.

There is also, of course, in our proposed legislation, a new opportunity for landlords who either already own a badly deteriorated building or who acquire a badly deteriorated building to apply for an exemption from rent controls. The important condition to this is also a benefit that goes to tenants in this circumstance. Exemption from rent controls enables a landlord to increase rents beyond what has been established provincially by the Minister of Finance (Mr. Selinger) each year. But an exemption in this circumstance will come only if a landlord agrees that a certain number of the units in the apartment block, or units in question, remain at a median market rent or lower.

So a landlord is able to receive a financial incentive to invest in the building and fix it up so it does not end up becoming a boarded-up building like the ones which dominated my riding throughout the 1990s. Instead, the landlord has a mechanism for improving their property, improving the quality of life for the people living there, but a certain number of units in the apartment block are going to have to be available at median market rent or lower, which is an affordability mechanism that our government

remains very committed to, and this is another excellent reflection of that.

I am going to close, Mr. Speaker, if I may, with some supportive comments for our Minister of Finance and his strong stance in maintenance of rent control. This is a key aspect of affordability and ensuring that low-income people have the ability to live in decent accommodations, and to do so with a reasonable understanding of what the rents are going to be from year to year to year. Particularly for single parents with one or more children, it can be so disruptive when they are forced to move to another community through economic hardship because their rents have increased unreasonably.

The rent control regime means that there will be a maximum of a couple of percentage points increase each year, and that amount is determined purely on economic factors of what the costs have been for landlords to operate their buildings in the previous year and inflation. This is an absolutely vital component to ensuring that our citizens have the ability to live with decency and respect and affordability in our province, wherever they may choose to live.

I want to conclude my remarks with a very strong personal endorsement to our Minister of Finance for maintaining this aspect of our legislative regime. So, Mr. Speaker, I really appreciate the opportunity to speak to this very important item of legislation, very important to my riding and to many of the residents living there, and I look forward to more exciting housing developments from our government in the years ahead. Thank you very much.

Mr. Speaker: Any other speakers?

Okay, when this matter is again before the House, it will remain standing in the name of the honourable Member for Fort Garry. 5:30? Agreed?

An Honourable Member: Fort Whyte.

Mr. Speaker: Fort Whyte. It will remain standing in the name of the honourable Member for Fort Whyte (Mr. Loewen).

* * *

Mr. Speaker: The hour being 5:30, this House is adjourned and stands adjourned until 1:30 p.m. on Monday.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, May 12, 2005

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