

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

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authority of
The Honourable George Hickes
Speaker*

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, Hon.	Fort Garry	N.D.P.
JENNISSSEN, 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.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
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MARTINDALE, Doug	Burrows	N.D.P.
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MELNICK, Christine, Hon.	Riel	N.D.P.
MITCHELSON, Bonnie	River East	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
OSWALD, Theresa, Hon.	Seine River	N.D.P.
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REIMER, Jack	Southdale	P.C.
ROBINSON, Eric, Hon.	Rupertsland	N.D.P.
ROCAN, Denis	Carman	P.C.
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ROWAT, Leanne	Minnedosa	P.C.
SALE, Tim	Fort Rouge	N.D.P.
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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.
VACANT	Kirkfield Park	

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, April 18, 2007

The House met at 1:30 p.m.

PRAYER

Speaker's Statement

Mr. Speaker: I have a statement for the House.

I wish to advise the House that I have received a letter from the Leader of the Official Opposition (Mr. McFadyen), on behalf of the official opposition caucus, advising that the Member for Carman (Mr. Rocan) will no longer serve as a member of the Progressive Conservative caucus and will no longer be seated within the Progressive Conservative allotment of seats in the Legislative Chamber.

Accordingly, I have moved the seat of the honourable Member for Carman to be relocated between the Member for Inkster (Mr. Lamoureux) and the Member for Rossmere (Mr. Schellenberg), in the seat previously assigned to the Member for Point Douglas (Mr. Hickes).

In addition, the Speaker will now be recognizing the Member for Carman as an independent member in this Legislative Assembly Chamber.

ROUTINE PROCEEDINGS

INTRODUCTION OF BILLS

Bill 24—The Fair Registration Practices in Regulated Professions Act

Hon. Nancy Allan (Minister of Labour and Immigration): Mr. Speaker, I move, seconded by the Minister of Labour, that Bill 24—[*interjection*] Oh, I'm sorry, I'm the Minister of Labour.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Ms. Allan: Thank you, Mr. Speaker. I move, seconded by the Minister of Health (Ms. Oswald), that Bill 24, The Fair Registration Practices in Regulated Professions Act, be now read a first time.

Motion agreed to.

Bill 213—The Labour Relations Amendment Act (Information in Employee's Language)

Mr. Ron Schuler (Springfield): I move, seconded by the honourable Member for Portage la Prairie (Mr. Faurschou), that Bill 213, The Labour Relations

Amendment Act (Information in Employee's Language), be now read a first time.

Motion presented.

Mr. Schuler: Mr. Speaker, this bill amends The Labour Relations Act to require a union, when soliciting memberships, to provide each employee solicited with information regarding union fees and dues in a language understood by the employee.

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

Bill 219—The Legislative Assembly Amendment Act (Set Date Elections)

Mr. Glen Cummings (Ste. Rose): I move, seconded by the Member for Emerson (Mr. Penner), that Bill 219, The Legislative Assembly Amendment Act (Set Date Elections), be now read a first time.

Motion presented.

Mr. Cummings: Well, Mr. Speaker, I introduce this legislation in the interest of future MLAs who would like to have the opportunity to plan their careers, plan their family life and be prepared to enter into public life at a predictable time when elections would be on a known date.

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

PETITIONS

Removal of Agriculture Positions from Minnedosa

Mrs. Leanne Rowat (Minnedosa): I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition:

Nine positions with the Manitoba Agriculture, Food and Rural Initiatives, Crown Lands Branch, are being moved out of Minnedosa.

Removal of these positions will severely impact the local economy.

Removal of these positions will be detrimental to revitalizing this rural agriculture community.

We petition the Legislative Assembly of Manitoba as follows:

To request the provincial government to consider stopping the removal of these positions from our community, and to consider utilizing current technology in order to maintain these positions in their existing location.

This petition is signed by S. Huyghe, J. Girard, M. McKee and many, many others.

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

Grace General Hospital ER

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

These are the reasons for this petition:

The provincial government has not ensured that the Grace Hospital emergency room is staffed with a full complement of ER doctors. The ER has been short several doctors for more than two years.

Because of this shortage, only one ER doctor is working on many shifts, forcing long patient waits for emergency care.

Residents of the community fear that the Grace Hospital ER will be forced to close if this ER doctor shortage is not fixed immediately.

The provincial government has not come forward with a clear, immediate plan to address the ER doctor shortage.

We petition the Manitoba Legislative Assembly as follows:

To request the Minister of Health (Ms. Oswald), to consider developing a clear, immediate plan to address the ER doctor shortage.

To request the Minister of Health to consider taking all necessary steps to ensure the Grace Hospital emergency room does not close.

Signed by E. Keck, L. Derosers, B. Sarson and many, many others.

*(13:40)

Lynn Lake Friendship Centre

Mrs. Mavis Taillieu (Morris): I wish to present the following petition to the Legislative Assembly of Manitoba, and these are the reasons for this petition:

Cree Nation Child and Family Caring Agency is a provincially mandated First Nation child protection

and welfare agency. Operated under authority of the provincial Ministry of Family Services and Housing, the mission is to help keep children, families and communities safe and secure and promote healthy citizen development and well-being.

Lynn Lake is located 321 kilometres northwest of Thompson, Manitoba, on PR 391. There is no social worker living and working in the community. The goals of the ministry are implemented from a distance and supplemented with infrequent and short visits from a social worker located in Thompson.

The Lynn Lake Friendship Centre is a designated safe house and receiving home providing accommodations, services and care to children and families experiencing difficulties in a safe environment. The designated safe house and receiving home are forced closed at this time due to outstanding accounts payable due from Cree Nation Child and Family Caring Agency.

Failure to have a social worker based in Lynn Lake providing immediate and sustained services and forcing the receiving home and designated safe house to close, children and families experiencing difficulties in Lynn Lake and area have their health and safety placed in great jeopardy.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Family Services and Housing (Mr. Mackintosh) to consider restaffing the social worker position in Lynn Lake in order to provide needed services to northwestern Manitoba in a timely manner.

To request the Minister of Family Services and Housing to consider mediating outstanding accounts payable to the Lynn Lake Friendship Centre by Cree Nation Child and Family Caring Agency in order to allow the designated safe house and receiving home to resume regular operation and services and continued utilization of these operations and services.

This is signed by A. Dalewich, T. Hunt, J. Grubb and many, many other people of Lynn Lake.

Crocus Investment Fund

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

The background to this petition is as follows:

The government needs to uncover the whole truth as to what ultimately led to over 33,000 Crocus shareholders to lose tens of millions of dollars.

The provincial auditor's report, the Manitoba Securities Commission investigation, the RCMP investigation and the involvement of our courts, collectively, will not answer the questions that must be answered in regard to the Crocus Fund fiasco.

Manitobans need to know why the government ignored the many warnings that could have saved the Crocus Investment Fund.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Premier (Mr. Doer) and his NDP government to co-operate in uncovering the truth in why the government did not act on what it knew and to consider calling a public inquiry on the Crocus Fund fiasco.

This is signed, Mr. Speaker, by J.C. Moran, M. Moran, J. Moran and many, many others.

ORAL QUESTIONS

Anti-Gang Legislation Government Initiatives

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, in this NDP government's most recent Speech from the Throne delivered November 15, 2006, it stated, and I quote: "In the upcoming session a new package of anti-gang initiatives will be introduced, providing police and prosecutors with improved tools to fight gang crime. The new initiatives will make innovative use of provincial laws." That's the end of the quote from their Throne Speech. Five months later, we've seen no action from the government on the anti-gang package of initiatives that were promised in the Throne Speech.

My question to the Premier is: Was the Throne Speech commitment just another phony commitment leading up to an election, or do they intend to introduce the anti-gang initiatives in this session of the Legislature?

Hon. Gary Doer (Premier): Yes, Mr. Speaker.

Criminal Property Forfeiture Act Prosecutions

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, it's been five months without action with respect to these promised initiatives. We look forward to seeing what the bill contains.

I want to ask the Premier if it's going to be any better than the last so-called anti-gang initiative that was introduced by his government, where The Criminal Property Forfeiture Act introduced by the government in 2003, which was supposed to result in property bought with profits from unlawful acts being forfeited to the government. The news release on that legislation in 2003—so this was, I think, round five of anti-gang initiatives from the government—stated: The legislation contains a ground-breaking provision that would permit property owned by a member of a criminal organization and businesses where a member of a criminal organization is a key player to be presumed to be the proceeds of crime, unless proven otherwise.

I would like to ask the Premier if he could indicate to the House how many applications for seizures there have been under this last law, if passed and introduced by this government.

Hon. Gary Doer (Premier): There have been 200 persecutions, or prosecutions, rather, under the—*[interjection]* Sorry, a Freudian slip. There have been 200 prosecutions of gang members and gang leaders successfully completed in the courts by our Crown attorneys, by the charges laid by our excellent police officers. We have had a co-ordinated anti-gang unit for the last number of years. Part of that is to have individuals, and I don't want to go into all the security details, but individuals involved at gang activity in terms of providing information to the courts that have led to successful prosecutions. I believe, in the last most recent case of high profile, the members of the Hells Angels gang, I think we have eight, at least eight convictions under that set of series of anti-gang actions.

Obviously, this is always a work in progress, but I think we are investing more in the anti-gang unit of the RCMP and the Winnipeg city police. I want to congratulate those officers. It's high risk. They're dealing with very dangerous people. They are dealing with people, and so are the Crown attorneys. I want to just thank them on behalf of this

Legislature for this very, very dangerous work on our behalf.

Organized Crime Reduction Government Initiatives

Mr. Hugh McFadyen (Leader of the Official Opposition): We want to thank the police and prosecutors who do such great work for Manitobans every day. If only they got the tools and the support that they need from this government, can you imagine what they could do on behalf of Manitobans?

We know that several times the NDP government has introduced, promising to, and I quote: Create a hostile environment for organized crime, but they've not had the innovative use, in fact, they've had no use at all. The Hells Angels established a chapter in Manitoba in 2000 under the NDP's watch. The Hells Angels continue to have a clubhouse in Winnipeg on Scotia Avenue with the signs and the flags flying. The difference between Conservatives and the NDP is that under a Conservative government, gang courthouses get built, and under a NDP government, gang clubhouses get built.

On April 4 in this most recent failed budget, while the NDP was bringing in a budget that neglected many of the current and future needs of Manitobans, including a failure to introduce the promised package of initiatives from their Throne Speech, we still see initiatives taking place in other provinces. We saw the Hells Angels' clubhouse raided in Toronto successfully. We've seen the signs removed from that clubhouse. We've seen prosecutions take place where they've sent a message to the community that they're supporting their police. They're getting tough on organized crime.

I would like to ask the Premier: Why, under his watch, the Province has not been able to experience similar success to Ontario, seize Hells Angels' assets and shut down their clubhouse?

Hon. Gary Doer (Premier): Mr. Speaker, the major media and major newspapers reported the Hells Angels' entry into Manitoba in 1997. You can try to change history, but I'll send a copy of the article over to the member opposite.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Thank you, Mr. Speaker. The members opposite did have a courthouse and they had no

prosecutions. The prosecutions, unfortunately, did not proceed. It was a similar situation to that which happened in Alberta with a multiple-charge situation. I would point out that is in sharp contrast to the eight out of nine individuals so far that have been charged and convicted as leaders of the Hells Angels criminal gang. Again, I want to applaud the police officers for that brave action.

I would also point out, Mr. Speaker, that one of the ways you can support police is actually having more police officers. This member has voted against police officers over and over and over again. He has a choice. He can vote with his constituents and vote for this budget to have more police officers, like the Member for Carman (Mr. Rocan), or he can vote against it and be ideological and be partisan. He chose partisan politics. We'll choose police officers.

* (13:50)

Anti-Gang Legislation Government Initiatives

Mr. Kelvin Goertzen (Steinbach): Well, Mr. Speaker, the Leader of the Opposition knows full well that he can do better than the budget this government brought forward, and he will after the next election.

Since November of 2003, Ontario has seized \$8.7 million in gang assets, as well as another \$2.6 million in gang assets have been forfeited. In Manitoba, our similar legislation has gathered dust for three years while, over on Scotia Street, the Hells Angels continue to have their meetings and they have their emblem on front of their gate mocking this government's lack of action.

While the Premier and his Minister of Justice even today run around Manitoba and say: Trust us. This time we mean it, this time we're really going to get tough, why should Manitobans really believe them when eight years they've done nothing on gangs?

Hon. Dave Chomiak (Minister of Justice and Attorney General): Mr. Speaker, in November, we doubled the investment in the Organized Crime Task Force; the member opposite criticized it. We shut down 200 prostitution houses, sniff operations and drug dens under the safer communities act; the members were opposed to that. We invested in the Spotlight program that provides a million dollars to keep track of individuals who are involved in gangs or criminal activities; the members opposite voted against it. We put in 150 additional police officers in

our budgets; the members opposite voted against it. We've increased prosecutions by 80 percent; the members opposite voted against it. We've gone to Ottawa and asked them to change the Criminal Code that defines criminal acts in this country; the members have not supported us in our efforts with all of the provinces and with the federal government to get tough on organized crime. I hope they come on board finally.

Auto Theft Reduction Electronic Ankle Bracelets

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, still on the topic of this government's lack of credibility on justice issues, over the past four years, members of the Progressive Conservative Party have been asking the NDP government to begin using ankle bracelets for offenders, including auto thieves. In 2006, the former Minister of Justice said that ankle bracelets would leave the public with a false sense of security. Also, in 2006, the former Minister of Justice said that there were battery problems with ankle bracelets and that they could easily be removed.

Well, Mr. Speaker, will the current Minister of Justice admit that today's announcement is nothing more than a conversion on the road to the election and he is no more serious about getting tough on auto thieves than he was yesterday?

Hon. Dave Chomiak (Minister of Justice and Attorney General): I don't think the police officers who are on the Street Gang Unit looking at our auto theft would very much appreciate the comments of the Member for Steinbach any more than they appreciated most of the comments of the Member for Steinbach.

As I indicated in my press conference this morning, the development of the technology with respect to electronic monitoring is a developing technology. Our Blackberries didn't work this morning. I would not want to have technology on a criminal that didn't work. That's why we're joining with Nova Scotia that supported us in asking the federal government to make it tougher on auto thefts with respect to federal offences. We're joining with Nova Scotia on their pilot to study GPS monitoring for youths in Manitoba.

Government Initiatives

Mr. Kelvin Goertzen (Steinbach): The minister is indicating that technology has changed over the last year, but I want to read back to the minister what he

said on March 21, not last year, March 21 of this year, four weeks ago, on a radio station. After we called for electronic monitoring on auto thieves, the Minister of Justice said, and I quote: The ankle bracelet solution is too simple of a solution. Well, Mr. Speaker, last month's too-simple-of-a-solution for this Minister of Justice is today's crackdown.

I want to ask the Minister of Justice: What's happened in the last four weeks that suddenly this is no longer too simple of a solution? Is it because somebody told him that Manitoba is the car-theft capital of Canada? Did somebody else tell him that an election is coming and he needs to have a hollow announcement again?

Hon. Dave Chomiak (Minister of Justice and Attorney General): Mr. Speaker, we realized when we came into office that auto theft was out of control and we needed a plan. That's why we doubled the police unit last year that started several years ago based on the Regina model. That's why we put in place the Spotlight plan to put 40 high offenders on acute monitoring by probation officials. That's why we have the Turnabout program that helps young offenders, the only one in the country. That's why, as one of the tools in our arsenal, we're piloting, together with Nova Scotia who had an auto theft problem and a royal commission where an individual stole a car and killed a woman, who are now piloting with us the use of electronic monitoring on a small population to determine the effectiveness of this and validity, together with all of our other tools, including the police department expanded.

Winnipeg Regional Health Authority Nurse Shortage

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, this NDP government is trying to create an illusion that they've fixed the nursing shortage. However, overtime, the use of overtime and private-duty nurses by the WRHA paints a very, very different picture. According to Freedom of Information documents, the WRHA spent a lot of money to hire private-duty nurses to work in hospitals and personal care homes from October '03 to September '06.

Can the Minister of Health explain why the WRHA was forced to spend almost \$5 million over three years for private-duty nurses?

Hon. Theresa Oswald (Minister of Health): Mr. Speaker, certainly our commitment to ensuring that the families in Manitoba, the patients in Manitoba,

have a nurse, have a doctor, have a health care aide, have whatever health care professional they need at their bedside, is very real.

Again, it's almost unbelievable that the members opposite, the members who are engineers of 1,500 nurses being lost in Manitoba, would stand and ask a question about nursing at the bedside for Manitobans.

Our commitment is very real. The WRHA ensures that—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Ms. Oswald: —The WRHA and all regions in Manitoba work very diligently to ensure that those shifts are filled so that patients get the care that they need. I'm very happy, Mr. Speaker, that those people have options to have coverage—

Mr. Speaker: Order.

Mrs. Driedger: Mr. Speaker, nursing overtime means nursing shortages; the higher the overtime, the worse the shortages.

Can the Minister of Health explain why the WRHA has been forced to spend \$29 million on nursing overtime over a five-year period?

Ms. Oswald: Again, I must reiterate that it's under this government that we have been able to see in total of all the nursing college numbers a turnaround. Posted most recently, 1,589 nurses available in Manitoba, and we're not finished yet. That is, of course, in sharp contrast to 1,573 that left Manitoba during the dark days of the '90s.

The Winnipeg Regional Health Authority, indeed, all regions across the province, work very diligently to ensure that patients get the care they need, and indeed, I would contrast investments like those in comparison to \$4 million that the members opposite spent on Connie Curran who advised them to fire the nurses.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. Members know that exhibits are not allowed in this Chamber. So I ask all honourable members that are holding up that piece of paper as an exhibit to please keep it down.

The honourable Member for Charleswood has the floor.

Mrs. Driedger: Thank you, Mr. Speaker. The minister's misleading spin is not supported by these numbers. The WRHA has spent a staggering \$34 million over a five-year period to pay for nursing overtime and private-duty nurses. This screams nursing shortage under their watch.

How can the Minister of Health boast that she has solved the nursing shortage when these numbers speak loudly of a significant nursing shortage under their watch?

Hon. Gary Doer (Premier): I want to make it very clear that when you lose 1,500 nurses and you gain 1,500 nurses, you still haven't solved all of the issues that were left, Mr. Speaker. Because we've got a higher population, we have more people that require excellent nursing treatment. I want to applaud the nurses in Manitoba that went through those 1990s, had their friends and their colleagues fired—*[interjection]* No, our job is not completed. The people of Manitoba know that, and will know it into the future.

* (14:00)

Emergency and Hospital Services Erickson

Mr. Leonard Derkach (Russell): Mr. Speaker, the Premier of the province says that he will call an election when all of his promises that he has made to the people of Manitoba are fulfilled. Well, one of those outstanding promises is to the people in the Erickson area because one day before polling day last election, the Premier arrived in Erickson to tell them that he would restore their emergency services and make sure that their hospital was open.

I want to ask the Premier whether, in fact, he will live up to the promise that he made prior to the 2003 election and ensure that emergency services and health services are restored in Erickson.

Hon. Gary Doer (Premier): I point out that we have a to-do list to complete—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Some of the items on our to-do list, Mr. Speaker, for example, building Wuskwatim and building Conawapa will require further mandates from the people of Manitoba. It will require further mandates from the people of Manitoba.

I do believe Erickson is an important health care facility. It's particularly important with the situation in Clear Lake, with a lot of people to go and need that emergency ward. Waywayseecappo was adjacent to that community, other communities and, I think that it has taken us time to reopen the Gladstone emergency ward. You know, we haven't got all the emergency doctors that we need, but I do believe Erickson is an important facility for the people of Manitoba before or after an election.

Mr. Derkach: From that answer, I take it this is one promise he will not fulfil prior to the next election. But allow me to give the Premier a little bit of a geography lesson because Waywayseecappo is not anywhere near Erickson. Waywayseecappo is near Rosburn and another hospital that has been closed, but Erickson families today are facing another critical situation because their doctor is supposed to be leaving at the end of June,

I want to ask the Minister of Health what her plans are to restore emergency services, also clinic services and hospital services in Erickson as we enter a new tourism season in that whole area.

Hon. Theresa Oswald (Minister of Health): Of course, Mr. Speaker, recruitment and retention of doctors in Winnipeg, in rural Manitoba, in northern Manitoba continues to be a challenge that we undertake with great enthusiasm. We know that we have invested in Manitoba in our rural health capital. We know that we have continued to invest in our rural health diagnostic services which is extremely important. We know that we continue to invest when it comes to seasonal situations and full-year situations in rural, northern and in urban Manitoba. Of course, we are going to continue with those recruitment efforts very diligently and work with the region to assure that those services are available to people when they need them.

Mr. Derkach: Mr. Speaker, the community of Erickson has written to the Minister of Health. They've also written to the regional health authority requesting that this matter have some attention paid to it because that region becomes the third-largest city in this province during the summer months. To think that there are going to be no doctor services during that period of time is just unthinkable.

I want to ask this government what its plans are for restoring emergency and hospital services in Erickson during this very critical period of time, the tourism season of 2007.

Ms. Oswald: Well, again I'll tell the member opposite as I've said to members opposite in other situations, that recruitment and retention efforts are ongoing. We're working with the region to ensure that there are doctors available and, again, it's very interesting indeed to all Manitobans that members opposite responsible for a cut in medical spaces—a net loss of my basic arithmetic—about 100 doctors as a result of that choice, stand up today and speak to us about concerns about a doctor shortage. We know that a long-term vision is important. We know that short-term measures are important. That's exactly why we're paying attention to both things, but these are crocodile tears of the highest order.

Lynn Lake Services for Children in Care

Mrs. Mavis Taillieu (Morris): Mr. Speaker, the community of Lynn Lake fears for the safety and well-being of children in their community. There's no social worker living in Lynn Lake and the designated safe house, a shelter for children in care, is closed. Recently I visited Lynn Lake and met with teachers, an RCMP officer and the CAO of the Town, who all agree there is a very serious need for services in this community, and it's not being met.

Will the minister tell the House today when he first became aware that the designated safe house for children in care had closed its doors in Lynn Lake?

Hon. Gord Mackintosh (Minister of Family Services and Housing): My understanding is that agency that has responsibility in that area has been working with the local stakeholders, and the issue is being addressed.

Mrs. Taillieu: Mr. Speaker, the people in Lynn Lake took it upon themselves to prepare this petition, send it to me and ask me to present it in this House. I think it's quite clear that they do not feel represented by this government.

The designated safe house in Lynn Lake has been closed for over a year. The safe house was a shelter for children taken into care that functioned very well before the Child and Family Services agency in Lynn Lake stopped making payments to the Friendship Centre that operated it. There's also no social worker in Lynn Lake.

Why has the minister allowed this situation to continue for so long? Will he take responsibility for the children of this province and commit today to ensuring that children in Lynn Lake get a qualified social worker in place and the shelter is opened?

Mr. Mackintosh: On this side of the House, we find the newfound interest in friendship centres by members opposite strange. On the issue, I will assure the House that the child welfare authority and the agency that has jurisdiction there have taken this matter very seriously. They have been working with officials. There were some unique personnel issues and some other challenges.

I can confirm that, in fact, positions are being made available both at Leaf Rapids and Lynn Lake to ensure that services are provided to the children of those communities.

Mrs. Taillieu: Well, Mr. Speaker, the people meeting are at an impasse and it's cold comfort with answers like that. They need some action and they need it right away.

In recent months, Mr. Speaker, we have seen five reviews of the child welfare system, over 300 recommendations, \$42 million announced last fall, another \$48 million this spring. Where is this money going? The town of Lynn Lake has been without a social worker and a designated safe house in their community for over a year. Fancy photo ops and million-dollar announcements are not translating into better services, Mr. Minister.

Is the Minister of Family Services a minister in name only or will he take responsibility for this situation and direct the northern authority to rectify this situation before another child falls through the cracks? What's he waiting for, Mr. Speaker?

Mr. Mackintosh: I'll repeat myself, Mr. Speaker. The northern authority has taken responsibility for this. The appropriate agency has been working on this one. I can tell the House, I'm pleased to announce that there has been a position established in that community and is being filled, I understand.

I ask the question of members of this House who asked the question: Why is it that yesterday when we look at the Child and Family Services line of the proposed budget and the increase of 66.5 million, an increase of 24 percent, they so proudly stood up and said, nay, Mr. Speaker?

That's their commitment, Mr. Speaker. We saw it in 2003. What were they going to do for child welfare? Zero, zero, 3 and 3; a cut to the child welfare system—up 60 million. That's what their record would have been had they been elected in 2003.

Workplace Safety and Health Government Initiatives

Mr. Ron Schuler (Springfield): This past weekend, this Premier (Mr. Doer) swaggered into his CUPE meeting with his hand on the horn and mistakenly boasted to the delegates about changes his government has made during his eight-year tenure to Workplace Safety and Health polices. The Premier failed to mention that, according to the most recent audit of Workplace Safety and Health, Manitoba still has the highest rate of workplace injuries in Canada, exceeding the average injury frequency rates by 85 percent in 2004.

When will this government ensure that all Manitobans work in a safe and healthy environment? Perhaps, Mr. Speaker, less swagger, more results.

* (14:10)

Hon. Nancy Allan (Minister of Labour and Immigration): Well, I have to tell you, talking about swagger, it is a real pleasure to answer a question in this House, as Minister of Labour, from my Labour critic. It has been quite some time since I've been asked a question, and I appreciate the question because—

An Honourable Member: He forgot you're a minister.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Ms. Allan: Oh, I'm quite sure he knows I'm minister because I have—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Ms. Allan: Thank you very much, Mr. Speaker. I'm quite sure he knows I'm the minister because I have introduced seven pieces of labour legislation. I have briefed the MLA for Springfield on every piece of my labour legislation and I'm pleased to thank him today for supporting all seven pieces.

Mr. Schuler: In 2002, this government misled Manitobans when they promised to cut workplace injuries by 25 percent over five years. According to the Auditor General, that number has only gone down by 9.6 percent by 2005, a far cry from what the government promised.

On top of Manitoba's very unimpressive workplace safety and health record, it was reported in the March 5, 2007, *Winnipeg Free Press* article,

that four provincial departments: Culture, Education, Water Stewardship and Conservation don't have workplace safety plans.

My question to the Minister of Labour: Can the minister indicate to the House today if those four departments have workplace safety plans in place today?

Ms. Allan: Mr. Speaker, but once again, in regard to the voting record of the Tories across the way, I just would like to remind them that one piece of legislation they actually did not support, prior to me becoming the Minister of Labour, was our Workplace Safety and Health legislation that was introduced by the previous Minister of Labour, Becky Barrett. So I am pleased that there was a newfound interest in workplace safety and health in this province because we have done a great deal in regard to implementing a workplace safety and health culture—[interjection]

Mr. Speaker: Order.

Ms. Allan: We have done a great deal of work, Mr. Speaker, in regard to providing a workplace safety and health culture in this province so that when workers go to work, they come home at the end of the day to their families.

Mr. Schuler: Well, Mr. Speaker, I take it that that's a no. According to the March 5, 2007, article, inspectors who spoke with the *Winnipeg Free Press* said they are frustrated that the government wasn't even following its own legislation mandating health and safety plans.

Can the Minister of Labour tell us today how the Premier (Mr. Doer) can swagger and boast about his government's so-called achievements in workplace safety when he can't even follow his own rules? Perhaps this is the typical NDP: Doer as I say, not Doer as I do.

Ms. Allan: We have reduced workplace injuries in this province by almost 20 percent, Mr. Speaker. We have also added 10 new safety and health officers in our department since 1999. I would like to remind members opposite that the budget that they didn't vote for yesterday, there were four new Workplace Safety and Health officers in that budget, and they voted against them. I put our record on workplace safety and health up against their record any day.

Auto Theft Reduction Electronic Ankle Bracelets

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, as the Justice critic for years for the Manitoba Liberal Party, I have raised the issue dealing with electronic ankle bracelets and today, in the eve of a possible election, the Premier (Mr. Doer) has seen the value in trying to actually do something as opposed to just issuing out press releases.

The problem is that they don't understand the size of the problem. Mr. Speaker, we're not talking about 20 young people. We're not talking about 30 or 40 or 50 or 60. We're talking in the range of 200 to 300 problem youth that are out there which the government needs to take more action on.

Why are you only bringing in a limited number of electronic ankle bracelets?

Hon. Dave Chomiak (Minister of Justice and Attorney General): Mr. Speaker, we've had a program that targeted the 200 highest at-risk individuals with intensive supervision, with programming, with custody and as much as, in some cases, visits every three hours to deal with those individuals.

The member opposite said we don't need any more police. I think he's wrong. He voted against more police. We think there's a multifaceted solution. It's not a one-trick pony, Mr. Speaker. It's not just a Liberal device. There is room for a variety of efforts and a variety of issues.

If the member thinks that he wants—there's no jurisdiction in the world that would electronically monitor its entire population, Mr. Speaker, no jurisdiction in the world. Perhaps in a Liberal fantasyland there is.

Mr. Lamoureux: Mr. Speaker, this minister and the minister prior are a one-trick pony. All they're good for is talking. It's the action that Manitobans want. The reality is that thousands of cars are being stolen every year, and at the eve of a possible election call, they now say, we're going to bring in electronic ankle bracelets, something we've been calling for for years.

They even get the numbers wrong. We're talking hundreds of problem youth. The numbers that the minister is talking about today is not going to deal with the issue which Manitobans feel has to be dealt with.

Mr. Speaker, my question, specific to the Minister of Justice: Why have you not recognized the true value of the ankle bracelets, not just as an election ploy, and bring in a program that would deal with all 200 to 300 problem youth that we have walking in our province today?

Mr. Chomiak: Mr. Speaker, the member is factually wrong in seeking his headline. First of all, the 200 youths that are monitored are those that are regularly involved in the system. Our statistics that we're monitoring on a daily basis are finding out that somewhere in the neighbourhood of 50 to 60 new offenders are involved that we have to be able to get into the social and the other factors dealing with this.

Secondly, Mr. Speaker, if the member thinks that ankle bracelets are the only thing to deal with crime, and maybe he's watching *Desperate Housewives*, but that is a desperate measure of a desperate individual who's trying to get elected.

We have a whole variety of things. We've put in place specific police divisions, specific prosecutions, specific programs and specific probation services to deal with these individuals. It's a multifaceted problem and needs a multifaceted approach.

Mr. Lamoureux: Mr. Speaker, I'm listening to my constituents, Manitobans who have experienced the impact of auto theft in the province of Manitoba, and it goes far beyond auto theft. The individual youth that are committing these crimes are also committing a wide variety of other property and personal crimes.

Manitobans are getting frustrated at a government that only sees to take some action once an election is around the corner. For years, they've been sitting doing nothing that has proven to be effective, Mr. Speaker. That is the reality of this Premier and this government.

My question to the Premier is: Why does he not bring in a program that will be more effective at dealing with the large number of problem youth? If the minister believes that my numbers are wrong, part of the numbers come from his own department, from a letter from his predecessor when I talked about those 200, in particular, problem youth that are stealing cars. So the minister doesn't know what he's even talking about.

Hon. Gary Doer (Premier): The reality—and the member opposite just said he was the Liberal Justice critic for a number of years. I recall that our Justice Minister and our whole government asked the former Liberal government not to bring in the Youth Justice

Act and, specifically, on the issue of consequences and lack of consequences were car thefts.

I raised that with the former Prime Minister, Paul Martin. I raised it at a number of occasions, Mr. Speaker. I know the member opposite had him in his constituency in the last election. I raised it with him on two occasions. I wrote him, and we absolutely disagreed with the lack of consequences in that law. Any Liberal talking about the criminal justice system after they brought in that lack of consequence legislation for young offenders is absolutely hypocritical.

* (14:20)

Shape Foods Expansion

Mr. Tom Nevakshonoff (Interlake): We in the NDP realize that value-added production and diversification is critical to the prosperity of rural Manitoba, and there is a high demand for the processing of agricultural products. Manitoba farmers excel in the growing of flax, and on that front, I ask the Minister of Competitiveness, Training and Trade to inform the House of the recent Shape Foods expansion and its applications.

Hon. Scott Smith (Minister of Competitiveness, Training and Trade): I'd like to thank the Member for The Interlake for caring enough about entrepreneurship in our province and small business and rural diversification. Members opposite don't, Mr. Speaker.

Just over the last couple of days, the Minister of Agriculture (Ms. Wowchuk) and I had the distinct pleasure and opportunity to meet with Shape Foods Inc. in Brandon. They are developing a flax-crushing, sunflower-seed-crushing processing plant in the community of Brandon. It will be developing Omega-3 that will go worldwide. It's a non-oceanic product that is hitting the world by storm. They're developing over 60 jobs on a 70,000-square-foot plant, and is fantastic development for our agricultural producers in the area of Brandon in job creation, and the \$4 million support from this government to assist them in their upstart.

Highway Infrastructure Twinning of Highway 32

Mr. Peter Dyck (Pembina): The city of Winkler is one of Manitoba's fastest-growing communities and has been for the past seven years. However, despite increasing traffic levels, Winkler does not yet have

four lanes on the 3.5-kilometre portion of PTH 32 that runs through the city, and this is a provincial highway.

Mr. Speaker, when will the Minister of Infrastructure and Transportation live up to the responsibility of his office and order the twinning of Highway 32 to take place through Winkler?

Hon. Ron Lemieux (Minister of Infrastructure and Transportation): Mr. Speaker, let me just point out, the member opposite voted against our budget. We are putting hundreds of millions of dollars into transportation. I say shame on you.

You know, Mr. Speaker, we're working on Highway No. 2 and Highway No. 3, approximately \$60 million. The Member for Carman (Mr. Rocan) should be credited for working very, very diligently on behalf of those members in Carman, the membership in Carman and the population in Carman to get those highways fixed.

You know, Mr. Speaker, the mothball party across from us, they mothballed Hydro projects, they put universities under mothballs, they put bridges under mothballs, highway projects under mothballs. The Leader of the Opposition (Mr. McFadyen) and members opposite wouldn't know infrastructure if a building crane came over and bit them right in the asphalt, all over their jeans, after all the projects are going to be taking place in the province.

Mr. Dyck: The only minister that should be ashamed of himself is the minister of highways. My goodness. He will not meet with the City of Winkler to discuss the issues that they have. He totally neglects them.

I would ask the minister again: When will he put this into his budget in order to four-lane Highway 32?

Mr. Lemieux: Mr. Speaker, the Leader of the Opposition, when he was the architect in the 1990s, they raised gas tax by about 40 percent. They put another \$200 million into the government coffers, and what did they do? They spent a measly amount, from about \$157 million to about \$167 million overall from the time they were government in 1990 to the year 1999. Where were they? They swagger around rural Manitoba. They didn't do a single thing with regard to transportation. We're changing that. We've been changing it since 1999. We'll continue to move forward in this province of Manitoba.

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

Speaker's Ruling

Mr. Speaker: I have a ruling for the House.

After the daily prayer on April 5, 2007, the honourable Member for Inkster (Mr. Lamoureux), raised an alleged matter of privilege regarding being served with a notice of potential lawsuit for comments made outside of the Chamber.

He asserted that such an action was an attempt to intimidate him and was a violation of parliamentary privileges. At the conclusion of his remarks he moved "THAT the Premier (Mr. Doer) shows respect for the role of opposition members and the duties they perform and apologize for the behaviour of his chief of staff."

The honourable Government House Leader (Mr. Chomiak) and the honourable Official Opposition House Leader (Mr. Goertzen) also offered contributions to the Chair. I took the matter under advisement in order to consult the procedural authorities.

I thank all honourable members for their advice to the Chair.

There are two conditions that must be satisfied in order for the matter raised to be ruled in order as a prima facie case of privilege. First, was the issue raised at the earliest opportunity, and second, has sufficient evidence been provided to demonstrate that the privileges of the House have been breached in order to warrant putting the matter to the House.

The honourable Member for Inkster asserted he was raising the issue at the earliest opportunity; however, the matter could have been raised in the Legislature on the previous sitting day, which was the first day that the Legislature was back in session.

Regarding the second issue, of whether a prima facie case of privilege has been established, the authorities have much to say about the limits of privilege and comments made by members outside of the Chamber.

Joseph Maingot on page 7 of the second edition of *Parliamentary Privilege in Canada* states: While all necessary protection is afforded the member in his parliamentary work, it is correct in law to say that the member speaks or otherwise publishes outside the House at his own peril.

Maingot also states on page 107 of the same work, "While it is clear that the member is afforded absolute privilege in law for acts done and words

said during a parliamentary proceeding, he speaks outside the House at his peril without the protection of parliamentary privilege . . . the repetition outside of remarks made inside the House that were defamatory would imply a malicious intent that a member would be hard-pressed to rebut."

In addition, on page 121 Maingot states: "The member is not protected by parliamentary privilege against criminal prosecution if he repeats outside the House remarks he made inside the Chamber in debate, whether he gives it at large or to a constituent."

Citation 76(2) of the sixth edition of *Beauchesne* states in part "the court made it clear that freedom of speech was limited to the floor of the House. On this occasion, remarks made by a minister to a journalist in the lobby were judged not to be covered by privilege. In the words of the judgment 'It is not the precinct of Parliament that is sacred, but the function, and that function has never required that press conferences given by members should be regarded as absolutely protected from legal liability.'"

* (14:30)

Marleau and Montpetit also discuss in *House of Commons Procedure and Practice* the limits of parliamentary privilege in connection with freedom of speech. They advise on page 75 that although freedom of speech applies to a member's speech in the House and other proceedings of the House itself, it may not apply to reports of proceedings or debates published by the newspapers or others outside Parliament. They state on page 76: Members are therefore cautioned that utterances which are absolutely privileged when made within a parliamentary proceeding may not be when repeated in another context, such as in a press release, a householder mailing, a telegram, on an Internet site, a television or radio interview, at a public meeting or in the constituency office. Members also act at their own peril when they transmit otherwise libellous material for purposes unconnected with a parliamentary proceeding.

Therefore, it is quite clear that members are not protected by parliamentary privilege for comments that they make outside of the Legislative Chamber. I would therefore find that there is no prima facie case of privilege in this case, as the honourable Member for Inkster (Mr. Lamoureux) cannot claim the protection of privilege for comments that were made outside of the Chamber. It is clear from the

document that he tabled that the issuance from the law firm in question came as a result of remarks made outside of the Chamber.

Now, as Speaker, I am not offering any opinion on whether or not the remarks in question were indeed libellous as that would be a matter for the courts to determine should the proposed legal action proceed. I would, however, like to share with members for their reflections some well-regarded advice from House of Commons Speaker John Fraser from May 5, 1987. He stated:

"There are only two kinds of institutions in this land to which this awesome and far-reaching privilege, freedom of speech, extends: Parliament and the legislatures on the one hand and the courts on the other. These institutions enjoy the projection of absolute privilege because of the overriding need to ensure that the truth can be told, that any questions can be asked, and that debate can be free and uninhibited. Absolute privilege ensures that those performing their legitimate functions in these vital institutions of government shall not be exposed to the possibility of legal action. This is necessary in the national interest and has been considered necessary under our democratic system for hundreds of years. It allows our judicial system and our parliamentary system to operate free of any hindrance.

"Such a privilege confers grave responsibilities on those who are protected by it. By that I mean specifically the honourable members of this place. . . all honourable members are conscious of the care they must exercise in availing themselves of their absolute privilege of freedom of speech. That is why there are long-standing practices and traditions observed in this House to counter the potential for abuse."

MEMBERS' STATEMENTS

Manitoba Good Roads Association

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, I recently took the opportunity to attend the Manitoba Good Roads Association Annual Dinner and Awards Presentation on February 25, 2007, which was held at the Royal Oak Inn in Brandon.

Mr. Speaker, the association and its members must be commended for their promotion of better roads and community beautification in Manitoba through the presentation of awards to recognize

achievements in road construction, maintenance, as well as the community and individual home grounds beautification.

I would also like to extend congratulations to Mr. Brian Tyerman and his wife, Carol Tyerman, on their win in the Best Farm Home Grounds category. The Tyermans were nominated by the Rural Municipality of Morton. It is thanks to the efforts of individuals like the Tyermans that the town of Boissevain has been declared both a national and international winner of the Communities in Bloom Competition. This great honour was awarded in 2006, which was the 125th anniversary of the formation of the Rural Municipality of Morton and the 100th anniversary of Boissevain as a town.

I should also like to offer my congratulations to Mr. Jim Knight of Portage la Prairie for his award of a lifetime membership in the Manitoba Good Roads Association in recognition of his work as the reeve of Portage la Prairie.

Mr. Speaker, the R.M. of Pipestone was also recognized that evening as the municipality in Manitoba with the best new section of road built in this province in 2006 as well.

To close, Mr. Speaker, I would once again like to commend the Good Roads Association on its efforts and congratulate all of these towns, rural municipalities and individuals across the province who received awards for their efforts in improving Manitoba's infrastructure, their communities, and the beauty of our great province. Thank you.

Kelvin Community Centre Closure

Mr. Jim Maloway (Elmwood): Mr. Speaker, I rise before the House today to address some ongoing threat to all of our Winnipeg communities: Mayor Sam Katz's intent to close local community centres in favour of larger mega-centres.

In my constituency of Elmwood, the ongoing plans to close Kelvin Community Centre have inspired community activism and opposition. Though Mayor Katz stated in an April 22, 2005, press release that there will be no forced closures, he has reneged on this promise.

Kelvin Community Centre is very important to Elmwood. There are numerous benefits that a local community centre can provide that a mega-centre simply cannot. Kelvin offers a safe place for growing families that is within walking distance, key to families without cars or single parents.

Kelvin Community Centre is a safe zone for kids that allows them to explore positive lifestyle opportunities through sport, mentoring, friendships and an outlet free from the problems of drugs, gangs and street crime.

Clara Hughes, one of Canada's top Olympic athletes, attributes the proximity of Kelvin Community Centre to her home and its sports programs as important factors in her success. This opportunity ought not to be withheld due to a socially regressive mandate to rationalize our recreation facilities.

The closing of Kelvin Community Centre makes no sense and is an irrational decision in light of the social problems in Winnipeg. This club rates well when compared to the other 71 community centres in Winnipeg. For example, financial management ranks 51 out of 71, amenities ranks 54th, and participation ranked 46th. This centre is well used, highly needed, and it is not in lesser standing than other community centres. So why close Kelvin?

John King and Regan Wolfrom of the community action group Concerned Elmwood Neighbours have fought tirelessly for the Kelvin cause through residents' meetings and community events. An August meeting brought out over 100 people, followed by a Halloween barbecue with a turnout of over 500 people. A hundred and fifty kids per week are using this building. Mayor Katz has allowed Glenlee to stay open until Norberry is built. Why not keep Kelvin open until Bronx is built?

This community centre is exactly that. It's the centre of Elmwood's community and ought to be kept as such.

Ghana Independence 50th Anniversary

Mrs. Leanne Rowat (Minnedosa): Mr. Speaker, I'd like to bring to this House's attention a significant event that I had the pleasure of recently attending with my colleague from River East. On March 6, Ghana celebrated its 50th anniversary of independence from colonial rule. Ghana became the first country in Africa south of the Sahara to gain its independence.

This important event has been cause for fantastic golden jubilee celebrations by Ghanaians worldwide. Here in Winnipeg, several hundred Ghanaians have participated in three weeks of celebrations, including information sessions, arts and craft displays and a colourful culture night that showcased the country's

diverse and engaging dances. The celebrations, I am proud to say, were co-hosted by Akousa Matthews who is an intern with our caucus at this period of time and is located in our offices in Room 132.

The events were celebrated and in attendance were many guest speakers, Mr. Speaker, including Ghana's High Commissioner, the president of the University of Manitoba, who delivered an excellent keynote address, as well as many colleagues and members of this House.

Mr. Speaker, the Ghanaian community was replete in their fine traditional clothes. They were dancing, singing, and drumming and even a re-enactment of how Ghana came to achieve its independence. Presentations were also made with several noteworthy projects that are being spearheaded by Ghanaians living in Manitoba to assist those in Ghana to achieve a better quality of life.

Mr. Speaker, the theme of Ghana's Golden Jubilee independence anniversary celebrations was championing Africa's excellence, which was supported by three main objectives: to celebrate and commemorate Ghana's landmark achievement as the first country in black Africa to attain independence from colonial rule; to reflect on the evolution, development, achievements and drawbacks of the country's first 50 years; and to look forward to the future, to the vision of excellence in all fields over the next 50 years as Ghana works towards the centenary birthday as a nation state.

Congratulations to Ghana on achieving this significant milestone with best wishes for 50 more years of progress and positive change, and, finally, congratulations to the Ghanaian Union of Manitoba for putting on several incredible events over the month of March, for which they should take great pride. Thank you, Mr. Speaker.

*(14:40)

Let's Make a Difference

Ms. Marilyn Brick (St. Norbert): Mr. Speaker, I rise today to speak about the Let's Make a Difference group from St. Norbert Collegiate led by World Issues teacher, Francois Conan. This group of students participates in a variety of activities designed to help the less fortunate on a local level. The group was first started this year when students became aware of students from other schools going overseas and working on community projects. They decided to work on projects to address the

tremendous need locally. Parents are also encouraged to join in the activities.

During the holiday season, they held the Save a Christmas program, taking donations to fill hampers to deliver at Christmas and collecting coats for Coats for Kids. Some have also been volunteering at the Siloam Mission, a soup kitchen, on weekends. In February, they participated in the Fair Trade Challenge to buy fair trade tea, coffee and chocolate for a month and convinced the staff room to do the same.

Mr. Speaker, I would like to recognize Zona May, Michelle Glaeys, Aaron Thibideau, Nicole Aubin, Max Semchuk, Carson Mauthe, Melanie Lavallee, Samantha Brouillette and David Betz who are all participating in the Let's Make a Difference group. Once a month, they listen to a different speaker. Among others, they have heard from Centre Flavie Laurent, a panel group on water quality, a social worker who works with youth at risk, and I was very pleased to be able to sponsor their attendance at the Stephen Lewis special event that happened at the University of Manitoba to speak about AIDS and equality.

Later this year, they will work with Winnipeg Harvest and Peak of the Market to plant, maintain, and harvest a community garden which will be used to provide food to Winnipeg Harvest. They also will be making ceramic bowls and auctioning them off along with artwork at a soup evening to raise money for local charitable organizations.

It is a great pleasure to know that there are people in St. Norbert actively engaged in improving their community. I would like to thank the Let's Make a Difference group and encourage them to continue their hard work. Thank you, Mr. Speaker.

Government's Record

Hon. Jon Gerrard (River Heights): Mr. Speaker, it is sad when we have a government which has done so poorly on so many issues. Let me just mention a few. We still don't have a proper registry for FASD. We still don't know precisely what the incidence of FASD is. It's very hard to make progress when you don't have the basic facts.

We have lost the national Aquatic Hall of Fame at the Pan-Am Pool under this government. We have not had attention to the COLAs for retired teachers or for health workers.

We have a poor situation in terms of addressing poverty with shelter allowances for most on social assistance unchanged since 1992. This government is poor in addressing poverty but also shows a poverty of ideas in moving Manitoba forward for health research under the Manitoba Health Research Council. It's the same funding as it was in 1989.

The addressing of mental health issues has been probably worst of all. The recent report of the Committee on Mental Health of the Provincial Council of Women of Manitoba talks of the never-never land of mental health reform under the NDP government and says bluntly, "There appears to be no accountability in the system for misjudgment, for neglect, even abuse." It's a direct quote, Mr. Speaker.

Mr. Speaker, it is very sad when we have a government which has done as poorly as this. It's time, quite frankly, to change the government and elect a Liberal government in Manitoba.

ORDERS OF THE DAY

GOVERNMENT BUSINESS

Hon. Dave Chomiak (Government House Leader): I wonder, Mr. Speaker, if you might call second readings on the following bills: 17, 21, 23, 15, 16, 14, and the rest in the order they appear.

Mr. Speaker: For the information of the House, under Orders of the Day, we'll be dealing with second reading of Bills 17, 21, 23, 15, 16, 14, and when we've completed those, then we will deal with the rest of the bills that are standing in for second reading in the order they appear.

Point of Order

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

Mr. David Faurshou (Portage la Prairie): On a point of order, Mr. Speaker. Was Bill 23 the second bill called this afternoon, because that was just introduced yesterday and I have yet to have a briefing?

Mr. Speaker: The order that bills in for second reading were called are Bills 17, 21, 23, 15, 16, 14, and then, when we've completed those, we will proceed in the order that bills appear that have not been dealt with, for second reading. Okay, is that clear?

SECOND READINGS

Bill 17—The Employment Standards Code Amendment Act (Leave for Reservists)

Mr. Speaker: So, right now, I'm going to call second reading on Bill 17, The Employment Standards Code Amendment Act (Leave for Reservists).

Hon. Nancy Allan (Minister of Labour and Immigration): Mr. Speaker, I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 17, The Employment Standards Code Amendment Act, be now read a second time and be referred to a committee of this House.

Mr. Speaker: It has been moved by the honourable Minister of Labour and Immigration, seconded by the honourable Minister of Finance, that Bill 17, The Employment Standards Code Amendment Act (Leave for Reservists), be now read a second time and be referred to a committee of this House.

Ms. Allan: I'm very proud and honoured to speak to Bill 17 which demonstrates our government's support for the extraordinary men and women who serve our country in the Canadian Forces reserves. The 4,000 or so Canadians who serve in the reserves, some 700 of whom are here in Manitoba, dedicate their time and skills to undertake important and often dangerous duties in service to their country and their fellow citizens.

About half of these reservists are employed full time, and many must leave their civilian jobs to undertake their service. We commend those employers who support their workers who are reservists by voluntarily agreeing to reinstate them in their jobs once their service is complete. However, it is entirely fitting that, in return for their unselfish commitment, these workers have that right protected by law. The need for this support gained in this bill has never been greater as reservists shoulder an increasing share of our commitments abroad. It is estimated that, in some cases, approximately 20 percent of overseas deployments consist of reservists and that demand is growing.

This bill applies to reservists who take leave of their civilian jobs to participate in active duty or training in the Canadian Forces reserves. To ensure this measure does not place an undue burden on employers, this leave would be unpaid. In addition, the worker would have to be employed by the same employer for seven consecutive months to qualify, give the employer as much notice of the need to take

leave as is reasonable and practical under the circumstances, and provide written notice to the employer on the expected date of return to work. The employer may also request verification that the leave is required and, if possible, the expected start and end dates for the period of service. The length of the leave would be commensurate with the period of service.

These provisions reflect the consensus recommendations of the Labour Management Review Committee and are similar to those that apply to other types of leaves already in place under the Employment Standards Code. This includes provisions for maternity and parental leave and for the family and bereavement leave that will take effect on April 30, 2007, which also reflect the consensus recommendations of the LMRC.

* (14:50)

Last week we marked the 90th anniversary of the Battle of Vimy Ridge where 3,598 Canadian soldiers died in securing a key victory for Canada and its allies. The tragic deaths of six young soldiers in Afghanistan recently remind us that brave men and women continue to make the ultimate sacrifice. One of those six was Master Corporal Chris Stannix, a reservist with a Halifax-based infantry regiment. Master Corporal Stannix was one of hundreds of reservists who are doing their part in meeting our country's commitments in Afghanistan and elsewhere. The 700-or-so Manitoba reservists who, like Master Corporal Stannix, are prepared to undertake this important and dangerous work deserve our respect and our support. Ensuring that they do not have to choose between their reservist duty and their civilian jobs, and that they have a job to come back to when their service is completed seems the very least that we can do in exchange for what they do for us.

For all of these reasons, I commend this bill for approval of the Assembly.

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. In the past, as a courtesy, I'm wondering if the minister, if I could just pose a quick question relevant to the bill to see if she

might be able to respond. I know we've done that in the past.

Some Honourable Members: No.

An Honourable Member: Ask for unanimous consent.

Mr. Lamoureux: If we could have unanimous consent, Mr. Speaker, for leave to be able to put the question. *[interjection]*

Nancy, that's not true.

Mr. Speaker: Order. The honourable member is dealing with an issue, and for the honourable member's information, it would require unanimous consent of the House for that to happen.

Is the honourable member asking for unanimous consent? Is that what the honourable member is asking for, to raise a question?

Mr. Lamoureux: Yes, if I may, Mr. Speaker.

Mr. Speaker: Is there unanimous consent of all members of the House to ask a question of the honourable member?

Some Honourable Members: Agreed.

An Honourable Member: No.

Mr. Speaker: Okay, I heard a no, so it has been denied.

Mrs. Leanne Rowat (Minnedosa): Mr. Speaker, it's an honour to put some words on the record for Bill 17, The Employment Standards Code Amendment Act (Leave for Reservists). I want to begin by stating how incredibly important it is that we pass this legislation expediently. There is a real need and indeed moral obligation to enact the protection this legislation offers.

I feel a particular reason to speak to this legislation, Mr. Speaker, as Canadian Forces Base Shilo is located within my constituency. I have had the privilege of attending parades and ceremonies at 2PPCLI and have gotten to know members of the Canadian Forces and their families based in Shilo. I see how incredibly important the work of a soldier is, and I also see how this work is done unselfishly.

But, with most Canadian Forces, members based in Shilo are members of the regular force. They have chosen the career of a soldier as a full-time occupation. On the other hand, a reservist chooses

the life of a soldier on a voluntary basis in addition to regular civilian commitments.

As I said, the most important thing to remember about reservists is that they are civilians who hold full-time commitments including jobs and/or post-secondary studies in their day-to-day lives. Reservists join the Canadian Forces voluntarily. Reservists train between 30 and 50 days per year, usually during evenings and weekends, Mr. Speaker. Reservists also spend time achieving additional training requirements during the summer months.

Reservists may also, and often do, volunteer to augment Canadian Forces personnel in overseas deployments. When a reservist goes overseas, they put their lives on hold, Mr. Speaker, to make the world safe and to rebuild countries ravaged by war. In doing so, they also risk their lives in service to their countries, and they also do so willingly and voluntarily. Mr. Speaker, according to Brigadier General Cowell [*phonetic*], the chief of military personnel, Manitoba has 1,257 members in the primary reserve. Roughly half of these members hold full- or part-time civilian employment.

Manitoba reservists have assisted in a number of conflicts, including peacekeeping and humanitarian missions in Haiti, Bosnia, Cyprus, the Middle East, and Africa; domestic emergencies, including battling floods in Manitoba and Québec; the ice storms in eastern Canada; the forest fires in B.C.; and the crash of Swissair flight 111. Finally, reservists are involved in our current deployment in Afghanistan. In all deployments of Canadian Forces personnel, reservists have played an integral role. In the past, reservists have composed up to 40 percent of CF personnel on overseas missions.

Reservists acquire specific management skills that are useful to all employers. They include leadership skills, time and personal management, communication skills, the ability to think quickly and make decisions under stressful conditions, self-discipline, teamwork, integrity and loyalty, Mr. Speaker.

Reservists also require trade and occupational training that is transferable to their civilian workplace and in many cases may be equivalent to their civilian trade. This includes first aid training, instructional techniques, firefighting skills or training in careers such as clerical worker, vehicle mechanic, airframe technicians, financial manager, musicians, lawyers, engineers and many, many others.

Last week Canada lost eight soldiers in Afghanistan. One of these soldiers was a reservist with an army infantry regiment based in Halifax. The gentleman's name was Master Corporal Chris Stannix. It became especially clear last week the dangers that our soldiers face on a minute-by-minute basis while in Afghanistan. When those soldiers return, regular force members will continue on with their full-time military career and reserve force members will return to their civilian responsibilities. As such, a reservist serves his or her country twice, Mr. Speaker, both as a civilian and as a member of the military. At the very least, these individuals deserve meaningful job protection legislation and the time to offer this protection is now. Thank you.

Mr. Lamoureux: Mr. Speaker, I do want to speak on Bill 17 and I do want to, first off, express a bit of disappointment and frustration in the member from Crescentwood, in the minister and those that really saw fit to say, no, that we couldn't put forward a question. From the seat, the minister said that she offered the opportunity for me to have a debriefing on this bill.

Mr. Speaker, this minister nor no one from her office has talked to me directly in regard to asking, not even stating that they were going to bring this bill forward today, let alone any sort of debriefing whatsoever. I've been in this Chamber for many, many years and I know the member from Crescentwood is disappointed with that fact, but I have been here, and I have seen traditions of this Chamber where members have been afforded the opportunity to ask a question.

Realize what it is that the government's trying to do right now. In order to be able to possibly get some legislation passed prior to an election, legislation that is very important for Manitobans, for our reservists, Mr. Speaker—these are individuals that are going out and putting their life on the line in order to protect the integrity of our institutions—I had asked the question if I could pose a question to the minister so that I could get a response, so I'd be better able to address this bill today, so that, in fact, it would ultimately, hopefully, go to committee.

So, unfortunately, I don't know the answer to the question, and other members in the past have been afforded an opportunity with the support of the government to pose a question. This bill is here and it's going to pass only because of the co-operation of all members inside this Chamber. That's the only reason why the bill's going to pass.

Mr. Speaker, the question I had for the minister is that if you're a reservist and you go to Afghanistan representing our country and you get maimed in any fashion whatsoever, what impact does that have on the job that you might have left behind? *[interjection]* The minister just said she didn't even hear. Well—*[interjection]* Well, I'm glad you're speaking to the House Leader.

* (15:00)

Mr. Speaker, that's what I mean in terms of the legislation itself and the manner in which it's being brought in, the manner in which the Minister of Justice (Mr. Chomiak) is hoping or the Minister of Labour (Ms. Allan) is hoping to be able to see this bill pass. I think it's a genuine question and the reservists, the individuals that are going overseas—and I'll repeat the question for the minister. If someone in the reserves goes to Afghanistan and they get maimed in any way, what impact does this legislation have on them if they come back and they're not able to perform the duties that they were doing prior to leaving? I believe that that is a question which I think the reservists would have an interest in knowing, Mr. Speaker.

If the legislation itself falls short of that I would've liked to have commented more about the importance of ensuring that that sort of a situation is protected and is covered because I do believe, as I suspect all members of this Chamber believe, that we need to do what we can to protect the interests of our reserves and to ensure that the employers—and in the vast majority of the cases I truly believe it's not a problem whatsoever, but it still is important that we can do what we can in order to protect those rights.

So that's really all I was wanting to see. It's good legislation in part from what I've heard in the minister's comments, Mr. Speaker. I don't know the details of it only because I was not informed that it was going to be coming here today. I had expected that we would be talking about the Manitoba day legislation, but having said that, it goes to committee with the support of the Liberal Party, Bill 17. We look forward to any presentations that might be made, and I look forward to at some point hearing from the minister a response to the question that I've put forward.

Thank you, Mr. Speaker.

Mr. Ron Schuler (Springfield): I would like to make a few comments in regard to this legislation, and I would recommend to all members of this

House, if they take a strong interest in a particular piece of legislation, one of the things that they might want to do is approach the minister and request a briefing on it. The minister has always been very open to briefings and, in fact, has given myself and the PC caucus staff a briefing with her department. I'd like to thank the members of her department that were present. You know, members do have questions, and when we are being briefed by the department, that's probably the best time to have those questions answered. I know not always does the Department of Labour call and ask if I want a briefing. Often we call and request one.

If ever I was going to speak about a piece of legislation and have in the back of my mind an individual, it would be this piece of legislation, and interestingly enough it's not even that he's a reservist. He's an individual who's a very good friend of mine. His name is Dan Menard *[phonetic]*, and I don't want to compromise his position in Afghanistan. I won't talk about what position he holds, but I know he's serving there. He's going to be serving for six months. Here is an individual who has a great marriage, terrific spouse. She is going to be at home in Victoria. They used to live here in Manitoba. They are stationed right now in Victoria, and for six months she will be without her husband. He will be in Afghanistan serving under the Canadian flag.

I'm particularly sensitive about the armed forces. This is an individual, a young man. He's about 37, 38, who has served Canada well, and when I make my comments on this legislation, I make them with Dan Menard *[phonetic]* in mind. I wish him God speed. Tread carefully, my friend. I look forward to being able to greet you once again when you're on Canadian soil.

I would like to just then refer to this legislation. Reservists are civilians who voluntarily take paid part-time military training and who provide much needed augmentation to the Canadian Armed Forces. Members of the reserve force also serve full time for defined periods, especially overseas on operational developments. Reserve force members have participated in peacekeeping and humanitarian missions in Haiti, Bosnia, Cyprus, the Middle East and Africa.

At home, reservists have helped fellow citizens in times of trouble including battling floods in Manitoba. Mr. Speaker, who can forget when the military showed up? I have a story there myself. My son, Stefan, was born in April and we brought him

home. That night the military was on Kildonan Drive beginning the sandbagging of Kildonan Drive. What a wonderful feeling seeing fellow citizens who are in the employ of us, as a Canadian government, out helping Canadians. They were instrumental in keeping communities safe and keeping Winnipeg safe. We thank them for what they did for us as Manitobans.

They also helped in Québec. They helped in the ice storm in eastern Canada, forest fires in B.C., the crash of Swissair flight 111. In fact, they've even been called on by the former mayor of Toronto to help in a snowstorm.

According to a Department of National Defence backgrounder, up to 40 percent of those serving overseas in the past have been members of the reserve force. In Manitoba, there is one naval reserve regiment, 11 army militia reserve regiments, and one air reserve regiment. According to Brigadier General Cowell [*phonetic*] the chief of military personnel, Manitoba has 1,257 members in the primary reserve, of which 144 are in the navy, 760 are in the army, and 267 are in the air force. The remainder serve in communication units or work for the Department of National Defence.

In Saskatchewan, Mr. Speaker, similar legislation was introduced in March 2007. That legislation is currently in committee. In Nova Scotia, similar legislation was passed in November of 2006. That legislation includes provisions to protect students when they take leave from their studies.

This particular bill will be the first piece of legislation in Manitoba that deals with employment leave for reservists of the Canadian Armed Forces. It does not address leave from studies for reservists who are students. Provisions and requirements contained within the bill are consistent with provisions and requirements granted for maternity and parental leave.

Unpaid leave for reservists, which is section 59.5(2), grants unpaid employment leave for reservists for the required duration of service. The reservist must have been employed by the same employer for at least seven months. This requirement is consistent with maternity and parental leave.

The length of leave which is defined in the legislation defines the length of unpaid leave as the period necessary to accommodate the total period of service. The period of service includes both active duty and training.

In Notice of leave for service section, reservists must give written notice to employers as soon as is reasonable and practicable. Reservists may be required by the employer to provide reasonable verification of the required leave.

Mr. Speaker, Return to work after notice, that is covered off as well. Reservists must give written notice to employer of expected date of return, and the employer may have up to two weeks or one pay period, whichever is longer, to prepare for the return of the reservist.

The key provisions of this bill guarantees reservists the same civilian employment that was held prior to leave. This gives reservists peace of mind and alleviates the difficulty of deciding to take leave for military service.

This bill does not stipulate a specific timeline for length of leave. This allows flexibility for all types of deployment.

This bill gives employers the right to due notice of leave and return, and verification of necessity of leave.

This bill defines service so as to include both active duty and training. This accurately reflects the nature of deployments which include time for training prior to and sometimes subsequent to active duty. Requirements and provisions of this bill are consistent with maternity and parental leave provisions and requirements.

* (15:10)

Mr. Speaker, I will conclude, one more time, by thanking all of those men and women who are out somewhere in the world, whether it's Afghanistan or in some peacekeeping mission, who are doing it because they believe in freedom, because they believe in democracy. They are protecting civilians, families, children, women, from some unspeakable atrocities. I would like to thank each and every one of them and would like to see this legislation proceed. Its time has come, and, certainly, we'd like to see it move on to committee.

Thank you very much, Mr. Speaker.

Mr. Speaker: Is the House ready for the question? Oh, the honourable Member for Burrows.

Mr. Doug Martindale (Burrows): It's always good to speak on a bill that has to do with worker rights and protection, and that's what this is essentially about, so that people have job security. We've done

this for other sectors of society, and we're just extending this to one more group of people. I commend the Minister of Labour (Ms. Allan) for bringing in this legislation.

I'm part of an interesting committee called the Legislative Review Committee, of our caucus. This committee sees legislation before Cabinet and before caucus. A number of years ago, one of the legislative interns did research about other jurisdictions, other provinces across Canada, and informed us that we are the only province in Canada where legislation, first of all as a proposed bill and then clause by clause, goes before a committee of caucus before it goes to Cabinet and before it goes to caucus. That gives backbenchers an important role and an important duty. Our committee is composed of legislative assistants so there are six of us that are automatically members of this committee, and any other backbencher is invited to attend. *[interjection]* It's a caucus committee, so the Member for Inkster (Mr. Lamoureux) is not allowed to attend.

Of course, the member, once the bill is introduced at first reading, can ask for a briefing, and that's a courtesy that ministers provide. They don't have to. It's always very interesting. I've been in, I remember being in the office of the member from River Heights when she was Minister of Family Services and housing and getting briefed by her and her staff for legislation.

Then, of course, at second reading, the principle of the bill and the government's position on the bill is laid out, as we have been doing today. Then, of course, the member gets to ask unlimited questions during clause by clause at the committee stage, and to ask questions of individuals making presentations at committee stage, and then to introduce amendments at the committee stage or at third reading and to make a speech at third reading. So there are many opportunities for people to provide input on every piece of legislation.

I suppose if I had speaking notes I could make much more intelligent comments about this bill, but I haven't had a chance to see the speaking notes yet, but I know they're coming very quickly. I'm pleased to speak on The Employment Standards Code Amendment Act (Leave for Reservists) which was introduced this afternoon by the Minister of Labour, and it shows our government's support for the extraordinary men and women who serve our country in the Canadian Forces reserves.

There are 4,000 Canadians who serve in the reserves, and I've met some of the reservists because I've attended events at the McGregor Armouries, which is on McGregor Street, actually, in the constituency of St. Johns. They have a cadet corps there, and actually it used to be a cadet corps at 141 Legion. They were the sponsors, but 141 Legion decided not to continue their sponsorship, and so, I believe the sponsor now is the Canadian Armed Forces, which is why they meet at the McGregor Armouries. They changed their name to the Andrew Mynarski VC cadet corps. I've been their guest at a couple of ceremonies at McGregor Armouries, and at that time I met reservists from the Canadian Armed Forces. In fact, I met people who were individuals who were being deployed to Afghanistan.

There are 700 reservists here in Manitoba who dedicate their time and skills to undertake important and often dangerous duties in service to their country and their fellow citizens. Of course, we know that some of that is at home, in Manitoba and in Canada, because I believe there were many reservists that helped during the Flood of the Century in 1997. There were reservists who were called out to suppress forest fires in Kelowna, British Columbia. So these are people that we call on from time to time, and it's good to have trained people who are ready, able, and willing to help out their fellow Manitobans and fellow Canadians in times of need and especially to volunteer to go to foreign places.

In Manitoba, actually in Shilo, we have the Princess Patricia Canadian Light Infantry and the Royal Canadian Horse Artillery. We commend those employers who support their workers who are reservists by voluntarily agreeing to reinstate them in their jobs once their service is complete. However, it is entirely fitting, in return for their unselfish commitment, these workers have that right protected by law. The need for the support contained in this bill has never been greater as reservists shoulder an increasing share of our commitments abroad. It is estimated that in some cases, approximately 20 percent of overseas deployments consist of reservists, and the demand is growing. Since 2000, more than 4,000 primary reservists have been deployed for Canadian Forces operations in Afghanistan, Bosnia, Croatia, Haiti, and other international hot spots. Manitoba has approximately 700 reservists, about half of whom are employed in civilian jobs.

This bill applies to reservists who take leave of their civilian jobs to participate in active duty or

training in the Canadian Forces reserves. To ensure this measure does not place an undue burden on employers, this leave would be unpaid. In addition, the worker would have to be employed by the same employer for seven consecutive months to qualify, give the employer as much notice of the need to take leave as is reasonable and practical under the circumstances, and provide written notice to the employer on the expected date of return to work. The employer may also request verification that the leave is required and, if possible, the expected start and end dates of the period of service. The length of the leave would be commensurate with the period of service.

These provisions reflect the consensus recommendations of the Labour Management Review Committee and are similar to those that apply to other types of leaves already in place under the Employment Standards Code. This includes provisions for maternity and parental leave and for the family and bereavement leave that will take effect on April 30, 2007, which also reflect the consensus recommendations of the LMRC.

This is a process that works quite well. I believe in Question Period today, the Minister of Labour (Ms. Allan) referred to the fact that she's had seven bills that have already passed that I believe were approved by LMRC unanimously, and this would make No. 8.

There is another one that is proceeding with the support of the opposition, but we won't go there. It certainly has the support of the vast majority of Manitobans, and we look forward to seeing its implementation next February.

On April 9, Easter Monday, we marked the 90th anniversary of the Battle of Vimy Ridge where 3,598 Canadian soldiers died in securing a key victory for the Allies. My grandfather Bellinger fought at the Battle of Vimy Ridge. One of his brothers died in France, but I'm not sure exactly where. The tragic deaths that day of Canadian soldiers in Afghanistan now also mark the deadliest day for Canada in this war. It also serves as a reminder that this dangerous work deserves our respect and our support. I would say that by supporting this bill and passing this bill, we are providing support to Canadian reservists and Manitoba reservists in particular.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is second reading—the honourable Member for St. James?

Ms. Bonnie Korzeniowski (St. James): Thank you, Mr. Speaker, I just want to take a few moments to put a few words—I think my colleagues who have already spoken have said everything I would have to say about this bill. I just want to reinforce the need for the bill and my appreciation for it on behalf of the many reservists I do know that are in my constituency.

Mr. Harry Schellenberg, Acting Speaker, in the Chair

This has been a long time in coming. I think it's taken until now for people to really appreciate the role of reservists. I believe people thought that it was just more like a weekend soldier kind of thing and did not appreciate not only the extent to which they play such an important role in our military today, and the numbers, as has been said, the 4,000 or so who serve and 700 of them here in Manitoba, and it has been until more recently, it has just begun increasing. The numbers of reservists are often equal to the number and sometimes more who are leaving to go overseas.

* (15:20)

I think I would just like to point out right now that reservists take with them not only a great unselfish commitment to their work, they take skills that they required in their workplace and a maturity. Upon returning to the workforce they bring, of course, the discipline and the dedication that only people that serve in the military can bring back to a workforce and a leadership role. So I just want to say that we shouldn't have to legislate to protect these jobs because I think most employers, many, many employers here in Manitoba, have been very happy to have reservists in their employ and seldom ever hesitate to give them leave whenever necessary. Our Canadian Forces Liaison Council ensures that employers are kept well abreast of the benefits of having reservists working for them and reward them with an annual award every day of the best employer. I think it has come to that it just helps other employers appreciate just why they should be doing that.

However, unfortunately, we do have some employers who do not either appreciate having reservists and what they can bring to their employ and resent any kind of time that might be taken

away. So this legislation is to protect, I'm sure, what is a minority, but I'm sure also gives great comfort to the reservists to know that the risk they are taking, not only to their lives, but their careers will be intact and their sacrifice will not have to be at the cost of their families should they not have a job to return to when they come home.

So, again, I just want to say how incredibly pleased I am to see this bill come into the Chamber because I've been working with reservists for over probably two years now with problems that have arisen, mostly when they get back, so I've been well aware of and lobbying for this, and I'm so pleased at the reception of our government and our minister to not only listen and appreciate the need, but to take such swift action. So I commend our Minister of Labour (Ms. Allan) for the work she's done on this, and I encourage everyone to heartily endorse and I'm confident that we'll have consensus on this. Thank you, Mr. Acting Speaker.

The Acting Speaker (Mr. Harry Schellenberg): Is the House ready for the question?

Some Honourable Members: Question.

The Acting Speaker (Mr. Schellenberg): The question before the House is second reading of Bill 17, The Employment Standards Code Amendment Act (Leave for Reservists).

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

Point of Order

The Acting Speaker (Mr. Schellenberg): The Member for Springfield, on a point of order.

Mr. Schuler: Mr. Acting Speaker, I am seeking unanimous leave of the House to move this bill immediately to committee this afternoon.

The Acting Speaker (Mr. Schellenberg): The point of order is out of order. Only the Government House Leader (Mr. Chomiak) can refer a bill to committee.

I just want to point out that negotiations don't take place on the floor of the Chamber. Thank you.

Point of Order

The Acting Speaker (Mr. Schellenberg): On a point of order, the Member for Steinbach.

Mr. Kelvin Goertzen (Official Opposition House Leader): Well I wonder, Mr. Acting Speaker, if we could just simply hold this matter over for the next 10 minutes or so. I'm sure the Government House

Leader will be here shortly. I would certainly not expect—he may be here—

An Honourable Member: He's here.

Mr. Goertzen: Mr. Acting Speaker, without referencing a member's attendance, I'm sure that within the next short period of time the Government House Leader would want to move this to committee. I'm sure he wouldn't want to stall his own legislation.

The Acting Speaker (Mr. Schellenberg): The Minister of Intergovernmental Affairs, same point of order?

Hon. Steve Ashton (Deputy Government House Leader): On the same point of order. As Deputy Government House Leader, I respect the negotiations that are supposed to take place on a daily basis, and I do regularly see the Opposition House Leader (Mr. Goertzen) talking to the Government House Leader. That's the way business is normally done, Mr. Acting Speaker, in this particular case.

Certainly, I would suggest to the Opposition House Leader that he's maybe forgotten that that is part of his role, that he may want to take the initiative to immediately talk to the Government House Leader and not rely on the Member for Springfield (Mr. Schuler) as either acting in a way that's unauthorized in his caucus, or perhaps because for some strange reason the Government House Leader was silent, one of the first times I've seen that.

Mr. Speaker in the Chair

But, Mr. Speaker, we don't negotiate governance business and the business of the Legislature on the floor of this Legislature. That is best done between House leaders.

Mr. Speaker: Order. On the point of order raised by the honourable Official Opposition House Leader, he does not have a point of order. Usually negotiations are held off the floor of the Chamber between the appropriate House leaders.

* * *

Hon. Dave Chomiak (Government House Leader): I would like to announce that the Standing Committee on Human Resources—

Mr. Speaker: I have to deal with—*[interjection]* The honourable Government House Leader.

Mr. Chomiak: Yes, Mr. Speaker, I would like to announce that the Standing Committee on Human Resources will meet on Thursday, April 19, 2007, at 6 p.m., to deal with Bill 17, The Employment Standards Code Amendment Act (Leave for Reservists).

Mr. Speaker: It's been announced that the Standing Committee on Human Resources will meet on Thursday, April 19, 2007, at 6 p.m., to deal with Bill 17, The Employment Standards Code Amendment Act (Leave for Reservists).

That should take care of the matter. We'll move on.

* (15:30)

Bill 21-The Statutory Holidays Act (Various Acts Amended)

Hon. Nancy Allan (Minister of Labour and Immigration): I move, seconded by the Minister of Healthy Living (Ms. Irvin-Ross), that Bill 21, The Statutory Holidays Act (Various Acts Amended), be now read a second time and be referred to a committee of this House.

His Honour the Lieutenant-Governor has been advised of the bill and I table the message.

Motion presented.

Ms. Allan: Mr. Speaker, Bill 21 provides Manitoba's workers with a new statutory holiday that will fall on the third Monday in February. Just so people can mark it off on their calendars, that will be February 18, 2008.

The idea of a holiday during the long stretch between New Year's Day and Easter, which in some years can be nearly four months, has garnered a great deal of public support over the past few months.

Ms. Bonnie Korzeniowski, Acting Speaker, in the Chair

In introducing this new holiday, we have taken into account the many messages we have received from individuals and groups expressing views on a variety of issues related to the proposal. For example, we have heard from some in the business community that a new holiday has the potential to generate additional economic activity as Manitobans choose ways to celebrate it through recreation and entertainment.

We have also heard from individual business leaders that if the Legislature proceeds with the new

statutory holiday it makes sense that it fall on the third Monday of February and that some shopping be permitted.

Bill 21 amends three acts to provide for the February holiday. First, it amends The Employment Standards Code to include the third Monday in February in the list of statutory holidays. It also adds the third Monday in February to the list of holidays under The Interpretation Act. Finally, it adds the new holiday to The Retail Businesses Holiday Closing Act, which establishes the framework for hours of operation for retail businesses on statutory holidays.

On the new February holiday retail businesses will be able to operate in accordance with the same rules that apply to Sundays and certain other holidays, Thanksgiving Day and Victoria Day. This means that in municipalities that have a by-law governing retail hours on such days like Winnipeg, Brandon and Portage la Prairie, retail businesses that normally employ four or fewer workers will be allowed to operate without restriction. Businesses that normally employ more than four workers will be allowed to operate between 12 noon and 6 p.m..

In municipalities without such a by-law, like Steinbach, any retail business may operate without restriction provided they do so with four or fewer workers. As is the case with other statutory holidays, non-retail establishments will not be restricted in their hours of operation on the new holiday. This holiday is proposed in response to broad support from Manitobans, and in keeping with that spirit, the name of the new holiday will be decided through a contest to be held throughout Manitoba schools over the next while.

Bill 21 creates a long-awaited and well-deserved holiday for the hardworking people of Manitoba and reflects a balanced response to the many views we have heard on the matter. It also fits well with our government's general approach to labour legislation by helping address workers' growing need for better work/life balance, making our province a more attractive place to live and work and bringing our labour laws further into the Canadian mainstream.

For all of these reasons I commend this bill for approval of the Assembly. Thank you.

Mr. Kelvin Goertzen (Steinbach): Madam Acting Speaker, I want to thank you for the opportunity to put a few comments on the record regarding this particular piece of legislation. I suspect, not to speak for the independent members in the House, but I

suspect that there will be broad consensus for this piece of legislation. Perhaps I can speak for two of the independent members of the House that there'll be broad consensus for this particular piece of legislation here.

In fact, I think it's important, it was probably passed over by the minister, maybe accidentally, I want to give her the benefit of the doubt, that in fact it was the Leader of the Official Opposition (Mr. McFadyen) who brought forward this particular idea.

I know the Deputy Premier (Ms. Wowchuk), of course, shakes her head and suggests that that wasn't the case, but it's also the same member who said there were zero patients in the hallways in Manitoba. So we certainly know where her credibility lies. That's the nature of members opposite to not want to give credit where credit is due, but certainly the Leader of the Official Opposition bringing forward this particular idea was quickly snapped up and accepted by the government, not unlike other ideas.

I was reminded today, of course, of how it can happen with ankle bracelets. The suggestions that have come forward from members of our party, also from members of the independent Liberal Party for three or four years, calling on the government to take that particular initiative, and, lo and behold, you wake up one day a few days before an election and poof, suddenly they're interested in ankle bracelets despite the fact, Madam Acting Speaker, that there was a great deal of consternation and a great deal of a mistrust on that technology not only by the current Minister of Justice (Mr. Chomiak), but also by the former Minister of Justice.

So we know that this government is not a stranger to taking ideas from the opposition. In fact, we're not even opposed to that. We think that if members here bring forward good ideas that they should be accepted by all members of the House. We also think that credit should sometimes come to those particular members. They should get some of the recognition that they deserve for their ideas because I do believe that nobody has a monopoly on good ideas here in the Legislature. *[interjection]*

Well, I think I hear the Minister of Labour (Ms. Allan) saying that, in fact, the Leader of the Opposition (Mr. McFadyen) also had another part of an idea about having meaningful tax relief for businesses that are going to be putting in place this particular piece of legislation. In fact, she's right. The Leader of the Official Opposition did, in fact, suggest that there—*[interjection]* Oh, I'm sorry, I

misunderstood. She, in fact, didn't ask for any sort of meaningful tax relief. She is now singing the chorus of her Finance Minister, who also doesn't believe that businesses should have meaningful tax relief in the province of Manitoba. I apologize to the Minister of Labour.

But, certainly, the Leader of the Official Opposition, I think, brought forward a very good point when he said, while on the one hand we should be doing this for employees around the province of Manitoba, it's also important that businesses who will be bearing much of the costs of this measure also have tax relief brought to them. We know that there's never been a better time to offer that tax relief with a general economic increase, or general economic good times in North America and that Manitoba has had more transfer payments than ever before. That was a missed opportunity in the budget which was voted on yesterday.

I want to say that I think we also need to think more broadly now that all parties have agreed to bring forward or to support this legislation. Certainly, our party, if we're fortunate to win government after the next election, we'll also ensure that this legislation is brought forward. We need to start to think of the sorts of things we might do on that particular day. I, for one, might take the time to visit many of my young friends who have left the province of Manitoba because of a lack of opportunity here in the last seven years.

I think of a friend of mine whom I went to law school with who left to go to Calgary because she and her husband weren't able to find good opportunities here in the province of Manitoba, and they needed to go to Alberta. So, I perhaps could take that long weekend to go and visit her and her husband to see how they're doing in the good city of Calgary.

I also lost a friend of mine to Toronto not too long ago who was an entrepreneur who was looking for business opportunities and found that the regulatory framework here in Manitoba for businesses was stifling. He wasn't able, in fact, to do the sort of entrepreneurial work that he's skilled at, so he decided to go to Toronto. So I might take the opportunity on that long weekend to go and visit him. In fact, I have friends who moved to Saskatchewan because they are looking for opportunities outside of the province of Manitoba.

I'm fortunate that I, in fact, do have a lot of friends, although I am unfortunate that I have lost

many of them to other jurisdictions because of the poor economic policies of this particular government. In fact, there's going to be a name-the-holiday contest. One would hope that the young people of the province who participate wouldn't be suggesting the "Go visit your friends in Alberta day" or "Go visit your friends in Ontario day" because so many of them, over 35,000, have left the province under this particular government.

* (15:40)

So, certainly, members on this side of the House appreciate the fact that good working Manitobans will have a new opportunity to spend some time with the remaining family that they might still have in the province of Manitoba. Perhaps some of them will take the opportunity to visit friends and family who've left for other jurisdictions.

But I certainly want to say to the Minister of Labour (Ms. Allan) that she needs to find the other piece of the puzzle. This is a simple puzzle to put together. It's a two-piece puzzle. One piece has to do with the holiday, Madam Acting Speaker, but the other piece has to do with ensuring that businesses can still find a competitive tax environment in the province of Manitoba. She'll have an opportunity at a convention or a conference that will be happening, I believe, next month sponsored by the Winnipeg Chamber of Commerce and others regarding the exodus of young people who have left the province of Manitoba—*[interjection]*

Oh, well, I hear again the Deputy Premier (Ms. Wowchuk) suggesting that the Winnipeg Chamber of Commerce is wrong. Once again, she's—well, she also has my name wrong, but beyond that—there are a lot of things that seem to be wrong on that side of the House. She's got zero people in the hallways, the wrong name of members. She doesn't believe in the Winnipeg Chamber of Commerce. She's sceptical about everything.

But I would encourage her, instead of throwing disparaging remarks to good people at the Winnipeg Chamber of Commerce, instead of denigrating the work that they do on behalf of all of us in Manitoba, that she perhaps attend that conference and listen, because I know that they are looking to ensure that Manitoba becomes a have province. While this government has squandered seven years of opportunity to ensure that that happens, I know that the next government, and hopefully a new government coming soon, won't squander that opportunity, one that will be working quickly.

[interjection] Well, in fact, the people will decide, Madam Acting Speaker, who will win the next election, but we believe, of course, that bringing forward positive ideas like the idea that the Leader of the Official Opposition brought on this particular bill will rise above some of the fear tactics that the members opposite want to engage in.

At one point, I wondered why they might want to bring forward that sort of tactic instead of running on their record, but then I looked at their record, and I quickly understood why they would prefer to have the kind of negative advertising they have instead of looking and running on a record of broken promises in health care, of increased crime and auto theft and of mismanagement of our economy. So, with those brief and non-partisan words, I look forward to hearing other speakers on this issue.

Mr. David Faurshou (Portage la Prairie): I do appreciate the opportunity to engage in debate in regard to the yet-to-be-named holiday here in Manitoba, and I understand the minister has actually engaged the school-aged children here in the province of Manitoba in order to assist her in that regard.

I will, though, like to assist her in regard to what the legislation from Alberta, which I don't know if many colleagues are going to recognize this but I have been promoting this family day for quite a number of years since I was out in Alberta and had the opportunity to share in the Family Day activities with our now-displaced Manitobans that are residents of Calgary.

So we had reason to travel to Alberta, and it just happened that this was their long weekend. I experienced many of the activities that the province of Alberta has co-ordinated with this February holiday. I will say that the Province of Alberta passed the—the Alberta legislation was actually called the Family Day Act and it was passed in 1989 and given Royal Assent in early 2000; pardon me, given Royal Assent August 18 of that year. It came into place the following year of 2000.

Now what the government and opposition support of that act, when created in Alberta, was cited, that in their debate this would afford Albertans the opportunity to create winter festivals and winter activities engaging all of the family members in those activities and, indeed, it has. Many, many communities throughout Alberta have taken the midwinter holiday and put together weekend-long

activities over the three days and have engaged all family members.

In fact, the activities that my family participated with when visiting Alberta in 2003 and 2004 on this weekend were going out to Lake Louise and participating in snowboarding and downhill skiing. I witnessed first-hand the families together enjoying the slopes in the Rocky Mountains. It is something that I believe that here in Manitoba many activities will now begin to come to be and bring forth a reason for families to get together in the middle of winter when many of us are beginning to be overcome by the dreary winter days and looking for a reason to get up and outdoors and engage in activities that revitalize and re-energize ourselves during the midwinter.

I would like, though, to just throw perhaps a little bit else into debate being that I don't know as anyone took the opportunity to consider before introduction of the bill, although it's something that I had asked to be considered and that was perhaps that the midwinter holiday be placed upon a Friday rather than a Monday. Being that all of us recognize how the workweek goes, on Mondays we're re-energized after the weekend and by Friday one is really actually looking to perhaps have a holiday. It was recognized when the Filmon government was looking for a day that might help out with the balancing of the budget here in the province of Manitoba; it found that Friday was the day of the week that actually persons in the workforce, in the civil service, came to appreciate. They looked forward to a Filmon Friday, as it was coined by the press, in the civil service, as the days became one that most people looked forward to.

So I look to the minister and ask perhaps in debate, perhaps in committee, as to whether or not the minister considered that Friday be a day of the week rather than just consideration of a Monday. I also will state that it's clinically analyzed that productivity on a Monday versus productivity on a Friday, Monday productivity of the labour force and of management is much keener than on a Friday.

Mr. Speaker in the Chair

So, if we're looking to make the most of the economic activity here in the province of Manitoba, perhaps the minister should have considered a Friday rather than a Monday as a statutory holiday here in the province of Manitoba when she considered a bill similar to that that is in place in Saskatchewan and Alberta.

Mr. Speaker, I do want to stand in support of this legislation, but I do also want to add my support to comments previously made by the honourable Member for Steinbach (Mr. Goertzen), and that is that this government should have had much more consultation as was proposed by our leader, the honourable Member for Fort Whyte (Mr. McFadyen), that the Chamber of Commerce, other business organizations, those that are knowledgeable about the economy here, of Manitoba, and to have consulted them in regard to what might be considered as far as government rules, regulations, taxation, and the changes thereto that would effectively make having a holiday revenue neutral, if you want to use that term, with the least disruption to the economy of Manitoba and to afford, perhaps, compensation to businesses that will be required to close or to minimize their activities because of this legislation.

* (15:50)

On the other hand, there will be businesses that will flourish from this holiday. When we look to take our families on excursions and activities and out for brunch and lunch and supper, those businesses that provide those services will see increased activity from families taking the holiday in with the rest of their family members.

So, Mr. Speaker, I will say that there are two key points that I would like the minister to consider and ask whether or not she could answer the question as to whether or not Friday was considered, as opposed to Monday of the week. I also want to ask why she did not consult extensively, as our leader asked her to do, with the organizations and individuals whose businesses and activities will be affected by this legislation and to seek a position of government, changes to legislation, regulations or taxation to minimize or accommodate or, at the very least, make neutral the effects of this holiday on their businesses that provide for the economy here in the province of Manitoba.

So, with those few short words, I know that my honourable colleague for River East would like to participate in debate on this bill. Thank you.

Mr. Ron Schuler (Springfield): I think the honourable Member for Portage la Prairie (Mr. Faurichou) was referring to the honourable Member for Springfield. It seems to be one of those days in this House.

Mr. Speaker, I wish to speak to this legislation and, once again, would like to thank the minister for the briefing. As already mentioned, this bill introduces a new statutory holiday on the third weekend of February, which the minister declared, I believe, to be February 18, 2008.

Retail stores will be open on the holiday following normal Sunday hours or holidays like Victoria Day and Thanksgiving, Mr. Speaker, and just to this, the Leader of the Official Opposition (Mr. McFadyen) was the first Manitoba politician to get behind the idea. The Leader of the Official Opposition said a PC government would make the second Monday in February a statutory holiday.

It took suggestions from Manitobans and considered five names that came from suggestions made by Manitobans. The PC caucus believed people should have a say in naming the holiday and that it should reflect a unique Manitoba perspective. Manitobans sent in their ideas for a name for the holiday, and the winner is—the envelope, please—Family Day. Overwhelmingly, votes were cast for Family Day. This grass-roots movement started as a *Winnipeg Free Press* poll and petition from 92 CITI FM showed overwhelming support for this February holiday.

Ms. Bonnie Korzeniowski, Acting Speaker, in the Chair

Saskatchewan and Alberta already have stat holidays in February but have also engaged in real tax reductions that offset the cost to business. We know that there are many in the business community that are concerned, and we would certainly support some kind of tax relief. We certainly would support any kind of meaningful tax relief for small business in Manitoba but, alas, we certainly won't be seeing it from this government.

The Leader of the Official Opposition (Mr. McFadyen) stated: We realize that every business has different needs, but when combined with meaningful tax relief, a PC government would implement adding a holiday in February as a realistic proposal that business owners throughout the province could embrace. We as a caucus have looked with great interest at the legislation that has been proposed, and we find it interesting that it was obviously by sheer public pressure that a fairly staid and stand-still government was forced into this kind of legislation. Again, we would like to thank all Manitobans who participated in the process of applying public pressure onto the government, and

finally the government followed the lead of the Progressive Conservative opposition and implemented another great idea.

The Minister of Labour (Ms. Allan) got up and mentioned how many pieces of legislation that the opposition has agreed to. That is because, Madam Acting Speaker, the Minister of Labour has taken our good ideas and put them into legislation. So it's not necessarily that we are agreeing with the government; it's that the government is actually putting forward our legislative agenda. The only difference that will occur after the next election is that we as the government will put forward our legislative agenda, and we certainly know that the opposition, the New Democratic Party, will then agree.

Madam Acting Speaker, we would like to see this piece of legislation go to committee. We certainly would like to hear from Manitobans and from all of those who are interested and all of those who have issues with the legislation. We would like to hear from them and report back to this House with those findings.

So, with those few brief comments, we would like to see this legislation move on. Thank you.

Mr. Kevin Lamoureux (Inkster): It's with pleasure that I can speak today on this particular bill. Bill 21 is a bill that we have before us today because of, in all likelihood, a radio program, Madam Acting Speaker.

You know, it was, I guess, maybe just over a year ago or right around a year ago when the Leader of the Liberal Party talked about having a half day. Members can recall the criticism, as the Member for Thompson (Mr. Ashton) recalls well. When that suggestion was made, we were soundly criticized for a multitude of reasons, and one of those reasons, of course, was the lack of consultation.

Well, you know, it's interesting, as all political parties want to jostle or position themselves as the one that had the idea, I think it was a speaker earlier this afternoon that said, well, we all have good ideas and we need to capitalize on as many of those ideas as we can. I look at Bill 21 as a positive piece of legislation. I wouldn't give anyone political advice to vote against Bill 21, Madam Acting Speaker. In fact, I suspect that this is one of those bills that will pass with unanimous support.

I am a little bit discouraged, I must say, in the manner in which it's arrived, but, like a lot of things,

the government seems to be highly motivated nowadays. The reason for that motivation is because of an upcoming provincial election, Madam Acting Speaker, and that seems to be a big motivating factor for this government.

* (16:00)

I've raised two issues this week alone that deal with that motivation. One was in regard to the MPI rebate which the government is sitting on in anticipation that it'll be released once an election has been called. Today we have the conversion of the government, at least in part, in regard to electronic ankle bracelets. They haven't gone far enough, but at least they were able to get the media splash that they were wanting, Madam Acting Speaker, and I know that the Minister of Labour (Ms. Allan) has been very successful in getting the type of media splash she was hoping with this particular bill.

But, you know, one has to reflect on the way in which the bill did come into being, and one should be somewhat concerned. I have heard some feedback; the vast majority of it is very, very positive, Madam Acting Speaker. I suspect, if you were to poll Manitobans—and I suspect this government has done that—, that the numbers would probably show somewhere in the neighbourhood of 90 percent plus that would be in favour of the legislation.

But, you know, Madam Acting Speaker, one of the things that we have a responsibility for is also to ensure that the minority ideas and concerns are also being addressed inside this Legislature when we pass a bill of this kind of substance. Let there be no doubt this is a bill of great substance. It is one of the shortest bills that we will see, but the impact that it has on the province of Manitoba is very significant. It'll have an impact in terms of shopping behaviour. Individuals might use the long weekend to take, make the trip out to Fargo. I'm sure that the retail industry in Fargo is quite happy with this particular long weekend. *[interjection]*

The minister from her seat says, well, Asessippi Ski Hill. I may be not as familiar as to when skiing season would typically end. Maybe that is something that had been taken into consideration in coming up with this legislation. I think that there is many things. The Member for Portage la Prairie (Mr. Fauschou) talked about the Family Day in Alberta, and I believe he said that the Family Day is recognized on a Friday in February. *[interjection]*

I understand, actually, from the member that it could have been on the Friday, but it is also happens to be on a Monday. I think that there could be arguments for why it is that we should have had it on a Friday.

We don't know, in terms of if the minister has done due diligence. I suspect that she hasn't. For example, did it go to the Labour Management Review Committee? I don't see a reaction from the minister in regard to that, Madam Acting Speaker, so that is to assume that maybe it didn't go. *[interjection]*

Oh, now she says it did go. *[interjection]*

Well, she advises me to read the newspapers more. We know how much attention this minister gives to the media. After all, I believe it was 92 CITI FM that actually should get the credit for this particular bill. It's a combination of two things, 92 FM and a provincial election. That is the reason why we have the bill here today, Madam Acting Speaker.

There shouldn't be any doubt in the minds of Manitobans that that is, in fact, the reason why we're debating it today. There are some questions that I believe the minister should have been looking at, other possibilities. It was interesting that I hear that the minister has made the decision, what we're going to do is we're going to canvass our educational system, to bring it to our students. And I think that's a good idea. I think that's very good, and the Minister of Education (Mr. Bjornson) agrees with me.

I often wonder why it is that we didn't do the same, or apply the same principle, to the changing of our buffalo into that spirited bull. *[interjection]*

Bison? Bison, buffalo. Well, Madam Acting Speaker, all I know is that, instead of going to our students in our high schools or elementary schools and saying, why don't you come up with a new look for our bison/buffalo, instead of you doing that, we went to an American firm and paid a pile of money, of tax dollars. You know what they came back with.

I see that we have some youth in the public gallery. I challenge the youth in the public gallery to take a look and do the comparison. I've done this a lot. You look at the bison/buffalo and compare it to the new look that this government has paid hundreds of thousands of dollars, of tax dollars—to an American firm, I believe it is—hundreds of thousands of dollars, and what you will find is that our new—they want to call it bison, buffalo, whatever—

Some Honourable Members: No, bison.

Mr. Lamoureux: Bison? I'll go to the Minister of Education (Mr. Bjornson) and say "bison". I am sure that if you compare the two of them, you're going to say, yes, the old one does look like a bison and the new one looks like some sort of a buffalo on steroids. Our new logo doesn't even look like a bison, and we paid over a half million dollars for that. *[interjection]* It's unfortunate it's the Premier (Mr. Doer) that brought the bull—brought this Chamber the bull, Madam Acting Speaker, as the member from across my way makes reference to. Now we see that government has actually maybe learnt a little bit from this and they see the value of doing consultation.

Madam Acting Speaker, I suspect at the end of the day that we will see that February holiday because that is the political will of all three of the major political parties. So it will happen. Chances are it will be on the Monday. The only reason I say chances is because I don't believe that this government is necessarily going to prevail after the next election. I think that what we might see is a nose-dive party coming up in the next few weeks. Then it's going to be dependent on ensuring, maybe through a new administration or a different administration, to ensure that this in fact does become a holiday. But it will, only because I believe all—well, I know, I should say the three major political parties do support it.

I know that there are other initiatives that are out there that I think the government should have been paying some attention to, but I guess I made a mistake on one of them, I must say. That was a couple years ago. I talked about the issue of having a grandparents' day, and it wasn't stated as a statutory holiday; it was just to acknowledge the role our grandparents play in society. Much like we have a Mother's Day or a Father's Day, I had suggested to the government that we wouldn't be—this isn't earth-shattering in the sense that it's already done in some areas. The United States has had it for many, many years. I believe it's the Sunday that follows the Labour Day long weekend.

I suggested that this might be something that Manitoba should look into. I had written to the Premier (Mr. Doer) through e-mail, I had done likewise for the Prime Minister. I got a response back from the Prime Minister. It took months, I might have even reminded him, I'm not sure. It took months—months and months and months—before I

finally got a response from the Premier's Office. The Premier's Office—the content of the e-mail, I'm sure I've kept it somewhere so if someone wants to I could always bring it up or show it to them—but the essence of the e-mail was that, thank you for your correspondence; we get so much correspondence; please provide something in writing to the Premier. No acknowledgment about or comment on the idea itself—

An Honourable Member: Okay, we'll give you credit. We'll call it Lamoureux Day. Okay?

Mr. Lamoureux: Well, the Government House Leader (Mr. Chomiak) says—

An Honourable Member: If that's what you want, we'll call it Lamoureux Day.

* (16:10)

Mr. Lamoureux: Well, I'm not talking about that particular day. I'm not talking about the February weekend. I'm talking about Grandparents' Day in September. I know I'm not a disc jockey on 92 FM and if I was, then maybe what I should do is, I need to make that call to 92 FM and let them know that look, there are a lot of people that would support having a grandparents' day. If somehow 92 FM comes on side, I'm sure that they'd have to do it quick, Madam Acting Speaker. I'm sure that they'd be able to convince this government to act on it and maybe even bring in a legislation, if they get enough enthusiasm, or if they can generate enough enthusiasm on the idea.

Well, I would suggest, Madam Acting Speaker, that there are many different ideas. Many of them we do need to proceed with. I see this as a positive thing, something that could have been done years ago. Other jurisdictions have done it, but better late than never. We applaud the government in terms of acting as swiftly as it did, albeit we're a little suspicious as to its arrival. But at least we're going to see it.

I would like to ultimately see the bill go to committee. There is a possibility that we could be in an election tomorrow. We could be in an election on Friday. If the government really wanted to ensure that this is going to happen, I think that we should ensure that it goes to committee. There is no reason why it couldn't go to committee today. I hope and trust that the intent of the government was ultimately to see it pass.

We in the Liberal Party have no problem in terms of seeing this bill proceed to committee immediately. Thank you.

Mr. Speaker in the Chair

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

An Honourable Member: Question.

Mr. Speaker: The question before the House is second reading, Bill 21, The Statutory Holidays Act (Various Acts Amended).

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

Bill 23—The Forest Health Protection Act

Mr. Speaker: We will move on to second reading of Bill 23, The Forest Health Protection Act.

Hon. Stan Struthers (Minister of Conservation): I move, seconded by the Minister of Science, Technology, Energy and Mines (Mr. Rondeau), that Bill 23, The Forest Health Protection Act; Loi sur la protection de la santé des forêts, be now read a second time and be referred to a committee of this House.

His Honour the Lieutenant-Governor has been advised of the bill and I table the message.

Motion presented.

Mr. Struthers: I am very pleased to offer this bill for consideration to all members of the Chamber.

I want to take a moment to brag a little bit about the community that I reside in, Dauphin, Manitoba. If you ever get the chance and you're flying in from, say, Winnipeg, and you're in a little plane, the Perimeter sched at 6:40 or 6:20 in the morning, and you're flying up and you bank over Dauphin and you're banking kind of to the left and you're looking out the left of the window, you're not going to get a better view of a little community with an urban canopy than what we have in Dauphin, Manitoba. [*interjection*]

Canopy, urban canopy, for members opposite, it's a big word, but I think we can handle it. An urban canopy of trees like you have in Winnipeg on a bigger scale, but, nevertheless, Mr. Speaker, it's something that's worth protecting. For members across the way, they could do the same kind of thing over the community of Souris which has a beautiful canopy.

This is something we need to work to protect. We have all across Manitoba forests that provide jobs, forests that provide habitat for wildlife. We have forests that have been part of our tradition of Manitoba for generations and generations. We have forests that have been utilized by people immemorial running back through our history, well before this was ever a province of Manitoba. It is worth protection and that's what this bill is all about.

The health and integrity of Manitoba's commercial and urban forests are being threatened by the likely introduction of potentially devastating invasive pests such the emerald ash borer from the east and the mountain pine beetle from the west. The proposed bill is for a proactive approach to avoid forest pest impacts seen in other jurisdictions, including costly impacts to forestry and related industries.

Manitoba currently has limited legal protection against the importation of an invasive forest pest through infected forest products, such as through the movement of firewood. The proposed bill will allow the government to take measures to prevent or delay the introduction of an invasive forest pest in Manitoba's urban and commercial forests. In the event of an introduction or outbreak, it will enable the province and local governments to monitor and respond quickly with effective preventative measures to eradicate or control forest pests within the province.

Mr. Speaker, the purpose of this bill is to protect the health of all trees and forests in Manitoba by preventing forest insects and diseases that are not native to Manitoba from entering or becoming established in our province. Detecting, containing, suppressing, and eradicating forest insects and diseases in Manitoba, and developing programs to protect and promote the overall health of trees and forests and their ecosystems in Manitoba. Timely legislative development in this area will likely save a considerable amount of time and money by preventing or delaying the introduction of a forest pest.

With increased interprovincial and international trade, the likelihood of new pest introductions into Manitoba has dramatically risen over the past decade. With the exception of elm wood, under The Dutch Elm Disease Act, there is no current provincial law that could prevent the importation of invasive pests into Manitoba and the movement inside Manitoba of affected wood products.

Similar to the Dutch elm disease program, a public education initiative aimed at enlisting the public's participation in preventing the establishment of other invasive forest pests will be fundamental to Manitoba's proactive approach.

Specific forest threat response plans will be prepared by the province in collaboration with industry, municipalities, federal agencies, and the public. The proposed legislation would enable or require actions by the province, municipalities, and private landowners to prevent or manage specific forest pests. Delivery of such programs would be conducted in a similar fashion as with the Dutch elm disease program. The success of this program is based on collaboration of the province with participating communities.

The effectiveness of this approach is evident from the fact that Manitoba communities have been able to save thousands of urban elms. For example, due to the efforts under this program, the city of Winnipeg still has a large population of about 160,000 mature elm trees.

Delivery of programs to prevent or manage other invasive forest pests will use a similar approach. Programs will involve the collaboration with communities, industry, non-government organizations, and property owners.

As a province, we must protect ourselves against the introduction of an invasive forest threat. Through this bill, the Province is taking the initiative of protecting the health and longevity of Manitoba's forests.

Mr. Speaker, I recommend this bill to all of my colleagues here in the Manitoba Legislature. Thank you.

Mrs. Heather Stefanson (Tuxedo): I move, seconded by the Member for Minnedosa (Mrs. Rowat), that debate now be adjourned.

Motion agreed to.

* (16:20)

Bill 15—The Manitoba Hydro Amendment and Public Utilities Board Amendment Act (Electricity Reliability)

Mr. Speaker: Okay, we'll move on to Bill 15, The Manitoba Hydro Amendment and Public Utilities Board Amendment Act (Electricity Reliability).

Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines): I move, seconded

by the honourable Minister of Conservation (Mr. Struthers), that Bill 15 now be read a second time and be referred to a committee of this House.

His Honour the Lieutenant-Governor has been advised of the bill and I table his message.

Motion presented.

Mr. Rondeau: Mr. Speaker, today I have the pleasure of speaking on Bill 15 which will amend The Manitoba Hydro Act and Public Utilities Board Act.

Bill 15 establishes the framework for Manitoba's participation in the new system of mandatory electric reliability standards to improve the reliability of the North American interconnected electrical grid. Specifically, the bill will enable Manitoba to adopt and make mandatory standards for the design, operation and planning of our electricity generation and transmission facilities as part of the North American grid.

Mr. Speaker, the North American power grid has been described as one large interconnected machine. It encompasses hundreds of thousands of kilometres of transmission lines, nearly a million megawatts of generating capacity and serves over 300 million people in Canada, the United States and a small portion of Mexico.

Manitoba's hydro transmission lines are part of that vast grid reaching to the U.S. border as well as to our neighbouring provinces of Ontario and Saskatchewan. It is over this grid that Manitoba Hydro exports surplus power when our water supply is abundant and can import power to meet Manitoba's needs in times of drought or in case of emergencies.

But the North American electrical grid is more than just a series of transmission lines. It is a critical element in our economic and social infrastructure, so critical, in fact, that it's long been recognized that uniform mandatory standards are needed to ensure its reliability.

For nearly four decades voluntary electrical reliability standards for the interconnected grid have been developed by the North American Electric Reliability Council or NERC. NERC is the U.S.-based body with membership from all sectors of the electricity industry including Canadian utilities.

Manitoba Hydro complies with NERC's standards through its membership in the Midwest Reliability Organization. Hydro actively participates

in the voluntary reliability regime through its representation on key NERC committees and on the board of trustees of the MRO.

Mr. Speaker, the reliability of our electrical system has been an important priority for Manitoba Hydro, and Hydro has an excellent track record in that regard. A recent independent audit found that Hydro was fully prepared to meet its reliability obligations and assess its system operation training programs and backup control centre as exceptional. Manitoba Hydro has long supported and encouraged the move to mandatory reliability standards.

Mr. Speaker, we can all recall the August 2003 power blackout in the northeast United States and Ontario triggered by one utility's failure to trim trees close to a transmission line in awhile. That massive blackout brought businesses to a halt, closed airports and caused widespread disruption. It set forward a series of developments in Canada and the U.S. that became a catalyst for this bill. It is because one utility did not make its standards that it caused this huge disaster.

In the aftermath of the blackout, a joint Canada-U.S. task force was formed to investigate the causes and look at ways to reduce the likelihood of future outages. A key recommendation of the task force was that the existing voluntary reliability standards be replaced by enforceable, continent-wide standards with penalties for non-compliance.

Mr. Speaker, this recommendation spurred governments in the U.S. and Canada to look at transforming their approaches to reliability. The U.S. made an important move toward the mandatory reliability regime with the passage of the 2005 Energy Policy Act, which included a chapter on electrical reliability. The approach taken was to authorize the creation of an expert industry body called the Electric Reliability Organization or ERO to develop reliability standards for the U.S. bulk transmission system. The ERO would also enforce those standards in conjunction with regional entities. Standards development and enforcement would be carried out under the regulatory oversight of the Federal Energy Regulation Commission. The Energy Policy Act recognized the need for the ERO to operate on a continent-wide basis and called for it to take steps to gain recognition in Canada and Mexico.

Canadian provinces with interconnections to the U.S. have been working together to determine their response to a mandatory standards regime. In September 2005, the Council of Canadian Energy

Ministers committed to ensure that measures are in place to implement and enforce reliability standards in all interconnected jurisdictions. A number of provinces are considering, or have introduced legislative changes to recognize the ERO and make reliability standards mandatory and enforceable. While there are variations in the way each province approaches reliability, tailored to their individual circumstances, it all clearly recognized the need and importance of participating in the mandatory standards regime.

Over the past year, NERC has worked to become the ERO in the U.S. and gain recognition in Canada. It has filed with my department, thousands of pages of documents detailing its proposed reliability standards, governance structure, rules, standards, development process, and regional enforcement programs. NERC has been certified as ERO in the U.S. and started operating in that capacity on January 1, 2007. It will begin enforcing its reliability standards there by June of this year.

Mr. Speaker, I've spent considerable time reviewing the background to this important bill. Now, I would like to outline how Manitoba will participate in the new mandatory reliability standards regime. Bill 15 will enable NERC's current and future reliability standards to become mandatory, enforceable standards in Manitoba only after they are adopted by regulations and approved by this Cabinet. Standards will generally apply to users, owners, and operators of the bulk power transmission grid. The majority of the standards will apply to Manitoba Hydro, which operates the transmission grid in the province. Some standards will also apply to independent power producers such as the new wind generators. Manitoba Hydro has complied with NERC's voluntary standards for a number of years and requires the wind generators to do so as part of its interconnection requirements.

As a result, the transition to the mandatory regime is not expected to create any concerns for Hydro or for any of the independent power producers. This bill will also authorize the body to monitor compliance with the reliability standards. This function will be carried out primarily by the Midwest Reliability Organization, one of the eight regional entities that will operate under the delegated agreement with NERC.

The compliance body will be able to conduct audits, inspections, and investigations and impose penalties for standards violations. However,

Mr. Speaker, neither a finding that a standard's been violated or a penalty imposed for a violation will be effective in Manitoba unless confirmed by the Public Utilities Board. This is one of the new functions that PUB will carry out in relationship to its reliability and one of the measures this bill provides to protect Manitoba's sovereignty.

Mr. Speaker, when we look at how other provinces across the country are dealing with this issue, we find that in most cases, they are also assigning their provincial regulators the task in confirming penalties before they are effective. Bill 15 also gives the authority to establish to whom monetary penalties for a violation will be paid. This will allow regulations to make clear that monetary penalties will remain within Manitoba. Both NERC and the MRO's costs associated with making and enforcing reliability standards will be allocated within the U.S. and Canada and billed as annual fees. The bill will confirm responsibility for the payment of these fees. Currently, Manitoba has a sole load-serving entity in the province responsible for paying reliability fees to NERC.

Bill 15 continues Manitoba Hydro's authority to set and enforce standards for the reliability of the electrical system in Manitoba and rules for interconnecting to its electrical system. But in the new reliability environment, Hydro standards will have to be compatible with international reliability standards.

* (16:30)

Mr. Speaker, this bill contains a number of measures to protect Manitoba's sovereignty in the context of continent-wide reliability standards. First, it sets out limits on the scope of reliability standards. They cannot deal with adequacy of generation for Manitoba. They cannot apply to issues that are not materially affected by the bulk transmission of the grid, or they cannot require Manitoba to build additional generation or transmission capabilities.

Second, reliability standards become standards in Manitoba when and only when they're adopted by regulation.

Third, the public utilities boards will have important new responsibilities in the area of reliability. Amendments to The Public Utilities Board Act will give PUB the authority to review reliability standards and send them back to the NERC for reconsideration. A standard that has been sent back for reconsideration will not be effective in

Manitoba. This provides for a new tool in dealing with standards that are inappropriate for Manitoba. Currently the only option available for dealing with an inappropriate standard is withdraw entirely from the NERC scheme, which is not appropriate.

Fourth, as mentioned earlier, a key PUB function is the review of any finding that a breach of a reliability standard has occurred and any penalty imposed for a breach. A finding or a penalty will be effective in Manitoba only after it has been confirmed by the PUB. Furthermore, all monetary penalties approved by PUB must remain in Manitoba. In making a decision respecting a violation or penalty, the PUB may consider the appropriateness of a consistent approach to enforcing reliability standards throughout North America. This signals the importance of consistency because the proposed reliability regime will affect multiple jurisdictions. However, the PUB will retain the ultimate discretion to take into account any factor it considers proper to making its decision.

Fifth, the minister responsible for the PUB may ask the PUB for its advice and recommendations respecting fees payable to NERC. This review will enable PUB to consider NERC's business plan, budget and funding.

Mr. Speaker, Bill 15 will also enable the PUB to co-ordinate its action with government and regulatory authorities outside Manitoba because multiple regulators may be reviewing and possibly sending reliability standards to NERC for consideration. There is a potential for standards to come into force in some jurisdictions and not into others. By co-ordinating actions, regulators may be able to develop similar time frames and procedures that may lessen the potential for patchwork approach to the standards implementation.

Mr. Speaker, a consistent set of reliability standards for the North American power grid enhances the reliability of the electrical supply and these consistent, reliable standards create a level playing field that is beneficial for Manitoba's hydro and continued access to export markets on favourable terms, as well as non-obstructed access to the grid to import power during times of droughts and in emergencies. The Public Utilities Board's important backstop regulatory powers will help ensure that the standards will be appropriate for Manitoba and there will be oversight over enforcement actions.

Mr. Speaker, I am therefore pleased to recommend this bill for consideration and quick passage. Thank you very much.

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, I move, seconded by the Member for Pembina (Mr. Dyck), that debate now be adjourned.

Motion agreed to.

Bill 16—The Children's Advocate's Enhanced Mandate Act (Various Acts Amended)

Hon. Gord Mackintosh (Minister of Family Services and Housing): Mr. Speaker, I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 16, The Children's Advocate's Enhanced Mandate Act (Various Acts Amended), be now read a second time and be referred to a committee of this House.

His Honour the Lieutenant-Governor has been advised of the bill and I table the message.

Motion presented.

Mr. Mackintosh: I'm pleased to have the opportunity to speak to this bill, Mr. Speaker. The proposed amendment will transfer the responsibility for the assessment of services provided to a deceased child from the Chief Medical Examiner under section 10 of The Fatality Inquiries Act to the Children's Advocate under section 8 of The Child and Family Services Act. It expands the scope of reviews to include other publicly funded social services, mental health services and addiction treatment services. The transfer does not affect the Chief Medical Examiner's power to investigate the death of a child or to call an inquest into the death of a child.

More specifically, the amendment speaks to the responsibility for assessing the quality or standard of care provided by a child and family service agency to a deceased child, who, at the time of death or within one year prior to the death, was in the care of a Child and Family Services agency, or who had a parent or guardian who was in receipt of services from a Child and Family Services agency. The bill is, of course, responsive to the government's commitment, through changes for children, to act on external reviews of the child welfare system that were provided to the government and to the public this fall.

Mr. Speaker, in addition to the transfer of responsibility, this bill will also establish that the provincial Ombudsman will receive and follow up on recommendations that may be made as part of a

review. It will help to ensure that, where needed, changes and improvements will be implemented.

Mr. Speaker, the amendment will ensure that the Office of the Children's Advocate is provided with access to all records held by the government that relate to collateral services provided by government regardless of the department. As well, the proposed amendment establishes that the Manitoba Ombudsman will be responsible to follow up on recommendations from future reviews conducted by the Children's Advocate. The Ombudsman will be responsible to ensure an independent report is also made to this House. The amendment will require the Ombudsman to report publicly on the government's compliance with the recommendations of the Children's Advocate.

This new reporting relationship is intended to monitor the implementation of recommendations for both general and specific change that may be the result of an assessment. The proposed new reporting relationship between the assessment function and the provincial Ombudsman is also consistent with the recommendations of the external reviews I referred to.

The legislation is part of our commitment to move forward on the recommendations from the reviews. In our view, this will strengthen the systems that are in place to ensure that we respond appropriately and reduce the risk of injury and death to Manitoba children. I commend this bill to the House, Mr. Speaker.

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

Some Honourable Members: Not yet.

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, I move, seconded by the Member for Pembina (Mr. Dyck), that debate now be adjourned.

Motion agreed to.

Bill 14—The Family Maintenance Amendment and Inter-jurisdictional Support Orders Amendment Act

Hon. Dave Chomiak (Minister of Justice and Attorney General): Mr. Speaker, I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 14, The Family Maintenance Amendment and Inter-jurisdictional Support Orders Amendment Act; Loi modifiant la Loi sur l'obligation alimentaire et la Loi sur l'établissement et l'exécution réciproque des ordonnances alimentaires, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Chomiak: Mr. Speaker, we live in an increasingly changing and mobile society. Separated-parents' income and other circumstances change regularly throughout the life of a child-support order, and it's not uncommon after separation for a parent to live in a different province or even country from where the children live. Change in circumstances gives rise to the need for orders to be updated to take into account income changes. Increased mobility results in increasing numbers of interjurisdictional support cases.

In order to respond to these challenges, programs and legislation that assist parents involved in interjurisdictional support cases that update child-support payments or that enforce court payments need to be able to locate parents and to obtain requisite income information so actions can proceed without unnecessary delay. It is critically important that our legislation evolve to recognize these new realities.

*(16:40)

Today, Mr. Speaker, I'm pleased to introduce innovative amendments that will do just that—Bill 14, The Family Maintenance Amendment and Interjurisdictional Support Orders Amendment Act. Manitoba's Child Support Recalculation Service provides an effective means for child-support orders to be updated based on the paying parent's current income information. The recalculation service opened its doors in July of 2005, and has since assisted hundreds of Manitoba families. As of March 2007, this service has recalculated 246 child-support orders.

In order to perform this valuable function the child-support services needs to obtain current income information from parents in a timely way. While most parents recognize the importance of child support in their children's lives and do comply with requests for information, there are those that do not. Time-consuming efforts to obtain income information or to locate parents reduce the time the service can spend recalculating orders. The proposed amendments to The Family Maintenance Act will greatly improve the efficiency and effectiveness in Manitoba's Child Support Recalculation Service. Recalculated child-support payments determined by the service will take effect on a set day after recalculation process commences to provide greater certainty and avoid delay when a parent does not provide the necessary financial disclosure in a timely

fashion. Non-compliant parents will have no incentive to delay providing income information.

The Child Support Recalculation Service will also have more effective means to obtain financial information for purposes of recalculating child-support payments. The service will be able to request a party's employer, name and address from both government and private sources, and ask employers for a parent's current income information. The proposed amendments will allow the service to seek and obtain parent's address information from both government and private sources, including the Maintenance Enforcement Program for recalculation purposes. Other amendments to The Family Maintenance Act will enable the Maintenance Enforcement Program to obtain information which it is entitled from government departments and agencies more efficiently. Bill 14 will also assist with the handling of interjurisdictional support establishment, variation and enforcement cases.

Manitoba was very involved in development of a model interjurisdictional support orders legislation, and the first Canadian jurisdiction to deduce legislation based on the model act, The Interjurisdictional Support Orders Act. That act has simplified and streamlined the process by which support orders are established, varied and recognized in interjurisdictional cases, and also provides automatic recognition to support orders pronounced in other Canadian jurisdictions.

I'm very proud that Manitoba led by example as the first province to introduce The Interjurisdictional Support Orders Act. Manitoba is once again taking the lead in this area by introducing amendments to improve the operation of this legislation. The inability to locate a person with a family-support obligation can frustrate the rights of parents and children to receive the support to which they are entitled. This obstacle is compounded when the parents live in different jurisdictions.

The amendments to The Interjurisdictional Support Orders Act and The Family Maintenance Act will facilitate the location of persons for the purposes of establishment, variation, recognition and enforcement of support obligations in interjurisdictional cases. This will be accomplished by enabling the designated authority under The Interjurisdictional Support Orders Act to ask the Maintenance Enforcement Program to locate parties to interjurisdictional support cases. Facilitating the location of parties will significantly improve the

process by which interjurisdictional support orders are obtained, varied and recognized. In doing so, it will also speed up the ability to collect support payments across provincial boundaries, which is of critical importance to children and families.

Mr. Speaker, the amendments will also clarify the Manitoba courts' jurisdiction to various service support orders in interjurisdictional cases and provide additional options to parties in these cases. The operational efficiencies that will flow from Bill 14 for the Child Support Recalculation Service, the Maintenance Enforcement Program and parties in the interjurisdictional support cases will make a significant difference to the lives of many Manitoba children and their families.

It is with a good deal of pride that I commend Bill 14, The Family Maintenance Amendment and Inter-jurisdictional Support Orders Amendment Act, to the Legislature today.

Thank you, Mr. Speaker.

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, I move, seconded by the Member for Pembina (Mr. Dyck), that debate be now adjourned.

Motion agreed to.

Mr. Speaker: We're going to move on to Bill 13, The Securities Amendment Act.

Hon. Dave Chomiak (Government House Leader): Yes, Mr. Speaker, I wonder if I could have leave of the House to change the order of bills that I initially announced so that we deal now with Bill 18 rather than Bill 13, just substitute those two.

Mr. Speaker: Is there agreement of the House to change the sequence that was announced earlier? Is there leave of the House? *[interjection]* You don't need agreement?

An Honourable Member: No.

Mr. Speaker: Okay, order. For the information of the House, when we're under Orders of the Day, it's the government House business, so the Government House Leader can change sequence without leave. So the information we got was that we will deal with Bill 18 first, Bill 13 second, and then we will deal with the other bills in order as they appear on the paper. Is that correct? Is that agreed to? *[Agreed]*

Bill 18—The Organic Agricultural Products Act

Mr. Speaker: So we will call Bill 18, The Organic Agricultural Products Act.

Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives): Thank you to my colleagues for changing that sequence.

Mr. Speaker, I move, seconded by the Minister responsible for Competitiveness, Training and Trade (Mr. Smith), that Bill 18, The Organic Agricultural Products Act, be now read a second time and be referred to the committee of this House.

His Honour the Lieutenant-Governor has been advised of the bill, and I'm tabling the message.

Motion presented.

Ms. Wowchuk: Mr. Speaker, the organic sector of agriculture has been one of the positive aspects of the agriculture industry in recent years. The 15 percent to 20 percent annual growth of the organic industry in Manitoba has mirrored the rate of growth in the rest of Canada and North America. In Manitoba alone we have approximately 300 producers and approximately 40 processors that are certified organic. Organics has become mainstream in Manitoba, as it has in other parts of the world.

On December 31, 2006, the federal Organic Products Regulation was adopted under the authority of the Canadian agricultural producers act, which was created in 1985. The regulations defined the principles of organic food production and established specific mandatory standards for food products that carry the organic label. These new federal regulations for organic food production provide assurances to our national and international buyers that Canadian-produced organic food is certified organic, thereby assisting Canadian producers in their marketing efforts.

These federal regulations, which will be phased in over the next year and a half, however, do not apply to organic foods produced for the provincial market. Manitoba consumers, therefore, do not have the assurance that Manitoba-produced organic food is certified. Manitoba producers are disadvantaged in their marketing efforts because of this. By creating provincial standards for organic food production in Manitoba that mirror federal standards, the Manitoba Organic Agricultural Products Act will provide the same assurance for Manitoba consumers as the federal government provides for national and international buyers. This will greatly assist

Manitoba organic producers in their marketing efforts and give the assurance that they need so that they can, indeed, continue to expand the industry as they have been.

** (16:50)*

Provisions of the act have been created in consultation with Manitoba's major farm organic production and marketing groups, including the Keystone Agricultural Producers, the Canadian Wheat Board, the Organic Food Council of Manitoba and the Organic Producers Association of Manitoba.

Thank you, Mr. Speaker.

Mrs. Heather Stefanson (Tuxedo): I move, seconded by the Member for Pembina (Mr. Dyck), that debate now be adjourned.

Motion agreed to.

Bill 13—The Securities Amendment Act

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, I move, seconded by the Minister of Family Services and Housing (Mr. Mackintosh), that Bill 13, The Securities Amendment Act; Loi modifiant la Loi sur les valeurs mobilières, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Selinger: Mr. Speaker, this government continues to work with our counterparts to harmonize securities law requirements across Canada and facilitate streamlined access to our capital markets. We have made progress already, but have been able to identify new areas that further streamline and harmonize requirements for participants in Manitoba's capital markets to make it easier to do business here and across Canada. This streamlining and harmonization does not sacrifice investor protection, and, in fact, this bill provides even stronger protection for the investing public.

Mr. Speaker, the bill introduces amendments that will further harmonize our securities law requirements with that of other Canadian provinces and territories. Among the amendments is repeal of current provisions in the act which are outdated, and have been replaced with rules which have harmonized requirements across Canada. This will put us closer to a true single window of access to capital markets across Canada.

Mr. Speaker, this bill enhances investor protection in Manitoba, giving the Securities Commission and the courts more tools to achieve

this goal. This bill gives the Securities Commission powers to allow for full co-operation between jurisdictions in investigating securities complaints and in taking enforcement actions in matters that have multijurisdictional implications.

This bill also enhances investor protections related to investment funds. The amendments impose positive statutory duties on investment fund managers to act in the best interests of the investment funds they manage. This bill also provides the framework to increase transparency in investment, fund management and in the management of conflicts that might arise.

Mr. Speaker, this bill also recognizes the importance placed by investors on others when making the decision to invest, for most amendments will prohibit people from making misrepresentations to induce or maintain a trading or advising relationship with an investor, whether it's the advice or recommendations of their own financial adviser or others who might be acting in a similar role.

Mr. Speaker, this bill also provides more tools for the Securities Commission and the courts to protect the public. Manitoba already leads the country in having given the Securities Commission the power to make orders, to compensate investors for financial losses, which is now the model being followed in other provinces. The Securities Commission will now have a new tool to help keep bad actors out of our capital markets. The bill allows the Securities Commission the ability to recognize orders made in other Canadian jurisdictions against persons who violated securities laws and make appropriate orders against the same persons in Manitoba. In addition, the Securities Commission will also have the power to look behind a corporation and order administrative penalties directly against the individuals who authorized, permitted or acquiesced in the misconduct.

Finally, Mr. Speaker, this bill contains amendments increasing the maximum jail time a judge can order for offences under The Securities Act from two to five years less a day. This sends a message how seriously the government views the integrity of our capital markets and the protection of investors.

With these comments, I am pleased to recommend this bill for consideration.

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, I move, seconded by the Member for Pembina (Mr. Dyck), that debate now be adjourned.

Motion agreed to.

Bill 19—The Government Purchases Amendment Act (Responsible Manufacturing)

Hon. Ron Lemieux (Minister of Infrastructure and Transportation): Mr. Speaker, I move, seconded by the Minister of Water Stewardship (Ms. Melnick), that Bill 19, The Government Purchases Amendment Act (Responsible Manufacturing), be now read a second time and referred to a committee of the House.

Mr. Speaker: Did he do the recommendation of His Honour? [*interjection*]

Motion presented.

Mr. Lemieux: The Government Purchases Amendments Act (Responsible Manufacturing): This bill will enhance in the ethical procurement framework for doing business with the province. We want to ensure that tax dollars are buying goods and services from businesses who value human rights, ethical business standards, respectful labour practices, and environmental standards.

In 2006, Manitoba announced the purchasing policy titled Purchasing of Clothing from Responsible Manufacturers. The policy addressed the issue of clothing manufactured in sweatshops with a focus on uniforms and outerwear. Responsible manufacturing is defined as complying with a minimum set of labour rights set out in the policy, for example: no forced labour, no child labour, and adherence to applicable local laws.

The policy was developed based on similar policy implemented by the City of Toronto. Between 2001 and 2005, Manitoba clothing procurement averaged \$1.3 million to \$1.6 million. Vendors will be required to certify, including subcontractors, that they have read and met the conditions of this policy, and also agree with public disclosure of their names and the location of manufacturing and assembly facilities. Bids would be rejected if certification and disclosure criteria are not met. The policy applies to government departments and several special entities who use procurement services and the Procurement Services Branch for tenders for clothing contracts over \$5,000.

No other North American jurisdiction has similar legislation. Manitoba is the only federal, provincial, or territorial government with this policy, and truly a leader, Mr. Speaker.

There are two Canadian cities, Toronto and Vancouver; four American states, California, Maine, Massachusetts and New Jersey; and three cities, Bangor, Boston and Los Angeles, that have policies. Use of a combination of legislation, regulation, and policy indicates the importance of this principle to government. Regulation allows the flexibility of adding other classes of goods besides clothing to be covered by the policy if required at a later date.

Mr. Speaker, we are pleased, at this time, to be bringing forward this legislation. Thank you.

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, I move, seconded by the Member for Pembina (Mr. Dyck), that debate now be adjourned.

Motion agreed to.

Mr. Speaker: Bill 19, done. We've done that.

Bill 20—The Biofuels Amendment Act

Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines): Mr. Speaker, I move, seconded by the Minister of Conservation (Mr. Struthers), that Bill 20, The Biofuels Amendment Act, now be read a second time and be referred to a committee of this House.

His Honour the Lieutenant-Governor has been advised of the bill, and I table the message.

Motion presented.

Mr. Rondeau: The legislation has three main objectives: to harmonize ethanol policy framework with other jurisdictions, to ensure the biodiesel fuel quality, and enable future biodiesel market development opportunities. What it will do is, it will move to an average-ethanol will move to a cool average ethanol content, which will be beneficial. It'll also move to a grant incentive for ethanol production, and it will also move so that we can produce biodiesel, and move forward in biodiesel to ensure that the people are sure of the quality and make sure we can move forward in the mandate.

I am pleased to recommend this bill for the House for consideration.

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, I move, seconded by the Member for Pembina (Mr. Dyck), that debate now be adjourned.

Motion agreed to.

Mr. Speaker: The hour being 5 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow (Thursday).

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, April 18, 2007

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