

**First Session - Thirty-Ninth Legislature**  
of the  
**Legislative Assembly of Manitoba**  
**DEBATES**  
and  
**PROCEEDINGS**  
**Official Report**  
**(Hansard)**

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Speaker*

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

Member	Constituency	Political Affiliation
ALLAN, Nancy, Hon.	St. Vital	N.D.P.
ALTEMEYER, Rob	Wolseley	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
BJORNSON, Peter, Hon.	Gimli	N.D.P.
BLADY, Sharon	Kirkfield Park	N.D.P.
BOROTSIK, Rick	Brandon West	P.C.
BRAUN, Erna	Rossmere	N.D.P.
BRICK, Marilyn	St. Norbert	N.D.P.
BRIESE, Stuart	Ste. Rose	P.C.
CALDWELL, Drew	Brandon East	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CULLEN, Cliff	Turtle Mountain	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.
GRAYDON, Cliff	Emerson	P.C.
HAWRANIK, Gerald	Lac du Bonnet	P.C.
HICKES, George, Hon.	Point Douglas	N.D.P.
HOWARD, Jennifer	Fort Rouge	N.D.P.
IRVIN-ROSS, Kerri, Hon.	Fort Garry	N.D.P.
JENNISSON, Gerard	Flin Flon	N.D.P.
JHA, Bidhu	Radisson	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar, Hon.	The Pas	N.D.P.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
MAGUIRE, Larry	Arthur-Virden	P.C.
MALOWAY, Jim	Elmwood	N.D.P.
MARCELINO, Flor	Wellington	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McFADYEN, Hugh	Fort Whyte	P.C.
McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
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.
PEDERSEN, Blaine	Carman	P.C.
REID, Daryl	Transcona	N.D.P.
ROBINSON, Eric, Hon.	Rupertsland	N.D.P.
RONDEAU, Jim, Hon.	Assiniboia	N.D.P.
ROWAT, Leanne	Minnedosa	P.C.
SARAN, Mohinder	The Maples	N.D.P.
SCHULER, Ron	Springfield	P.C.
SELBY, Erin	Southdale	N.D.P.
SELINGER, Greg, Hon.	St. Boniface	N.D.P.
STEFANSON, Heather	Tuxedo	P.C.
STRUTHERS, Stan, Hon.	Dauphin-Roblin	N.D.P.
SWAN, Andrew	Minto	N.D.P.
TAILLIEU, Mavis	Morris	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

## LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, October 16, 2007

The House met at 1:30 p.m.

### ROUTINE PROCEEDINGS

#### INTRODUCTION OF BILLS

##### Bill 215—The Mandatory Testing for Pathogens Act

**Mr. Kelvin Goertzen (Steinbach):** I move, seconded by the Member for Turtle Mountain (Mr. Cullen), that Bill 215, The Mandatory Testing for Pathogens Act, be now read a first time.

#### *Motion presented.*

**Mr. Goertzen:** This bill would give paramedics, police officers and firefighters who come into contact with blood or other bodily substances in the course of their emergency duties the right to have that blood or other substances tested to ensure it is free from diseases such as HIV and hepatitis C.

The bill also would apply to victims of crime who come into contact with blood or bodily substances by an assailant and apply also to Good Samaritans who are helping someone at the scene of an accident. The bill is about giving peace of mind to those emergency personnel who protect us and those who have been victimized by crime and corresponds with legislation for other provinces. Thank you.

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

### PETITIONS

#### Provincial Nominee Program

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

The background to this petition is as follows:

Immigration is critically important to the future of our province, and the 1998 federal Provincial Nominee Program is the best immigration program that Manitoba has ever had.

The current government needs to recognize that the backlog in processing PNP applications is causing additional stress and anxiety for would-be immigrants and their families and friends here in Manitoba.

The current government needs to recognize the unfairness in its current policy on who qualifies to be an applicant, more specifically by not allowing professionals such as health-care workers to be able to apply for PNP certificates in the same way a computer technician would be able to.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Premier (Mr. Doer) and his government to recognize and acknowledge how important immigration is to our province by improving and strengthening the Provincial Nominee Program.

This is signed by V. Avillanoza, T. Sarmiento and I. Cruz and many, many other fine Manitobans.

Thank you, Mr. Speaker.

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

#### Neepawa, Minnedosa and Areas Local Hospitals

**Mr. Stuart Briese (Ste. Rose):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

Residents of Neepawa, Minnedosa and the surrounding areas are concerned about the long-term viability of their respective local hospitals. Impending retirements, physician shortages, and the closure of many other rural emergency rooms have caused residents to fear that their health-care facilities may also face closure in the future.

Local physicians and many residents have expressed their support for a proposed regional health centre to service both communities.

It is believed that a new regional health centre would help secure and maintain physicians and would therefore better serve the health care needs of the region.

The success of other regional hospitals, such as Boundary Trails Health Centre, has set the precedent for the viability and success of a similar health centre for the Neepawa and Minnedosa area.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Health (Ms. Oswald), to consider the feasibility of a joint health centre, including an emergency room to service Neepawa and Minnedosa and the surrounding area.

To urge the Minister of Health (Ms. Oswald) to consider sustaining health care services in this area by working with local physicians and the Assiniboine Regional Health Authority on this initiative.

This petition is signed by Kathy Jasiencyk, Mel Goodwin, Robert Walker, and many, many others.

#### **Cottage Owners and Homeowners Access to Property**

**Mr. Gerald Hawranik (Lac du Bonnet):** Mr. Speaker, I wish to present the following petition to the Legislative Assembly.

These are the reasons for the petition:

Due to an ongoing blockade, some cottage owners and homeowners have been unable to access their cottages and homes in eastern Manitoba for several weeks.

These cottage owners and homeowners are extremely frustrated about this lack of access, and they do not appreciate the provincial government's advice that they should have "patience" while no action is being taken to resolve the issue.

These cottage owners and homeowners are very concerned that if they are unable to properly winterize their cottages and homes before freeze-up, costly property damage will ensue.

Cottage owners and homeowners do not want to be held financially responsible for property damages that they could not prevent.

We petition the Legislative Assembly as follow:

To request the ministers of Conservation and Justice to consider taking timely steps to resolve the blockade and to restore cottage owners and homeowners access to their property.

To request the Minister of Conservation (Mr. Struthers) to consider paying compensation to cottage owners and homeowners who suffer property damage as a result of being unable to access their property due to the blockade.

Signed by Rob Nelson, Karen Cook, James Wall and many others, Mr. Speaker.

### **COMMITTEE REPORTS**

#### **Committee of Supply**

**Ms. Bonnie Korzeniowski (Chairperson):** Mr. Speaker, the Committee of Supply has adopted certain resolutions. I move, seconded by the honourable Member for St. Norbert (Ms. Brick), that the report of the committee be received.

*Motion presented.*

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

### **TABLING OF REPORTS**

**Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines):** I'm pleased to table the 2006-2007 Annual Report for the Department of Competitiveness, Training and Trade.

#### **Introduction of Guests**

**Mr. Speaker:** Prior to Oral Questions, I'd like to draw the attention of honourable members to the Speaker's Gallery, where we have with us today Pavel Sarbashev, Division Manager for the Murmansk Shipping Company in Russia, Dmitry Bystrove, Acting Trade Commissioner, First Secretary of the Embassy of the Russian Federation, and Bill Drew, Executive Director of Churchill Gateway Development Corporation, who are guests of the honourable Minister of Infrastructure and Transportation (Mr. Lemieux).

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

### **ORAL QUESTIONS**

#### **Hollow Water Cottage Barricade Land from Cottage Lot Draws**

**Mrs. Heather Stefanson (Tuxedo):** Mr. Speaker, the Minister of Conservation's handling of the Hollow Water blockade issue has been a disaster right from the get-go. The minister claims that his meeting with Chief Bushie over the weekend was a quote, unquote, success, yet the blockage remains. Now the minister appears to be trying to back out of an agreement with Manitobans who entered a cottage-lot draw and were awarded property by this government under that program.

Why did he agree to offer this land to Hollow Water First Nation?

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

Mr. Speaker, first of all, we have had a very successful round of cottage-lot draws that have made a lot of Manitoba families very happy. We have some beautiful areas in this province that Manitobans want to have cottages at.

We identified the subdivisions in question. We contacted the First Nation on numerous occasions to get an idea of their thoughts on this, Mr. Speaker. We moved forward and put those lots available in good faith for people, and we don't want to leave them hanging out to dry, I guess like members opposite would. We have decided that if the ground rules have changed for these people, we're going to help them out.

**Mrs. Stefanson:** Mr. Speaker, I guess it was such a success that now the minister sees fit to back out of the agreement.

The minister needs to be honest and up front with all Manitobans about this issue. He already stated that his meeting with Chief Bushie was a quote, unquote, success. If it was a success, he must have agreed to give Hollow Water First Nation something.

Did he agree to offer the land previously allotted to Manitobans and the cottage lot draw to Hollow Water First Nation?

\* (13:40)

**Mr. Struthers:** No, Mr. Speaker, we did not, and we're not going to leave the cottagers there hanging, as I suppose members opposite would.

**Mrs. Stefanson:** Mr. Speaker, if he has not agreed to do that, then why is the minister trying to back out of an agreement with the cottage owners from the cottage-lot draw? Is it to avoid dealing with enforcing the law perhaps during an illegal blockade? Is that why?

**Mr. Struthers:** The Member for Tuxedo should be listening to answers that have been given on this side of the House consistently from the beginning.

Mr. Speaker, it's all about the law. It's all about the law.

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

**Mr. Speaker:** Order.

**Mr. Struthers:** And I would refer the Member for Tuxedo to the grade 9 curriculum in social studies in the province of Manitoba which clearly should have

taught her the difference between judicial, legislative and executive branches.

This government does not tell the RCMP what to do. We are very confident the RCMP understands what to do and that they will make the best decisions so that people don't get hurt—

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

**Mr. Speaker:** Order.

### **West-Side Manitoba Hydro Line Justification for Location**

**Mr. Cliff Cullen (Turtle Mountain):** Mr. Speaker, the wheels are falling off the west-side line bandwagon faster than you can say bipole.

The NDP is saying if there is an east-side line there will be no UNESCO site. Brian Schwartz says wrong. The NDP say east-side communities don't want the line. George Kemp and Elijah Harper say, wrong. The NDP say that line losses won't be significant. U of M engineering professor Ani Gole says, wrong.

Now, Mr. Speaker, the NDP excuse of the day is to say, the west-side line will pay for itself.

Will the minister admit that an east-side line will also pay for itself and will do so much quicker than a west-side line?

**Hon. Greg Selinger (Minister of Finance):** The president of Manitoba Hydro has said that the difference between an east-side and a west-side line is 16 megawatts, not the enormous number that the members opposite used.

**Mr. Cullen:** Yes, well, we'll see about those figures.

Mr. Speaker, the claim that the west-side line is the way to go because it will pay for itself is just NDP spin.

An east-side line will offer better reliability at less cost, plus it will enable us to export more power. On top of that, all power will have to travel to converter stations in Winnipeg before being exported.

Mr. Speaker, I ask the minister why this government is misleading Manitobans into thinking that a west-side line will export more power than an east-side line.

**Mr. Selinger:** Mr. Speaker, I think the member is misquoting somebody. I don't know who, but the fact of the matter is, we've always said that a longer line

costs more money. That is absolutely clear. It goes through less boreal forest because there is more boreal plain on the west side.

So, the fact of the matter is that a west-side line mitigates three risks. It mitigates risks to reliability because it was as early as 1990 that the former government was asked to increase reliability. They did nothing. We're moving forward with increased reliability.

It mitigates the chance of losing the UNESCO World Heritage designation. Nothing is absolutely certain. Nothing is absolutely certain, Mr. Speaker, but it is clear that, when you intensify the conflict between a UNESCO designation and a bipole corridor, you roll the dice and increase your chances of things going wrong on both counts. And finally, Mr. Speaker—

**Mr. Speaker:** Order.

**Mr. Cullen:** Mr. Speaker, perhaps the member opposite should read the report from Brian Schwartz and the University of Manitoba and get his opinion.

Mr. Speaker, the NDP have a list of excuses 400 kilometres long why they want to build on the extreme west side of Manitoba, but in the end, it comes down to one reason. This Premier (Mr. Doer) fears a fight with Bobby Kennedy, Jr.

Mr. Speaker, we have debunked the NDP phony excuse of the day. Will the minister share with us now tomorrow's excuse of the day so we can save some time and just debunk it today?

**Mr. Selinger:** Mr. Speaker, the third risk that I wish to address, which is the one the member speaks to right now, is the potential risk to our export markets. Over the next 10 years a modest assumption would suggest that we could earn \$5.5 billion from export sales into the United States. The members would like to potentially save \$300 million to \$400 million on additional costs but put at risk \$5.5 billion. That's just bad risk management. It's bad risk management for export markets, it's bad risk management for UNESCO World Heritage designation, and it's bad risk management for reliability where they did nothing for over nine years and we're moving forward, to the great relief of the Hydro corporation.

#### **West-Side Manitoba Hydro Line Justification for Location**

**Mrs. Leanne Rowat (Minnedosa):** I'd also like to speak about the risk. Mr. Speaker, the Island Lake Tribal Council, representing the four Island Lake

First Nations, wrote to the Premier (Mr. Doer) on October 10 expressing extreme dissatisfaction with the NDP's decision to run bipole 3 down the west side. The letter states that the decision is a significant setback to economic potential and opportunity for the First Nations as well as the province of Manitoba.

The trade-off is simply too exorbitant a price to pay. Mr. Speaker, can the Minister of Aboriginal and Northern Affairs (Mr. Lathlin) explain why his government is refusing to listen to long-term residents and the east-side leadership who believe it is immoral to leave east-side residents isolated and in poverty?

**Hon. Greg Selinger (Minister of Finance):** There were extensive consultations done on the east side, and at the time the consultations were done, the overwhelming majority of opinion was that there were major concerns about putting the bipole down the east side. And any acceptance of the bipole down the east side was conditional upon a very significant ownership or revenue-sharing stake in that.

Manitoba Hydro has made it very clear that they do not want their distribution system, their bipole system, to be outside of their control. They see it as part of an integrated system. And the members opposite have been very misleading to the people on the east side. Before the election they created the impression they would share revenues and ownership. After the election, the Leader of the Opposition (Mr. McFadyen) has said: No way. We will not share revenues. We will not share ownership. What is their real position?

**Mrs. Rowat:** I can see the position of this government is not to consult and listen to the Manitobans on the east side. The Island Lake chiefs have said that when deciding where to run bipole 3, the Premier (Mr. Doer) should have factored in the economic benefits to one of the most economically depressed regions of the province.

The chiefs believe that there is a First Nation that is opposed to the project, then accommodations could be made or should be made. They believe that a single opposition should not override other majority interests.

Mr. Speaker, I would like to ask the Minister of Aboriginal and Northern Affairs: Why is his government backing away from a project that could, in the words of the Island Lake chiefs, alleviate poverty?

**Mr. Selinger:** As I said, Mr. Speaker, there were over 80 consultations done on the east side. The Minister of Aboriginal and Northern Affairs was involved in that as were other members of the Legislature. They heard very clearly that there were significant concerns and opposition to a bipole down the east side. They took that advice seriously. We made an announcement in 2004 by the minister of the day, who said that he did not want to go down the east side, based on that consultation. We had an election. The Leader of the NDP said that we did not want to go down the east side, based on that consultation.

The election is over. We are not going down the east side, based on all the best information we have. Of course, some leaders, some chiefs on the east side see the potential benefit of a revenue-sharing or *[inaudible]* stake in that. We completely understand why they would want to have additional economic development for their community.

**Mrs. Rowat:** Mr. Speaker, the Premier (Mr. Doer) said in this House: I'll take my advice from the people of the east side. Well, the Island Lake chiefs are saying that the NDP government had the opportunity to demonstrate real common-sense leadership on the project instead of the decision of the government leaving First Nations and a large part of the public completely disillusioned.

The options are clear, Mr. Speaker: poverty and despair or opportunity and hope. I think that the views of the Island Lake chiefs are pretty clear. If this Premier says he takes advice from the people on the east side, why is he not taking the advice from the Island Lake chiefs?

**Mr. Selinger:** Mr. Speaker, I have mentioned this a couple of times now. There were over 80 consultations done on that side. The overwhelming majority of opinion was against at that time a bipole down the east side or very significant concerns with Hydro trying to do that and a great deal of mistrust.

The only acceptance for an east-side bipole has been conditional on significant ownership and/or revenue sharing on the bipole with First Nations on the east side. Hydro has said when it comes to bipoles, they do not believe in revenue sharing with respect to that. The members of the opposition have themselves said: If you're concerned about poverty, how can you on the one hand say you're concerned about poverty, but no, you cannot have ownership. No, you cannot have revenue sharing. What is your

policy to develop the east side? You have no policy. You're speaking out of both sides of your mouth.

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

**Mr. Speaker:** Order.

\* (13:50)

### **Manufacturing Sales Decrease in Manitoba**

**Mr. Rick Borotsik (Brandon West):** This Finance Minister constantly gets on his hind legs and fools Manitobans with his deceptive illusions and smoke and mirrors. But the truth is, Mr. Speaker, he's not doing a very good job of managing this economy.

Mr. Speaker, the proof is in the statistics, Statistics Canada, actually. The monthly manufacturing survey released today shows that Manitoba is the only western Canadian province to show a decrease in manufacturing sales in the month of August. Manitoba has a decrease of 0.7 percent. Saskatchewan has an increase of 15.4 percent. I wonder why. Maybe Saskatchewan is more business friendly, maybe because Saskatchewan has no payroll tax.

Why is the Minister of Finance letting Saskatchewan succeed at the expense of Manitoba manufacturers?

**Mr. Speaker:** Order. I'd like to remind the honourable Member for Brandon West, with the term of "gets on his hind legs," I don't think that's appropriate for this Chamber. All members in this Chamber are honourable members and all members will be treated as such.

**Hon. Greg Selinger (Minister of Finance):** Thank you, Mr. Speaker. The facts are the member likes to use one-month statistics. We should look at the trend for Manitoba on an overall annual basis. Manitoba is the second in the country in growth and manufacturing shipments, second in the country at over 12 percent. Manitoba's manufacturing shipments have outperformed the national average in the last five or six years. The member opposite, a few Question Periods ago, said we're losing jobs in manufacturing. We are up 4,200 jobs in manufacturing.

The member opposite should not only apologize for his cheap shots, he should apologize for getting his facts wrong and try to put an accurate question on the record—an accurate question on the record.

**Mr. Borotsik:** It seems the Minister of Finance wants to duck and weave. The fact is that Manitoba is losing last month and the fact of the matter, Mr. Speaker, is certainly going to lose in months to come.

This minister, Mr. Speaker, is prepared to stick his head firmly in the sand and not look at the situation that's now evolving. We know that this economy is going to change. We know that this economy is going to change for the worse for Manitoba. We know that the same old policies that this minister has espoused in this House are not working.

I would like to know now: Is he going to take some action or is he going to sit back, Mr. Speaker, and watch Manitoba fall further and further behind in the future?

**Mr. Selinger:** Mr. Speaker, the member ignored the information I put on the record, second largest growth in manufacturing in the country this year, five out of the last six years, above the Canadian average, 4,200 jobs more.

What policies have we put in place to aid manufacturing? We've reduced the corporate tax, we've reduced the small business tax, we've increased the manufacturing investment tax credit to 50 percent refundable for the first time in the history, we've had a rapid write-down of depreciation for the acquisition of new equipment and technology and we've lifted the threshold on the payroll tax, measures members opposite never took in the entire period of time they were in office. Members opposite are green with envy of what we've done to help manufacturing in this province.

**Mr. Borotsik:** What part does the Minister of Finance not understand? In August of this year, Mr. Speaker, not five years ago, not 10 years ago, but of August this year Manitoba had a reduction of 0.7 percent in manufacturing sales. That's a reduction.

Even with all of what he's done, Mr. Speaker, what he thinks he's done, we had a reduction. Saskatchewan had an increase—are you ready for this? An increase of 15.4 percent at the same time. They're eating our lunch, they're eating our breakfast. They're beating us to the punch, and this minister can sit on his laurels all he wants, but we're losing the battle.

**Mr. Selinger:** Mr. Speaker, if being the second best in the country is losing the battle, we're the second

best in the country. Our manufacturing and capital investments are expected to be up 30 percent this year. Six times, six times—

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

**Mr. Speaker:** Order. I can't hear a thing. Let's have a little decorum here. I need to be able to hear the questions and the answers in case there's a breach of a rule, so I ask the co-operation of honourable members, please. The honourable Minister of Finance has the floor.

**Mr. Selinger:** Not only have we reduced the corporate capital tax which was the highest in the country and taken it down, not only have we reduced corporate tax rates from 17 percent going down to 12 percent, not only have we made the 50 percent investment tax credit refundable; we've done that in two terms, just starting in our third term.

I note Saskatchewan has had an NDP government for four terms. I can assure you, by the time we get to our fourth term, we'll be doing equally as well as Saskatchewan because they've had the right kind of government.

#### **Seven Oaks School Division Land Development Accounting**

**Mr. Ron Schuler (Springfield):** Mr. Speaker, the Auditor General has said that she does not consider herself the Legislature's watchdog. She presents the facts, and the facts are the Seven Oaks School Division land development scheme shows two sets of financial statements: a surplus of \$512,000 on one set of books and a cost of \$819,000 on the other, thus a loss of over \$300,000. In the end, either Manitobans or Seven Oaks School Division taxpayers, or both, will be forced to pay.

I ask the Minister of Education: Who will be held accountable for the \$300,000 scandal at the Seven Oaks School Division?

**Hon. Peter Bjornson (Minister of Education, Citizenship and Youth):** Indeed, the Auditor General's report has been clear on a number of issues. Members opposite have been caucusing on the grassy knoll on this particular issue, Mr. Speaker, cooking up conspiracies all the way along the way. They've talked about the loss of revenues when, in fact, the Auditor General has said that the school division made \$512,188.

The members opposite suggested that there were people higher up who were aware of the goings on. The Auditor General has debunked that.

Members opposite should be careful about the facts as they like to interpret them, Mr. Speaker, because the Auditor General has been very clear with this particular issue, and we look forward to implementing all the recommendations that have been brought forward.

**Mr. Schuler:** NDP math is when you have a loss, that's a gain.

Mr. Speaker, former members of Public Schools Finance Board collectively have donated some \$7,000 to the NDP. There was Ben Zaidman, Glenn Nicholls, Mary Annes, Howard Mathieson, all very good friends of the NDP.

Over at the Seven Oaks School Division, Brian O'Leary, disgraced NDP campaign manager, has donated over \$4,000 to the NDP since 1999; and also Ross Eadie, former school board trustee, who has donated over \$1,200 since 1999.

I would like to ask this Minister of Education: Who is being held accountable for the loss of taxpayers' dollars? Or is the question, perhaps: How much has to be donated to the NDP so that you get a get-out-of-jail-free card?

**Mr. Bjornson:** Once again, Mr. Speaker, the caucus in the grassy knoll. You know, the conspiracy theories that they continue to twist and turn here, from the members who are held accountable because of the Monnin inquiry. I find it quite fascinating that they would raise this in the House. We have changed the law.

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

**Mr. Speaker:** Order.

**Mr. Bjornson:** Thank you, Mr. Speaker. We were the government that changed the law with respect to accountability and disclosure on contributions to political parties with banning corporate donations, banning union donations.

The Auditor General's report is clear. There was a profit made, Mr. Speaker. Members opposite perhaps don't understand the math. There were two sets of financial statements, one set of books. The two sets of financial statements were for clarity.

\* (14:00)

**Mr. Schuler:** Mr. Speaker, two sets of financial statements on the same set of books. So you can basically choose which one you want, depending on what your spin is. On the one hand, there's a surplus of \$512,000. On the other set of books, it shows it

costs you \$820,000 to make the \$512,000, which is a loss.

The question is clear. There is a problem at the Seven Oaks School Division that was laid out by the Auditor, that was laid out by the Auditor General. The question Manitobans want to know is who's going to be held responsible. Who is going to be held to account?

Or is it that they are friends of the NDP? They were donors of the NDP so they get out of any kind of difficulty with this government. Who's going to be held accountable?

**Mr. Bjornson:** Well, Mr. Speaker, during Estimates process, the member was asking a series of questions. The member kept talking about two sets of books. Well, as I explained several times, there's two sets of financial statements from one set of books for the purpose of clarity.

Evidently, this caused some confusion and I must apologize that the member is confused about this, but the financial statements were prepared for clarity with respect to the school property and with respect to the investments that were made in the subdivision. Clearly, that is an asset worth over \$800,000. The member needs to, perhaps, revisit his own math here because the Auditor General has said that money was made from this transaction.

### **Trans-Canada Highway Opening Twinned Sections**

**Mr. Larry Maguire (Arthur-Virden):** Mr. Speaker, I received word this morning of a head-on collision on the Trans-Canada Highway near Hargrave, Manitoba, that claimed the life of a 21-year-old Carman man and left his sister injured.

While motorists wait, the accidents, injuries and fatalities continue to mount. This death occurred on a stretch of 11 kilometres of Highway 1 that has been paved for the last 15 months but never opened by this NDP minister and his government. Will the minister open this 11 kilometres of highway today?

**Hon. Ron Lemieux (Minister of Infrastructure and Transportation):** Well, Mr. Speaker, it's regrettable someone had to die in an accident on our highways and any accident, even one, is far too many, quite frankly. Safety is a real concern for this government and it always has been.

It's regrettable that the member opposite wants to politicize it. They've done this before. When a child dies in Manitoba, they politicize the issue. A person

died on our highways and that's truly tragic. We feel a great deal of sympathy and remorse for the family and all the loved ones. It's regrettable they have to raise issues like this and try to make a political issue out of it.

**Mr. Maguire:** Mr. Speaker, I'd like to table the questions that I've put on this issue in the House on June of '07 and September of '07.

Tragically, this is not the first time I've risen in this House this year to report on the fatality of this untwinned section of No. 1 highway that hasn't been opened. As part of the Trans-Canada Highway twinning project, there are 11 kilometres of paved highway that's been finished for 15 months, yet never been opened by this government. It's just laying there, Mr. Speaker. Surely, by opening this completed section, it would help protect the safety of the motoring public.

If this government continues to dither and to put lives on the line—what's holding this minister up, Mr. Speaker? Are they waiting to do a ribbon-cutting with their comrades from Saskatchewan? Well, they are too late.

I again ask the Minister of Infrastructure: How much is a ribbon-cutting worth when lives continue to be lost? Will the minister of transport open this twinned, unopened section of No. 1 highway today?

**Mr. Lemieux:** Again, Mr. Speaker, it is regrettable someone died on this stretch of highway.

But an accurate point that the member opposite did make is that, yes, we built it and we did it, compared to others. The companies that are working on that highway are continuing to work on it and it's almost completed, as he mentioned, but the engineers within the department have made recommendations to the minister. I know the member opposite would like to overrule any engineers or any professionals that would give him advice.

Mr. Speaker, just on another note, that member opposite is the one where the Leader of the Opposition (Mr. McFadyen), during the election campaign made mention of yanking all the funds out of northern Manitoba and putting them to the south, right in his constituency. It's regrettable that's the kind of a critic that there is in this House, to politicize an issue like this—

**Mr. Speaker:** Order.

**Mr. Lemieux:** —and not stand up—

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

**Mr. Maguire:** Mr. Speaker, he can open it today. There are many mile-line crossings in place on that 11-kilometre stretch of road where traffic could be detoured today, stoppages like the one the minister has had in place at Portage la Prairie for the past year.

I repeatedly warned this minister and this government in the House that they could reduce the risk of accidents and deaths on this 11 kilometres of paved highway, unopened for the last 15 months. Where are their priorities? All the money in the world won't help this young man and his family. It's been eight years, and in spite of our record-high transfer payments, the twinning still isn't complete.

Will the minister open this section of highway today? Why wait another day, Mr. Speaker? It's been 15 months that this road has been sitting unused. It's been finished. He's been warned many times. It's nothing to do with engineers. Open it today.

**Mr. Lemieux:** It has everything to do with the engineers, Mr. Speaker, everything to do with engineers. It's engineers that have given recommendations to this government, to me as the minister, and I will take their advice. I will certainly take their advice over that member opposite's any day.

And, Mr. Speaker, we're the government that has made this Highway No. 1 a priority in the province of Manitoba. Not only are we rebuilding it, the Highway No. 1, and twinning it to Saskatchewan, we're also doing Highway No. 75, No. 16, No. 6, and many other highways in the province of Manitoba. And that's the commitment we've made to the citizens of Manitoba.

This highway will be safe. It'll be a safe highway, and the stretch of road we're talking about will be open shortly with the recommendations of the engineers, not the member opposite making politics of someone who had to die and has died on this particular stretch of the highway. Didn't have to die but regrettably did die on this stretch of road.

And we won't take the advice of the member opposite.

### **Antibiotic Prescriptions Inappropriate Rates**

**Hon. Jon Gerrard (River Heights):** A question to the Minister of Health.

The *Canadian Medical Association Journal* of October 9 highlights the fact that there's a very significant level of inappropriate prescribing of antibiotics by physicians. In a study of more than a hundred thousand incidents in Québec, inappropriate prescribing rates of from 22 percent to 43 percent were found. There's no reason to believe Manitoba is different. The problem may be occurring for a number of other classes of drugs as well.

So I ask the Minister of Health: Can she provide to the Legislature today the amount in public dollars spent each year on drugs which are prescribed inappropriately? How many millions of dollars of our health-care dollars is the minister wasting because drugs are being used inappropriately?

**Hon. Theresa Oswald (Minister of Health):** I'm a little surprised at the member opposite's question. I would think of all members in the House that the member opposite would be acutely aware that it is indeed professional doctors, medical-trained doctors, that do prescribing for patients in Manitoba and indeed across the world.

While we work together with the College of Physicians and Surgeons, we work with regional health authorities and with Manitoba Health to ensure that all that we can be doing to improve patient safety is at the fore of all that we're doing every single day, we know the doctors are the ones who take the greatest care in the prescribing of medication, and we rely on doctors to do that.

**Mr. Gerrard:** Why doesn't the minister have any standards? She doesn't even have any guidelines in this respect. I mean, this is a situation where the minister and her government are spending many millions of dollars on inappropriate medications. At the same time, many Manitobans are suffering because they don't have access to the public funding for treatments which have been demonstrated to make a major improvement in health care.

For example, Rituxan, for the maintenance treatment of lymphoma; Avastin, for colon-rectal cancer; insulin pumps, for diabetics. Why is the minister wasting large amounts of public money on inappropriate medications while at the same time limiting public dollars and support for medications which have demonstrated to make a major difference and improvement in health care?

**Ms. Oswald:** The member opposite, in suggesting to the people in our health-care system that there is no accountability in place is simply wrong. And again,

it's quite jarring that a physician himself would make such a statement. Certainly, since coming into government in 1999, many initiatives have occurred to ensure that patient safety is at the fore. Many forms of accountability through Pharmacare are in place. Many forms of assessment and evaluation are in place through the College of Physicians and Surgeons.

The member opposite also well knows that we rank second in Canada for the funding of cancer drugs, and he also knows that we are the No. 1 Pharmacare program in Canada according to CIHI.

\* (14:10)

### **Crocus Investment Fund Winnipeg Goldeyes Investment**

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, if you will, imagine if you were a Crocus shareholder, someone who's invested a life savings in a Crocus Investment Fund, in part because of what the government wanted them to do. Then you watch the news and you hear of the Winnipeg Goldeyes and the sweetheart deal that is provided to the Winnipeg Goldeyes. The question has to be one of frustration as they try to understand why it is they don't have any money coming to them, and then they see the type of sweetheart deal that has been provided. You have to begin to wonder, what has the Doer government done to protect the interest of the Crocus investors?

My question to the government is: Is there any minister that was aware of the agreement between the Winnipeg Goldeyes and Crocus Investment?

**Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines):** Mr. Speaker, I'd like to inform the member that that investment was made June 2, 1999. The other thing is that we were not responsible for the due diligence of that investment. They did their own due diligence.

### **Northern Healthy Food Initiative Progress of Program**

**Mr. Gerard Jennissen (Flin Flon):** Mr. Speaker, my question is for the Minister of Agriculture, Food and Rural Initiatives.

As we salute World Food Day, we recognize that the cost of nutritious food in remote northern communities poses serious challenges to people on fixed incomes. How is the Northern Healthy Foods Initiative meeting this challenge?

**Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives):** Mr. Speaker, I thank my colleague the Member for Flin Flon for this question because it is a very important issue for northerners. Since we've been in office, this government has been committed to promoting access to healthy and nutritious food, and we've been doing that in several ways.

We've been doing that by promoting gardens in more communities. In fact, the number of gardens in communities has grown from 18 last year to 27 this year. Today there's a program being held in Thompson where we are looking at ways to promote further food production in the north, whether it is programs like raising chickens in the north or greenhouses in the north, freezers in the north, so people can store these products better and get away from the high transportation costs and have high quality food.

#### **Car Immobilizers Permits for Relocation for Installation**

**Mr. Larry Maguire (Arthur-Virden):** Mr. Speaker, last week's *Brandon Sun* also recorded a front page story of this NDP government's mismanagement. A constituent now living in Boissevain had her car fail a required safety for licensing and registration after moving here from Saskatchewan, only because it didn't have an immobilizer, a prime example of the NDP penalizing victims rather than the criminals.

Because the Boissevain inspection facility doesn't install immobilizers, this government's decision forced her to go to Killarney in an uninsured, unregistered vehicle to the nearest facility for installation.

Will the minister announce that permits may be issued for movement of such vehicles for the installation of immobilizers in such circumstances?

**Hon. Dave Chomiak (Minister of Justice and Attorney General):** Mr. Speaker, in conjunction with the federal government who made mandatory immobilizers in all new vehicles that consumers have to pay for, we put in place a program with MPI for MPI to pay for the cost of installation of immobilizers so individuals will have less risk to their life and property.

We did that, Mr. Speaker—there had been some movement towards that because I talked to some of the family members of the woman that was killed at the corner of McGregor and Cathedral, and drove by

every day and thought, that is something we can do to maybe prevent another tragic death on our highways.

**Mr. Maguire:** Well, Mr. Speaker, obviously the minister missed the question. I'd like him to listen very closely.

This person from Boissevain is of limited means living in Manitoba Housing with her three children, trying to start anew in Manitoba. Temporary permits cannot be issued once a vehicle fails an inspection. If this mother of three had gotten the immobilizer installed first, her car would have passed the safety, no problem, but she was unaware of this NDP policy of penalizing victims rather than the criminal. This is no way to welcome a new citizen to Manitoba. Distances and costs of tow trucks are greater in rural areas, Mr. Speaker.

Will the minister, today, make provisions for permits for such vehicles to be driven to installation facilities or is he even aware of this mismanagement?

**Mr. Chomiak:** Mr. Speaker, first off, MPI makes provision for a 90-day period, I believe, with respect to a condition of a—installation or the conditional permits that are done.

Secondly, MPI requires immobilizers only in certain vehicles within the city of Winnipeg or within a certain radius of the city of Winnipeg.

Thirdly, Mr. Speaker, when we have to do—*[interjection]* Members opposite criticize the immobilizer program, but their own Minister Cannon in Transport Canada said it was an effective way to protect the public, Minister Cannon, the federal minister, when he brought in the mandatory program that consumers have to pay for. At least in Manitoba, MPI pays for the program so people can have it installed, as opposed to the federal program that forces people to have to pay for it all.

**Mr. Maguire:** Mr. Speaker, we know, as this person knows, that there's a 90-day window when you move into the province that you can get a permit to get your car safetied. But when it fails the safety, there is no process to allow you to move it to a facility, and there are only five in western Manitoba that you can get immobilizers installed.

So, all I'm asking is: Would the minister provide a permit for a person who actually goes and does the

right thing first, and gets their vehicle inspected, to be able to move it to where they can get the immobilizer installed. Will he do that?

**Mr. Chomiak:** If I understand the member correctly, the member is saying if a vehicle fails a safety, they should get a permit to be able to drive the failed safety vehicle to another location. If that's what the member is saying, I think the member is off-track. If the member is saying that they should be permitted, if it's an immobilizer that's the issue—if it's an immobilizer that's an issue, should they have the ability to do that? I think that's reasonable.

But, Mr. Speaker, members opposite are mailing out to all their rural constituents about the immobilizer program, how bad it is, when they know auto theft is down in Winnipeg 25 percent. Why are you not raising that every day? Because we're finally doing something about it. They know it, and the public knows it.

#### **Emergency Room Service Closures Rural Manitoba**

**Mr. Stuart Briese (Ste. Rose):** Mr. Speaker, the Minister of Health has repeatedly stated no emergency room services have been cut in the province during this government's term in office. For the second time this summer, notice has been sent out stating that there will be no acute care and clinic services at McCreary-Alonso Health Centre from October 9 to October 25.

When will the Minister of Health put a public policy in place that will address the periodic closing of rural acute care and clinic services?

**Hon. Theresa Oswald (Minister of Health):** I'll correct the record for the member opposite. I have said on occasion in response to what I can only call the irresponsible fearmongering of the Member for Charleswood (Mrs. Driedger) in speaking about the Grace Hospital, frightening seniors and families and saying that it would close, repeatedly. I'm still waiting for her public apology to the people of west Winnipeg. But I did say that no emergency rooms in Winnipeg would close.

In addition, I have also said that we would have challenges from time to time in rural Manitoba. We want to ensure that the safety of patients is No. 1 in rural Manitoba. That's why we're working hard to bring more doctors to rural Manitoba.

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

## **MEMBERS' STATEMENTS**

### **Canadian Foodgrains Bank**

**Mr. Cliff Graydon (Emerson):** Mr. Speaker, the Food and Agriculture Organization of the United Nations began World Food Day in 1979 to recognize basic human rights to access healthy food. Manitoba is doing its part to fight poverty and hunger, and on behalf of the Progressive Conservative caucus of Manitoba, I would like to congratulate all the community food champions who were celebrating this morning at the Manitoba Food Charter Golden Carrot Awards. Each of them is doing their part in a variety of ways to contribute to Manitoba's outstanding food production.

We have so many charitable organizations and dedicated individuals across Manitoba and Canada who fight hunger today. I would like to recognize one charity that I have supported and worked with for many years. Mr. Speaker, this summer the Canadian Foodgrains Bank marked a great achievement. It supplied one million tonnes of food to people around the world who are currently dealing with hunger. It is enough food to sustain twice the population of Canada for a month.

The mission of the Canadian Foodgrains Bank is to end hunger in the world. Its work could not be accomplished without the support it receives from public donations of money, grain, time and commodities. Among the generous donors and volunteers are Manitobans. In addition, there are 15 faith-based agencies involved in the Canadian Foodgrains Bank programming, including two new members that have recently joined this summer. The Canadian Catholic Organization for Development and Peace, and Primate's World Relief and Development Fund of the Anglican Church of Canada are now assisting this worthy cause.

Over 800 million people still lack sufficient food. Every contribution increases the number of individuals who will benefit from the work of this valuable organization. Seventy-four countries have received support from the Canadian Foodgrains Bank since its creation in 1983.

Mr. Speaker, on World Food Day I would like to congratulate staff, volunteers, donors and partners of Canadian Foodgrains Bank for all their hard work and noble effort to the end of hunger facing many people in the world.

\* (14:20)

**Ethan Kendrick**

**Mr. Gerard Jennissen (Flin Flon):** Mr. Speaker, cadets serve our communities with large hearts and determined minds.

I wish to recognize one special cadet from both the city and the constituency of Flin Flon who has gone the extra mile in his studies, in his unit and in his community.

Ethan Kendrick was awarded the Hubbell Award for his outstanding service as a cadet. The Hubbell Award is open to any cadet in good standing who is also a full-time student. Apart from the formal requirements, winners of the Hubbell Award must show they are both academic achievers and in top physical shape. Encouraging cadets to be good citizens is one of the goals of the Hubbell Award. Skills such as leadership among cadets and leadership in the wider community are key to deciding factors in selecting a Hubbell Award winner.

Ethan is an excellent example of all these qualities. He has completed the Army Cadet Leader Instructors course and is qualified as a Gold Star Cadet. Mr. Speaker, Ethan received a Gold Level in the Canada Fitness Test while maintaining excellent grades and sitting on the Hapnot Collegiate School Council.

The Hubbell Award is not the first award for Ethan. He was also awarded the Lord Strathcona Medal and the Legion Medal of Excellence.

I look forward to seeing what type of positive future this inspiring young man will create for himself. I understand he is considering a career in law enforcement. He is an outstanding role model for other cadets and for youth in every corner of the Flin Flon constituency.

In Manitoba, Mr. Speaker, cadets come from every riding and every walk of life; from Aboriginal peoples, to new Canadians, to youth who descended from the first European families who called Manitoba their home. All make up the ranks of the 3,000 cadets in the province. Cadets are making a positive difference in neighbourhoods right across Manitoba.

I would ask that all honourable members join me in congratulating Ethan Kendrick for his exemplary service to his unit and to his community. Well done, Ethan.

Thank you, Mr. Speaker.

**2007 Special Olympics World Summer Games**

**Mr. Cliff Cullen (Turtle Mountain):** Mr. Speaker, the 2007 Special Olympics World Summer Games were held from October 2nd until the 11th, in Shanghai, China. Canada brought a strong and united team of 83 gifted athletes from across the country to the World Games. Each Team Canada athlete qualified while at the 2006 Special Olympics National Summer Games in Brandon, Manitoba. After that time, they continued to train in their hometowns in preparation for the World Games.

Mr. Speaker, 2006 marked the first year that Manitoba hosted the Special Olympics National Games. Over 1,000 Canadian athletes competed for 83 spots on Canada's national team. This year Team Canada sent these athletes to Shanghai to compete alongside 10,000 athletes, coaches and delegation members from more than 160 countries around the world.

Mr. Speaker, these athletes are truly extraordinary. In addition to their vigorous physical programs, they also follow strict nutrition guidelines to ensure that they are in the best physical shape for the World Games. The Special Olympics World Games allowed athletes to showcase their sport abilities on the international scene. Team Canada athletes competed in seven events and earned 112 medals over the nine days of competition. This is an incredible accomplishment for these exceptional athletes.

The individual commitment to train for the World Games is truly admirable. These athletes have a drive and a passion for sport like no other, and they have contributed to the success of this event time and time again. Mr. Speaker, I ask the members here today to congratulate the achievement of our Special Olympics athletes.

I would also like to recognize the dedication of the hundreds of volunteer coaches and mission staff that accompanied the athletes to Shanghai. Without their commitment and perseverance, the event would not have been possible.

On behalf of all Manitobans, congratulations to Manitoba's athletes who did their best to represent our province so well to the world. Thank you.

**College Expansion Initiative**

**Mr. Drew Caldwell (Brandon East):** Mr. Speaker, as Minister of Education and Training, I was proud to launch the Doer government's historic

College Expansion Initiative in 1999-2000. This unprecedented investment in Manitoba's college system has seen the development of Red River College's historic downtown Princess Street campus in the Winnipeg Exchange District, the development of Manitoba's University College of the North, and most significantly for western Manitoba, the historic development of Assiniboine Community College at the former Brandon Mental Health Centre campus on Brandon's north hill.

Mr. Speaker, the development of ACC at BMHC will utilize the most outstanding collection of monumental heritage architecture in our province to transform Assiniboine Community College into a world-class campus which will attract generations of young people to our province for their post-secondary studies.

On October 5, Mr. Speaker, I was privileged to join with the Minister of Advanced Education and Literacy (Ms. McGifford) as well as the president and chair of Assiniboine Community College in presiding over the official opening of the Manitoba Institute of Culinary Arts. Located in the former BMHC nurses' residence, a designated provincial heritage site, the Manitoba Institute of Culinary Arts combines the beauty of an architecturally stunning building with state-of-the-art technologies that will help secure ACC's central role in the economic future of our province.

This enviable educational setting, the first phase of the ACC-at-BMHC development, includes a teaching kitchen, wired classrooms, a dining room, banquet facilities, hospitality suites, faculty offices, a culinary theatre, a wine cellar, and a tasting suite as key components. Mr. Speaker, this \$6-million, post-secondary capital project is just one example of how the Doer government is committed to western Manitoba and to supporting Manitoba's youth in the pursuit of world-class educational opportunities.

I am proud that Assiniboine Community College is centred in my home constituency of Brandon East and honoured to congratulate all who have worked so hard to make this historic development a reality. Thank you, Mr. Speaker.

#### **The Maples Constituency Nomination**

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, I stand today because I want to put the Premier (Mr Doer) on notice that, unfortunately, his inability or refusal to ask questions of me in regard to The Maples nomination. What I've done is I've taken the

opportunity to challenge the Premier to come out to Concordia. I've booked the library. It's the public library on Monroe. The date is Monday, November 5. I hope the Premier will join me and his constituents and try to answer. If he refuses to answer the questions here, maybe he might be more inclined to be there, be present, and answer questions directly from his own constituents.

I am not scared to go into his constituency, Mr. Speaker, to talk about this issue publicly. I wonder if the Premier will accept the challenge. Now, he might say that he doesn't have the time. He might be too busy, so I will be indicating on the leaflets that we're circulating that any NDP MLA is welcome to attend to represent the Premier if he is unable to be there.

Mr. Speaker, there's the challenge. It's Monday, November 5, 7 p.m., at the public library on Monroe. We'll see if there is any New Democratic MLA, hopefully the Premier, that has the courage to be able to be there to defend their lack of actions in regard to the whole Maples nomination, and they'll be able to talk about whatever they want. They will be afforded equal time to state their case. Thank you.

\* (14:30)

### **ORDERS OF THE DAY (Continued)**

#### **GOVERNMENT BUSINESS**

##### **House Business**

**Hon. Dave Chomiak (Government House Leader):** Mr. Speaker, I'd like to announce that the Standing Committee—

**Mr. Speaker:** Order. I can't hear. Order.

The honourable Government House Leader, with House business.

**Mr. Chomiak:** Mr. Speaker, I'd like to announce that the Standing Committee on Crown Corporations will meet on Thursday, October 25, 2007, at 7 p.m., to deal with annual reports from Manitoba Hydro for the following years: March 31, 2003; March 31, 2004; March 31, 2005; March 31, 2006; March 31, 2007.

**Mr. Speaker:** It has been announced that the Standing Committee on Crown Corporations will meet on Thursday, October 25, 2007, at 7 p.m., to deal with the annual reports for Manitoba Hydro for the following years: March 31, 2003; March 31,

2004; March 31, 2005; March 31, 2006; and March 31, 2007.

**Mr. Chomiak:** Mr. Speaker, on House business, I wonder if you might call second readings of Bill 4, that is The Real Property Amendment Act; Bill 8, The Public Schools Amendment Act; Bill 10, The Family Maintenance Amendment and Inter-jurisdictional Support Orders Amendment Act; Bill 14, The Government Purchases Amendment Act; Bill 15, The Biofuels Amendment Act; Bill 22, The Medical Amendment Act; Bill 19, The Fair Registration Practices in Regulated Professions Act; Bill 20, The Planning Amendment Act, and in the order that follows therefrom.

**Mr. Speaker:** Okay, bills will be called in this order, for second reading: 4, 8, 10, 14, 15, 22, 19, 20, 5, 6, 7, 9, 11 and 21. If there is time, we'll call the rest of the bills in the order that they stand.

## SECOND READINGS

### Bill 4—The Real Property Amendment Act (Wind Turbines)

**Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines):** Mr. Speaker, I move, seconded by the honourable Minister of Education, Citizenship and Youth (Mr. Bjornson), that The Real Property Amendment Act (Wind Turbines) now be referred to a committee of this House.

**Mr. Speaker:** It has been moved by the honourable Minister of Science and Technology, seconded by the honourable Minister of Education, that Bill 4, The Real Property Amendment Act (Wind Turbines), be now read a second time and be referred to a committee of this House.

**Mr. Rondeau:** Mr. Speaker, in the interests of expediency, I will refer the House to my second reading speech on November 27, 2006. The bill was presented then and is being reintroduced the same.

**Mr. Cliff Cullen (Turtle Mountain):** Mr. Speaker, I just want to take this opportunity to discuss Bill 4. As we know, Bill 4 is an amendment to The Real Property Act. Quite frankly, it appears this particular bill is just a bit of housekeeping. It's something that this particular government didn't think of a few years ago when we talked about developing wind farms in Manitoba. So, really, it addresses an issue that really, I think, has to be addressed in terms of the legalities surrounding wind farms across the province. So, in

essence, the bill is fairly straightforward, a very, very minor nature. It does amend The Real Property Act as it makes it relevant to wind farms and hopefully our future development of wind farms in Manitoba.

It is kind of a sign of this government, though, that it's a bit of a crisis management mode in terms of legislation because it's really something that should have been thought of, as I said, several years ago when the idea and the concept of developing wind farms in Manitoba was brought forward. I guess what's happened here, the government has enacted a policy on developing wind farms and then basically turned the actual development of wind farms over to Manitoba Hydro. So the Crown corporation is actually acting on behalf of the Province in terms of their policy direction in terms of wind farm development in Manitoba.

I guess I should, first of all, point out we're certainly happy and quite excited about the successful development of the first wind farm in the St. Leon area of Manitoba. I know, just coming into Winnipeg yesterday morning, I had the opportunity to travel that particular stretch of highway, and it is quite a sight when you come on top of the hill, the crest of the Pembina Valley, and you see the windmills there in action. It is quite an impressive sight. I know the community has certainly embraced the development of the wind farm in that particular area and I know, actually, there are a lot of other communities throughout Manitoba that are seriously looking at developing wind farms across the province.

Recently, there have been some naysayers, if you will, in terms of developing wind farms in particular areas. I think it's fair that we have that discussion and open dialogue about wind farm development across Manitoba. But I think, when sound reasoning comes into play, and, Mr. Speaker, I think a lot of people will see the benefits that wind farms do provide to a local economy. I guess it's not just the fact that with these facilities, once they're put up, there is certainly an increase in the land values, and there's certainly an increase in terms of the municipal assessment on that particular property. So it has a real benefit for the municipalities that are involved in these developments. It really acts as an extra source of revenue for them to deal with their infrastructure requirements, and that I think is why you see a lot of municipalities, towns and cities actively trying to engage private companies in coming to their communities to establish wind farms.

As you know, Mr. Speaker, it is quite a long process that commercial developers take in terms of developing a wind farm. Of course, they have to go out and sign an agreement with a local producer, a landowner there, to use his particular, or her particular, piece of property for future development. So a lot of the legwork has to be done in advance before the actual proposal goes to Manitoba Hydro.

I think what this bill addresses, too, is some of the concerns that both the landowners would have and also some of the concerns that the companies that are going to invest in the wind farms would have. So, in essence, what this particular bill does, it gives title of the structure itself, this is the wind turbine structure itself, to the interested parties, and that may be, of course, the company that has erected the tower itself, the people that actually put the money up to build the tower, or it may of course be the people that are operating the respective wind farms. So, what it does, it gives those people clear title to those particular structures in which they would have a vested interest.

Previous to having this bill implemented, that particular right, if you would, would be added to the landowner's title. Any associated liens or encumbrances that would be attached to the wind turbine structure itself would also be associated with the title on that particular land. So this will really clarify those situations. I'm assuming, going forward, that the minister has addressed the situation where we do have the existing wind farm, wind turbines, on a number of property titles throughout the St. Leon area now. So, hopefully, those situations, where we can now take those towers, and the rights associated with those, off those particular land rights, property rights, those things can be done in the future, and they can be adjusted accordingly so that the proper people who have an interest in those particular properties are addressed going forward.

\*(14:40)

As I mentioned, this particular wind farm is a result of \$200 million of private money that was used to develop this particular site. So we know that there is a great deal of interest around the province. I think there's somewhere close to 80 proposals that Manitoba Hydro is now reviewing, and they're reviewing that with the expectation that there'll be another 300 megawatts of wind energy announced here in the province of Manitoba. We're hoping that, of course, will go forward fairly quickly. There are a lot of communities, a lot of landowners and

obviously a lot of interested private companies that are interested in moving the issue forward, but we're just waiting for Manitoba Hydro, at least we think it's Manitoba Hydro, to make that decision going forward.

But, given this government's past history, we're just wondering what kind of political involvement might be being made in terms of this decision to bring three more wind farms on-stream. We know, Mr. Speaker, the Province wants to have a total of 1,000 megawatts of electricity generated from wind turbines. Again, we don't have any real time frame in terms of when all those wind farms will be developed, but we're certainly hoping that Manitoba Hydro or the government will make some announcement on these next three wind farms in the very near future because it has been going on for quite some time. I think it's been 23 months since the Province called for the expressions of interest, and we think that they should have had ample opportunity to assess those proposals.

Quite frankly, Mr. Speaker, the other issue that's come forward from a lot of proponents is really talking about the transparency of that particular process. We, of course, on this side of the House, believe it should be open, should be accountable, and a very transparent process in terms of how these applications are put forward, and also be very transparent in how those decisions are made going forward so that we have a clear understanding of why certain communities were selected to have wind farm development. As we know with the history of this particular government, a lot of those decisions are made behind closed doors, and we're certainly afraid that it may be based on political reasoning instead of sound financial implications, of course.

Really, this whole wind farm development is a win-win in my view, for Manitoba Hydro as well, because Manitoba Hydro will actually force the proponent to pay for all the associated hook-ups when they go to hook into the Manitoba Hydro power lines. So Manitoba Hydro then, everything is set up, established. The structure, the grid is all set up and established on the backs of the proponent. So, then, Manitoba Hydro can come along and buy the electricity from the proponent, whoever the company would be.

We're not exactly sure what that rate is either, Mr. Speaker. Those are some of the unknowns. Hopefully, with the committee coming up in the near future, that might be one of the opportunities for us

to discuss that particular situation with Manitoba Hydro.

Then, in turn, Manitoba Hydro can turn around and they can export that particular electricity to our neighbours to the south, or wherever it may be. So I think it's a tremendous opportunity. Manitoba Hydro does not have to invest money directly, so we're not adding \$200 million of debt to Manitoba Hydro. I think that's very important for future generations of Manitobans, Manitoba taxpayers and Manitoba Hydro users at large.

*Ms. Sharon Blady, Acting Speaker, in the Chair*

The other issue that we're talking about here, which I think is very significant in relation to this bill as well, is the proposal of the government, because it is a government proposal, to build a new transmission line in Manitoba, Madam Acting Speaker. The idea is to build this huge bipole 3, if you will, on the extreme west side of Manitoba. This particular line will be 400 kilometres longer than a line on the east side of Manitoba.

Now, from a layman's perspective, it certainly doesn't make any sense that anyone would go that far in terms of having to cut out an extra 400 kilometres of bush or travel over 400 kilometres of extra land to develop a hydro line, when in reality it would be much cheaper to build it on the east side of the province, and, of course, that would be a direct line to the Winnipeg market. Then, as well, from there, if you're going to actually sell this hydro to any other customers, it can go through converter stations at Winnipeg and then be distributed to whichever province or whichever state requires that particular electricity.

So, by making this decision, the Province is basically going to add at least half a billion dollars of debt to Manitoba Hydro, which is, in our view, very substantial. It will cost each Manitoba family in excess of \$2,000 per family, and that's just another burden that we, as Manitobans, are going to have to bear.

*Ms. Bonnie Korzeniowski, Deputy Speaker, in the Chair*

The other thing to be really concerned about here is the added line loss, and we're talking about a fairly substantial amount of electricity being lost because we're running that line an extra 400 kilometres, Madam Deputy Speaker.

We're going to certainly try to nail down that particular figure, what line loss exactly that we're talking about. But some of the experts in the field have talked about a line loss of 60 megawatts, that's 60 megawatts. If you're going to run this power line at full capacity, which I would expect would be the way to do it, the engineering experts at the University of Manitoba tell us line loss will be approximately 60 megawatts.

**An Honourable Member:** One, six.

**Mr. Cullen:** Now, if members opposite claim the line loss is going to be 16 megawatts, we would certainly love to see what kind of factors they're using in determining that line loss of 16 megawatts, because we can refer back to previous presentations by Manitoba Hydro. I'm not talking about an extreme west-side line; we're talking about an east-side line, and they're talking about an east-side line and the bipole 1 and 2 having comparisons between an east side and where the existing two lines run—somewhere in the neighbourhood there of 78 megawatts of line loss. So now for the government to come out and say, it's only going to be 16 megawatts on a 400-kilometre longer line, we would love to see the NDP math on this one, Madam Deputy Speaker.

Just to indicate—and I'll bring it back to the Manitoba wind farms because, in essence, we're supposed to be generating about a little less than a hundred megawatts and, of course, the wind farms do not generate a total of a hundred megawatts. They actually generate less than that. So it could be somewhere in the neighbourhood of 40 to 60 megawatts that the wind farm actually generates because it's not operational all the time. So, if you take that actual productivity of the existing wind farm in Manitoba of 40 to 60 megawatts, compare that with the line loss on the west-side line of 60 megawatts, by developing the line on the extreme west side of Manitoba, we're actually looking at a line loss equal to the production of the Manitoba wind farm alone.

To me, that is simply illogical to be doing that sort of line development when we know we're going to lose that kind of energy, Madam Deputy Speaker. We could have an extra 60 megawatts of electricity that we could sell at a premium to our neighbours to the south and, in fact, generate extra revenue for Manitoba Hydro. So, certainly in laymen's terms, it looks like a reasonable thing to do to build it down the shortest route, have extra energy available to sell to our export market and, in fact, make some extra

money for Manitoba Hydro versus incurring an extra half a billion dollars in debt, at least, at this point in time.

So it's something that the government really should have a look at. Quite clearly, Manitoba Hydro have for years and years talked about an east-side line. There's been very little talk about a west-side development until in the last month or two. Quite clearly, Manitoba Hydro want the east-side development; this government wants the west-side development. We should maybe ask Manitobans what they want. Just because we had an election—did I miss a referendum during that election on the Manitoba Hydro issue? Well, if this government thinks they have a mandate on that election for this Manitoba Hydro decision, I think Manitobans would beg to differ.

\* (14:50)

Madam Deputy Speaker, we're seeing a lot of Manitobans coming forward and having different opinions on what this particular government does. We've got the First Nations communities in the North. We've got a First Nations community on the east side coming forward and saying, there's an opportunity here for us that has been lost. I'll reference a former NDP MLA, Elijah Harper, come forward with very strong views on this particular east-side development, and, for his people, he would like to see the development on the east side of Lake Winnipeg. He believes that there are some economic development opportunities for him and for his people if the line was to run on the east side of Manitoba.

We're seeing more and more communities from the east side of the province come forward and want to enter into some real formal and concrete discussions about east-side development, and not just east-side development in terms of this particular line, but also economic development in terms of the east side of the province.

The other issue that this government keeps throwing back, that's saying it could negatively impact on the east side, is the whole UNESCO World Heritage perceived site. Now I think it's important to point out, Madam Deputy Speaker, that the proposed west-side route would actually run through eight First Nations communities. It would run through two provincial parks. Has the potential to run through a federal park as well. In fact, it could potentially run through the Riding Mountain National Park biosphere, which is a UNESCO-

recognized area, as well, an existing recognized site by UNESCO.

So we feel that there is lots of opportunity for development of a UNESCO site on the east side of the province, as well, in conjunction with running a line down the east side. Madam Deputy Speaker, it's important to recognize, too, that we've had—constitutional lawyers have had a look at this. I'll quote Bryan Schwartz from the University of Manitoba. He's drafted a paper, a fairly in-depth report, talking specifically about developing a line on the east side of Manitoba, running it along the lake between the lakes and the borders. He addresses the question exactly about having a UNESCO site and a hydro line development site adjacent to each other. He clearly points out that it has the potential to be a better chance for a UNESCO site being developed if we can demonstrate that there is a positive impact for the economy of the First Nations communities in that particular area.

Now this is very significant, Madam Deputy Speaker, because any development that we could have in that east side of Manitoba, and I'm thinking about roads and transmission lines and those sort of things, could positively impact the communities on the east side. The whole idea, the whole premise here, is we know that those communities are living in extreme poverty. So we would like to see some development happen. Those communities could actively take part in the development going forward. I think it would be a real benefit for those communities. So, clearly, there is an opportunity for the two to exist, a third bipole there, as well as a UNESCO heritage site. We do believe that there are lots of opportunities there.

In terms of this particular legislation, I think it's obviously important that it moves forward so that the land and the property rights issues can be addressed for the benefit of all Manitobans, Madam Deputy Speaker. I certainly look forward to having this particular bill to move to committee, and we'll certainly hope that we have some people from Manitoba's public come out to discuss this particular piece of legislation with Manitobans and with the MLAs that will be at committee.

We look forward to moving this bill forward, and we also look forward to hearing, hopefully, in the very near future, some positive proposals coming forward from Manitoba Hydro in terms of future wind farm development here in Manitoba. Thank you very much.

**Hon. Jon Gerrard (River Heights):** Madam Deputy Speaker, just a few comments on this bill. The Manitoba Liberal Party is certainly supportive of the development of wind farms. We have believed for some time that the smart thing to do would be to organize this so that there was a new wind farm being developed each year, instead of the hit-and-miss approach that the NDP have taken with one wind farm developed already, and then a period of several years before we have the next.

However, we are supportive, certainly in general, of legislation to improve the situation with regard to the development of wind farms, and we look forward to input at committee stage and further discussion on this legislation.

**Mr. Blaine Pedersen (Carman):** Madam Deputy Speaker, I also would like to speak to Bill 4 regarding the registration of rights relating to wind turbines. I agree with the legislation in principle, although in some of the speaking notes I got it says this bill is fairly simple and straightforward. I think that's an oxymoron. Anything relating to government is never simple and straightforward.

Madam Deputy Speaker, there're a few background things I would just like to note in regard to this legislation. Right now, presently, if the landowner goes bankrupt, the wind-power operator is not safe from the creditors because it's all on the same title. It works the other way too, that if the wind company did go bankrupt there would be liability on both sides. That's understood.

*Mr. Speaker in the Chair*

I think that one of the things you're missing under this legislation, though, is that it also relates back to—and this would make legislation similar to what is in pipelines. The problem is, down the road, what's going to happen when a pipeline is abandoned and remains on the landowner's land? It's the same thing with the wind towers. There could be liability there if the landowner is stuck with this. So that's something that we would like to see addressed a little bit more.

The honourable minister is telling me that, no, that's not the case, but we know that that's the case in pipelines right now. So it is a concern for us.

In terms of the hydro generated from these, it is good and it's green and everybody likes that. There are a number of proposals out there for more wind farms. There's a frustration out in the countryside

again, continually, about the lack of action on this. These proposals have been out for a long time. We're waiting for either the short list or the actual 300 megawatts that's going to be awarded. Whatever it is, we would like to see that done as soon as possible, because there's a lot of people and companies wanting to get on with this. It also would leave the landowners—I would answer the landowners as to whether they are part of this expansion or not.

So we would like the government just to get going on this or the Hydro to get going on this, as government seems to direct Hydro to whatever direction Hydro should be taking. The new wind projects are just really a contradiction when you look at what they are proposing for Hydro to have to do now. The detour around western Manitoba, as we like to refer to, is going to create more power loss than what the St. Leon farm is generating. I know that they are quoting 16 megawatts, but that would be running the lines at only partial capacity. You can't spend millions or billions of dollars on running equipment at half capacity. You need to run them at full capacity, and that's what we are questioning is when the new Hydro projects in the north come on, you will have those line losses even if initially they can claim that there won't be.

\* (15:00)

So it's just amazing how you could bring a bipole line down through western Manitoba through Riding Mountain or in the Riding Mountain biosphere area and get the Clean Environment Commission's approval for that. That's pretty amazing. It's somewhat distressing to—distressing, amusing to think of the Premier (Mr. Doer) and a number of the other members out there with chain saws, taking down an additional 400 kilometres of boreal forest. It's a pretty sad sight to see, and \$500 million more in debt, while at the same time abandoning the east-side residences. Yet, at the same time, we know that there are roads being built on the east side. There are power lines being built. So it's a double standard that we're concerned about.

There's no doubt that we need the bipole 3. There's agreement on that that it's necessary, and it's important to grow out-of-province sales, whichever direction they are, but you really need to be much more diligent in your efforts as to how you achieve this. It's about listening to all Manitobans, not just the Premier making a decision to go one way and the rest of the province doesn't really matter.

When you talk about wind power and then you turn around and do these kinds of things, are we really gaining anything in the long run? On the wind projects, we would like to see this go forward, as I've said. It's just something that you really seem to be dragging your feet on, and we would like to see more happen on this. The wind towers would certainly help in terms of making us less vulnerable if there is extreme weather that does hit the bipoles, whether it's 1, 2, or the proposed 3. Being in a geographically different area, it would give us some sort of security when we're producing some power there. Again, we want you to be able to move ahead and develop these.

We have a number of projects around the province that are proposed, and it's not really getting us any farther when you don't develop these. Certainly not going to cut down any boreal forest putting up more wind farms, so there's no argument there, and it's not near a UNESCO site. *[interjection]* We're not even talking about virgin prairie soil anymore because we've learned from the St. Leon—*[interjection]* We've got to watch those crocuses, you're right. They tend to ignore their crocuses, though.

We've learned from the St. Leon project that these projects can be improved upon. There were some problems in the St. Leon project in terms of how the farmland was cut up, and access to some of the fields. In talking to some of the other projects that are coming ahead, they've learned from these, and they want to—they have learned from them and they will go forward from these. Yet nothing seems to happen. It's frustrating for them because they're waiting for decisions to be made here.

As I mentioned, we're not talking about UNESCO sites. We are talking about agricultural land, and when you look at these wind farms, and if you brought bipole 3 down the west side and came back to Winnipeg, you would cut up a lot more farmland from those bipoles than you ever would from another wind farm, even if it was on prime agricultural land. That's something that, depending on the site, as to how the soil capability of the land that you're talking about using these on.

Really, it comes down to getting on with it. We would like to see you get on with the allocation of the next 300 megawatts. This bill will help allay some of the fears that we've had in these projects. So, Mr. Speaker, just for the record then, I will say that

I'm in support of Bill 4 as it sits now, but it could be improved upon. Thank you.

**Mr. Cliff Graydon (Emerson):** I, too, would like to say a few words to this bill. I think it's imperative that the bill is moved forward.

Unfortunately, I have some concerns that we have development and we've put the cart before the horse again, as seems to be a habit by this government. The development is done and now we're going to start doing the regs that go along with it and changing the bills to fit.

I would like to point out also, Mr. Speaker, that at the time that these wind units—and I, unlike some of my colleagues, probably won't refer to them as wind farms if I can help it. We don't call water hydro-electric dams water farms. We don't call neutrons neutron farms, for an atomic plant. So I think these are large industrial installations that produce electricity, much-needed electricity, for the world, and I think it's a green electricity. It's important that we move this forward.

However, I think, Mr. Speaker, that there are some red flags that have been popping up, and I think it would be prudent for this government to pay attention to some of these flags. They have to understand that the salesmen for these wind units have come at a time when agriculture itself was looking for diversification. The municipalities were looking for diversification as another income. They were economically depressed in rural Manitoba because of the bad crops in 2004, 2005, and I believe that it was an opportune time that the salesmen moved in.

At the same time, our provincial government jumped on the bandwagon because it happened to be a green energy, and without any thought to regulations said, yes, we support this. So, today, we are now supporting a bill, but there are some other regulations, or other red flags, that are coming up. As my colleague from Carman pointed out, he discussed something about agriculture land, prime agriculture land, and I, too, have a concern about prime agricultural land.

The points that my colleague made, there've been lessons learned from the mistakes that were carried out in the first wind unit, that the towers could be located toward the end of a—or in a proper location.

However, there's still going to be service roads. I think the gag orders that are basically in the

contracts—I think that kind of eliminates, or definitely eliminates, the transparency of what the agreements are, or the openness of these agreements. Some of the things that have leaked out of these contracts are that anyone that has signed a contract and has caveated their property doesn't have the right to do a building on that property without the consent of the proponent of the energy farm. You'll notice I said energy farm. At any rate, they have no say over their land. When it comes down to this, it's an all-encompassing caveat. I think that already should be raising a red flag to the rest of the public.

In some of the consultation meetings that have taken place, people said: Well, if I sign this contract, is there some way that I can get out of it, if I change my mind, or there's something? The response was, more than once, that, yes, you can just rip up the contract. However, that's not the case. So we have to deal with this issue as well.

\* (15:10)

I suspect these regulations that weren't in place when we started would be something similar to our east-pole line or our west-pole line. When we look at that situation, we see that our government of the day has made some inroads to build on the east side, but gave away the right without looking at what the impact really would be. They gave away a veto right to 16 different individuals and chose to go on a much longer route. However, there are no regulations in place either on that longer route.

I don't think they've done their homework on that type of a situation either. So what we are going to be faced with is probably a huge cost overrun over what they have projected that cost to be. We can only assume that, but that seems to be the history with any of their developments, when I take a look at the Hydro building in Winnipeg and the initial costs for the Hydro building in Winnipeg and how it has escalated to the \$278 million it is today. Lord knows if we're at least close to hitting that target, or are we going to go past that? Will there be an extension to that?

On the east-side agreements that were talked about, when the experts are pursuing and continually pursue the east side, and our government today goes against those types of initiatives and continues to go on a longer route with an additional cost on the backs of Canadians, we'll soon lose our competitive edge in Manitoba with the lowest hydro-electric power of anywhere in Canada. We're squandering that, plus

we're mortgaging our grandchildren and future generations.

The wind energy, I agree with the proponents of wind energy that it's a very clean and green energy. I think it's something that we need to work on. However, I think that there's a lot more technology that needs to come down the pipe. When we see a unit today in St. Leon that would generate 99 megawatts with, I believe it's 65 towers, and work at 40 percent, Mr. Speaker, I think that we need to move ahead with technology and encourage that type of technology that would make those particular wind units a lot more viable with a greater output.

There's one other small issue that has come up in my constituency. We have some individuals that they want to own their own tower and not necessarily 99-megawatt towers. They want to own their own towers. However, they cannot negotiate the same type of a deal. With Manitoba Hydro being a Crown corporation and being an extended arm of the government, they can't negotiate the kinds of deals that have been negotiated by the large companies. This, I think, is a concern and should be a concern to the development of rural Manitoba. The farmers and the agricultural people that are out there today would like to diversify and kind of cut their costs, or definitely control some of their input costs, and at the same time perhaps generate more money for their farms so that their extended families can carry on.

So I'd like to also ask about or mention that I think there needs to be—maybe there has been, and maybe I can be brought up to speed, but I think that there needs to be some environmental work done long before these are put into place and not afterward.

So it gives me a great opportunity today to speak to the bill. I'm in favour of the wind towers. I just wanted to put a few words on record that these regulations and the impacts should be discussed prior to the construction, and due diligence should have been done by this government.

**Mr. Larry Maguire (Arthur-Virden):** I'd like to put a few words on the record in regard to Bill 4, The Real Property Amendment Act, dealing with wind turbines for the province of Manitoba.

Mr. Speaker, this bill relates, obviously, to wind turbines. A title may be issued to a wind turbine generating company for its right to have a wind turbine, and this title is separate from the landowner's

title. That's what the government is trying to bring forward in this bill.

Mr. Speaker, we very much are in favour of the development of the wind turbine industry in Manitoba. I know that it's been some 23 months since the government called for expressions of interest for the development of over a thousand megawatts of wind power in Manitoba, and we still have not seen any progress past the request for proposals for the first 300 megawatts of power on those lines.

Mr. Speaker, I think it's important to note that the development of this industry has had much interest throughout Manitoba and that the engineers have indicated, that some of the studies that the government has done have indicated some key points in Manitoba where wind development can be most sustainable. One of the things we have on the south shore of the Hudson's Bay along James Bay is an area of high wind energies, but it's a long way from being able to connect it to power transmission lines.

So it's a concern, I think, amongst those who see that as an opportunity for the line loss and everything that would come from James Bay to this area of southern Manitoba to be used as a priority, although there are many areas of northern Manitoba that the wind towers in James Bay could be used for.

I want to say as well that there are a great many areas in southern Manitoba, apart from the St. Leon area, that have already been developed, Mr. Speaker, that have a 99-megawatt wind generating industry in its area, and it's my understanding that there are other areas in southeast Manitoba that the Manitoba Hydro is looking at, that the government has directed that there be a purpose in having more wind energy in Manitoba.

Of course, there is a purpose. That would be to be able to generate power on a cheap basis, be able to export more of the energy that we already have in the clean areas, and also be able to use various types of other energy, such as natural gas, for the production of processing facilities here in the province of Manitoba, and I'll get to that in a moment.

But I want to say that one of the prime areas in Manitoba—I have two or three prime areas in Manitoba in regard to wind energy development and wind turbines in southwest Manitoba, in Arthur-Virden constituency, particularly, where I represent. There's an area northeast of Virden that I

know is very interested in wind development. There's a group in the Boissevain area that has been looking at this along the north side of Turtle Mountain.

Also, I hope the minister of industry, Energy and Mines wasn't shaking his head there about those areas that I'm representing as a negative for those areas, because there's many positives in being able to bring energy off the north side of Turtle Mountain and into the systems that we have, particularly when one of the major export lines that we have is so very close by in the Glenboro area, going across the border into North Dakota, right through the Member for Turtle Mountain's (Mr. Cullen) constituency.

So, Mr. Speaker, there is a need to continue to expand it. If ever was the case that some of the St. Leon farm is close enough, wind energy area is close enough to that line, that it could be used for export as well.

Mr. Speaker, the area north of Turtle Mountain, right across the north side from Killarney through Boissevain, all the way over to Deloraine and on the west side of the Turtle Mountain, as I understand, is a prime area for wind development. The consistency of wind in those areas is such that energy from wind power would be a prime area to be developed, and also out into the Melita area as well.

So, Mr. Speaker, it would be a very fitting opportunity to allow those areas, allow the companies—I know, hundreds of millions of dollars worth of investment for the province of Manitoba to be engaged in putting forward programs to allow these companies to bring this kind of economic activity to our province is a great opportunity for all of us in Manitoba.

\* (15:20)

I look forward to Manitoba Hydro being able to bring forward fairly soon, I would hope, the acceptance and issuance of some of the projects that have been put before them for some time now. As I said earlier, it's been 23 months since the government called for expressions of interest. Manitoba Hydro has closed off the acceptance of projects to get into them some months ago. I would assume that before the fall is over we would hear where those projects are going to be that Manitoba Hydro has okayed in conjunction with the government of Manitoba, and then we would be able to proceed.

I say it's necessary because there is an opportunity, if we don't miss it, Mr. Speaker, to be able to expand the processing that we have in

western Manitoba and all of Manitoba, whether it's in the north and using the power off of the James Bay site, or in the southwest around Turtle Mountain, or in the southeast area of Manitoba, some of the central areas as well, areas around Riding Mountain and the Interlake. We have opportunities to be able to utilize more of the other power sources, whether it be in a newfound area of biomass, or whether it be in areas such as natural gas.

I want to just put on the record today, Mr. Speaker, that a prime example of this, while there are many ethanol plants being discussed around the province of Manitoba, the Boissevain-Killarney area, as well as the Virden-Moosomin, Saskatchewan area are in discussions with it, the Clean Country Resources people at Hartney, in that area, a group of entrepreneurs in southwest Manitoba, are individuals who have been in discussion with the minister of industry, Energy and Mines, with the Minister of Competitiveness, Training and Trade, and also with the Minister of Agriculture. They've been in touch with the Water Stewardship Minister as well as the Minister of Transportation in regard to moving this particular project forward.

It's a rather large ethanol plant that would be probably the biggest project in southwest Manitoba's history that I know of as a farmer, having been raised and worked as a farmer in that area all of my life, and add the most value to the grains that we need to in Manitoba, because, of course, we are the highest transportation area from Montréal, Vancouver and New Orleans of anywhere in western Canada. We need to utilize and process every kernel of grain that we can in this region locally, and, of course, being able to expend wind energy into the system, utilize the electric power that we have, and also be able to leave free, if you will, the natural gas that the government has indicated today would be acceptable to them in regard to the powering of this plant.

At one time, Mr. Speaker, this group was going to use coal, and that wasn't acceptable to the government. Fortunately, we were able to look at other alternatives of energy that were there today, even though the government hasn't looked at clean coal gasification the way they should have in this regard, or at some other energy sources. But the fact that this group has clearly decided that they would move away from that is a plus for them, and the government has recognized that. The ministers, I thank them for their indulgence in that area. It's just that we need to move that process forward a little faster. They are in discussions right now in regard to

their water projects, as I pointed out in Estimates with many of the ministers.

Mr. Speaker, to be able to utilize the natural gas, biomass opportunities in the future makes this project even more viable and look forward to being able to utilize those kinds of energy down the road. Of course, when you start talking about power in Manitoba, you need to look at making sure, and I've just finished discussing how we need to make sure we don't lose the energy that we've already got, or utilize it in the most maximum effort that we possibly can, and the most efficient manner, I guess, is the proper word. I think that the discussion about the transmission line from Conawapa to the east side of Winnipeg to the Springfield substation that has been announced to be built, whether that's the one that they would use or not, but it will be built. We confer that it needs to be built.

Mr. Speaker, I think that, purely, Manitobans know and Manitoba Hydro certainly knows that bringing the line down the east side of Lake Winnipeg from Conawapa in a straight line to the east side of Winnipeg gives Manitoba the least cost mechanism to be able to provide this energy. It also provides the most stability for the province of Manitoba in being able to control our exports, which more than likely are going to be into Ontario. I know that Ontario cancelled a contract in the early 1990s, paid \$100 million to Manitoba for the cancellation of the project that they'd already signed onto with the previous government, but there is an opportunity to continue to export into Ontario. They need thousands of megawatts of power, not just one or two, but thousands of megawatts of power in Ontario. They will look at the opportunities to do it in as clean a manner as they can.

Also, I'd like to reiterate that the governor of South Dakota, when I was there with the legislators' group that we met with in July, indicated that they would be open to discussions with Manitoba in regard to taking more of our hydro-electric power, if, in fact, the government would negotiate with them in regard to a transmission line to that area.

So, Mr. Speaker, they are looking at having a more reliable, consistent source of energy, as opposed to the coal that they are burning today. Their big concern, of course, is the Missouri River is some 25 feet lower than it was seven or eight years ago, and that is a major source of energy for them on the dam right at Pierre, South Dakota. The lower that dam gets, the more costly it is for them to generate

power in that particular facility, and, of course, they can only utilize so much of the water out of the Missouri River because they have to maintain a flow downstream in that river.

So, Mr. Speaker, I want to say, as well, that it's very, very important that rather than looking at this daffy detour that we've got going from Conawapa all the way over to The Pas down through the Riding Mountain area to Brandon and back to the eastern side of Winnipeg—it's some distance of 500 kilometres longer at a cost of over \$500 million in regard to the construction, converter stations in the neighbourhood of \$250,000. But pretty soon you're at close to a billion dollars when you include the line loss over that period of time as well. The Member for St. Boniface (Mr. Selinger) was talking about a 16-megawatt loss today, and I don't know what math he's using, but if he puts Conawapa at full steam and puts down that line, the estimates are many multiples of that number, more in the neighbourhood of 60 to 100 megawatts of lost energy consistently per year escaping from the lines because of the extra distance, not over the total line distance, just of the extra 500 kilometres.

I know that this is devastating to a company like Manitoba Hydro, and I don't know why the government, who keeps taking money out of Manitoba Hydro to operate this government, wouldn't be more efficient in making sure that they were utilizing the most efficient manner of taking power out of that line as well and distributing it to Manitobans or using it for export. Either way, they are basically saying: We're going to take the complete amount of energy that we've built today in wind energy, the whole 99 megawatts, and let it go to line loss as opposed to developing essentially what could end up being another hundred units basically free in the province of Manitoba, Mr. Speaker. I think that Manitobans will see through that. They're starting to hear it across the province. We're hearing feedback about how ridiculous of a program this is.

Nobody wants to deny the fact that there's an area that needs to be kept under a pristine boreal forest manner. In the eastern part of Manitoba, we have a great opportunity in that area to continue with the boreal forest. The 75-metre-wide strip that would be utilized to put this hydro line through the east side of Manitoba, Mr. Speaker, is equivalent to a small pencil point being moved down a map of Manitoba, and certainly you can have both.

The First Nations, many of them have indicated some concerns with the line coming down the east side, but just as many, Mr. Speaker, are talking about the opportunities it would give them to have greater access to the rest of Manitoba. I think for the future generations of those people in those First Nations, myself, we need to make sure that we're listening and providing an opportunity for those First Nations people and their children to integrate and access more into the rest of Manitoba's society, the rest of their First Nations neighbours, as well as being able to maintain and keep their culture just as I know the Speaker and myself are concerned about keeping our own cultures active and alive in the province of Manitoba.

Those other people have the right and ability to have their culture, the persons on the east side, the First Nations people of this province, regardless of what bands and what areas they came from and whatever their backgrounds, because I have many of them in my own constituency, two Dakota Nations in Sioux Valley and the Oak Lake Canupawakpa Reserve at that time, and when I speak to Ken Whitecloud and Viola Eastman, the chiefs of those reserves, they very clearly indicate that they want greater opportunities. They want to be able to expand, greater opportunities for their children, greater opportunities in business for their people.

\* (15:30)

As they integrate into the province of Manitoba, Mr. Speaker, and have greater opportunities for education and opportunities to develop further their cultures, I think it's only wise that we put a hydro line in that particular area of Manitoba, even if we just generated some of the savings in dollars from the line loss, or saved the \$500 million that we have from the extra 500 kilometres of line and utilized it in educational and training opportunities.

I mean, the minister is in a very great position, the Minister of Competitiveness, Training and Trade (Mr. Rondeau), right now. He can control the competitiveness of this opportunity for Manitoba exports. He can provide a wonderful opportunity for trade, to develop the gross domestic product in Manitoba, and he can utilize some of those dollars for the training in his own department of many of the First Nations people that could learn a lifetime skill in regards to being able to develop the power lines on that particular area of Manitoba.

So, Mr. Speaker, with those few comments, I want to reiterate that, certainly, we are in favour of looking at The Real Property Amendment Act here and simplifying the opportunity for wind turbines, and clarifying the discussions around the titles that may be used here in regard to separate titles from the landowners' titles in regard to the new wind projects that are established.

**Mr. Ralph Eichler (Lakeside):** I'd like to put a few things on the record in regard to Bill 4, The Real Property Amendment Act, in regard to the wind turbines and hydro as we talk about it today in the regulations that are coming forward with regard to the wind turbines. Our understanding, the way the bill's been presented, that this is going to issue a separate title for the wind farms, as the wind farms take title this property. It's going to protect them, it'll protect the farmer, for some reason—or the landowner—as a result of mismanagement either on behalf of the farmer or on behalf of the wind farm company, that neither would be held liable for their interest in their particular parcel of land.

I know the government has had a number of months that they've talked about this expression of interest. There has been some 300 megawatts of hydro that's actually been allowed to be developed within the province of Manitoba. I know there's some 20 companies that have put proposals forward over the past number of months, and they're awaiting decisions in order to hear back from the government on whether they want to move forward on any of these. They've spent a substantial amount of money in order to determine whether or not the sites are right for that particular development. Those costs are going to have been recouped one way or the other, either through development of more wind towers. I know, at least my department, and the agricultural sectors had a long look at this, and there's a lot of marginal land that has an opportunity to be developed, and there's a lot of municipalities with a small tax base that also has an opportunity to see growth in those particular municipalities.

I know I have one in the R.M. of St. Laurent that's put two proposals forward, and I know one's been in front of the Manitoba Hydro board for a number of months. I believe it was in March or April of this past year they brought a proposal forward, and they've yet to hear on whether or not the government is going to move forward on that particular proposal. It's on very marginal land. It comes off the winds of Lake Manitoba which is a great path that we know, as the wind blows mostly

from the northwest, and gives that opportunity for those farmers in that municipality to capture some of the revenues that are going to be generated as a result of wind energy in that particular municipality.

I know the tax base in the R.M. of St. Laurent is very low, and just based on the assessment alone from this particular wind-power station that's being proposed, it's right next to a hydro line and it comes down through the Interlake, and I know we're all familiar with it. We've been through there each and every one of us. I know that the municipality would benefit significantly from this, and also the number of producers that has met with the wind energy people. There would be a significant impact as far as financial gains is for them. Most of them are cattle producers, and as we all know, I don't need to tell you where the cattle production is at now with the prices of the livestock being—and at all any type of revenue that would be generated would certainly be well received in the eyes of those producers. I know that there's enough of them that have been calling me on a weekly or monthly basis to see where this particular project is at, and I know that it's very important to them.

Very important to them, indeed, that the other project move forward as well.

There are actually two separate companies that have proposed wind projects to the government. The second one hasn't made a written proposal yet; they're still doing their studies. I know that the wind test that they've done has been excellent in that particular area. I know that there are a number of wildlife people that have been bringing proposals as well, as far as protection of wildlife in that particular area. We certainly have to make sure there's a balance, and we ensure that will be taking place and taken into account.

I know that the first wind farm that was developed, I think, was a significant project that moved forward. I know that the government has seen that it's a very green project, a project that we can see that we need to do more of in the province of Manitoba. We feel that, with this in mind, we have to be very cautious in a way that we don't use up too much of the good farmland either. I know that the first one was built on some pretty good land and some land that was also very marginal.

I know that we did meet with a number of the producers in some of the other areas that were very concerned in regard to this spraying of crops by planes. There was a concern there that whether or not

they would be able to, in fact, be able to spray around these wind towers. I know that was an issue in order to make sure that they were able to spray the crops. Sometimes in the spring, as we all know, Mr. Speaker, we have to seed by air. Those crops have to get in. Sometimes the area where a wind tower may be going we have to take this into account because I know there's a number of farmers that, over the past years, and, in fact, last year a number of producers had to make sure that they got their crop in. In fact, it looked like a lot of them have to seed by air again. But, luckily, most of them were able to get it in by ground seeding.

Having said that, Mr. Speaker, I know that brings us to the other issue that I talked about earlier with the cattle producers. This land is very marginal, and the cattle can still be fed around the towers. In fact, it saves an awful lot of maintenance for the wind tower people in order to make sure that the land is maintained in a way and the roads that are being developed into them also gives the producers access to some of the land that some would not be able to get into as well if, in fact, they did see the towers being built on their particular land area and land base.

We know, also, that the cost that's involved is also a concern, not only for the cattle producers, but also the people that are building a wind tower. A lot of this land is marginal land and the roads would have to be built and probably cost a little more for the wind company in order to have those developed. I know the landowners are also concerned that they have those protections. This bill supposedly is going to be doing that from the briefing and the notes that have been brought forward about their safeguards

As we know, business is a very competitive business and we know that companies from time to time sometimes get into financial difficulties. We do our due diligence in order to see that each of these companies are very well, financially backed. But we also know that some of the landowners, through no fault of their own sometimes, through circumstances that are not necessarily—like BSE, for example, came and a lot of our producers were forced to sell their farms. This also gives the wind tower people some sign that their product is going to be protected by, not the loss from creditors, but from one of the farmers going under. It also gives the farmers some type of safety, as well, that their land would be protected if one of the wind tower people did, in fact, go under as a result of no fault of their own, but just because of the sign of the times.

We do know that we have a lot of scenarios that could go either way. The right of way that an easement on the landowner's property rights is one that we have to make sure is also very well protected. Legal counsel has referenced this already in place of natural pipelines that run through private property. It's a right of easement way that we look at. That is something similar to what has been proposed, in our understanding, on this particular bill.

\* (15:40)

Also, the foreclosure in regard to one of these companies could be significant. I know that the cost that's involved as far as legal counsel is concerned can be very significant in cost of either party, vice versa either the farmers or the landowner versus the wind tower people.

I certainly do understand the fact that, when it gets into the legal jargon as far as the cost that's involved when you do hire a lawyer to talk about a particular issue or foreclosure on a farm or a business, it's certainly going to be a cost that's going to be very expensive for each of the parties concerned. So anything we can do to strengthen that particular part of our legislation, to make sure it's clear, not only for the wind people or the farmers. I also notice that the easement that's registered on the existing landowner, property titles, I know sometimes the right-of-ways can get very cumbersome. I know that, when you do a number of caveats and also the ideas of any type of foreclosure that might come as a result of a foreclosure, they would also be very significant for not only the wind tower people but also the landowner in that particular case. But we do want to make sure that we're doing everything in the right way. I know that we don't want to lose any hydro as a result of turning green.

I know that the government has proposed the east-west transmission line, and depending on what side they take, whether it be the east side or the west side, I certainly know that that's very important in order to establish where the wind towers are actually going to go.

They call it the Doer detour that's going to be going through in the west side—

**An Honourable Member:** The daffy detour.

**Mr. Eichler:** The daffy detour, I've been corrected. The daffy detour would certainly have something to do with the wind development in that particular part of the country, and also we know that probably on the east side would have also that opportunity in

order to make sure that there are wind towers being built on that particular side of Lake Winnipeg.

I know that the security that is involved in building the line is also very important. So we have the two major lines that are coming down and the third line being proposed. I know that, as a result of that, we're going to have significant debate over the next number of months and years to come, and this issue is not going to go away for either party.

So we have to make sure that, when we look at these lines, when we look at the legislation that's been put forward to us, The Real Property Amendment Act, with regard to the wind turbines, we have that protection for each of those people, whether it be on reserve land, whether it be on private land, whether it be on Crown land. We have to make sure this is done in a sustainable way that's going to be there for the next generations to come, and people will look back on this in the next years and the next generation and say, that was good legislation that they talked about.

That's what we need to do, Mr. Speaker. It is make sure that we do our due diligence in order to make sure that each of these bills does, in fact, have the discussion that we need to have in order to make sure the legislation for our next generations will be that of a secure one.

So, having said that, I know there are other members on this side of the House that want to talk about the bill. I certainly understand that the NDP have been wanting to get up and speak on this bill as well. I know they certainly do support their bill. They want to get up and talk about it, I'm sure. So, with that, I'll sit down and let the NDP have a chance to put a few things on the record.

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

**An Honourable Member:** Question.

**Mr. Speaker:** The question before the House is Bill 4, The Real Property Amendment Act (Wind Turbines), second reading of that.

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

**Bill 8—The Public Schools Amendment Act  
(Regional Vocational Schools)**

**Hon. Peter Bjornson (Minister of Education, Citizenship and Youth):** Mr. Speaker, I move, seconded by the Minister of Advanced Education and Literacy (Ms. McGifford), that Bill 8, The Public

Schools Amendment Act (Regional Vocational Schools); Loi modifiant la Loi sur les écoles publiques (écoles professionnelles régionales), be now read a second time and be referred to a committee of this House.

***Motion presented.***

**Mr. Bjornson:** Mr Speaker, in the interest of expediency, I would refer members to my speech given in April of this past year for the second reading of this bill.

**Mr. Ron Schuler (Springfield):** Mr. Speaker, I'd like to applaud the minister, probably one of the first and few times I will probably do that, for the brevity of his speech. We certainly appreciated the comments that he put on the record, and kept it very brief. I will follow suit and keep my comments fairly brief.

I think it's important for this bill to move on to committee, for us to find out what kind of response there is from Manitobans. As we know, Bill 8, The Public Schools Amendment Act, enables the Minister of Education, Citizenship and Youth and a school division to agree to continue a regional vocational school. It will allow the Minister of Education, Citizenship and Youth to enter into an agreement with a school division for continued operation of a regional vocational school. The example being presented is an agreement, and the minister did this in the briefing with the Pembina Trails School Division for the continued operation of the Winnipeg Technical College. It allows the minister and the school board to appoint representatives who are not trustees to sit on the governing board of the regional vocational school. It allows the parties to the agreement to enter agreements with each other or with the regional vocational school regarding provision of supplies and services.

This bill was originally introduced on December 4, 2006 and, with the call of the provincial election, was reintroduced October 1, 2007. What basically this allows is the minister would be able to name voting members to the governing board and participate in school governance of Winnipeg Technical College. We want to be careful about the government appointees. We know that, when this government appoints individuals to boards, say, for instance, like Crocus, like the Public Schools Finance Board to mention two—those are just a pale example of the kinds of appointees this government has made to various boards. We know the kinds of

trouble that these boards get into. We often find that NDP appointees tend to be the problem, not the solution to various boards.

So we want to be very careful. We don't know what kind of influence these individuals have. We know what kind of influence that government had on Crocus and the kind of influence that NDP appointees had, not just on the Public Schools Finance Board, but what NDP members of the Seven Oaks School Division had. So, again, we hesitate there a little bit. However, we hope that somehow that will work its way out.

We know that Winnipeg Technical College has made many significant contributions to education and training. We would like to see its continued success. We also wish Louis Riel School Division success in the technical vocational programs it has developed.

Pembina Trails School Division has indicated to us that they are supportive of the proposed legislation and would like to see it passed. So we believe that it is probably best if this bill moves forward, that it get to the committee stage. We can hear if there are any presenters. We can hear what they have to say and move on with this legislation. Certainly, as I have noted, this is legislation that has been around since the latter part of 2006. So it's not like this is something new that has come before this Chamber.

With that, I would, with the agreement of this House, move this bill on to committee.

\*(15:50)

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, very briefly, to indicate our support in principle of the bill. It's a relatively non-controversial piece as the Member for Springfield has so well spoken. I, too, have not received any correspondence or literature speaking against the bill. I do understand that it has been on the Order Paper for a good period of time, which is always encouraging, so it provides other vested interest groups to provide input. We recognize, in the Liberal Party, the importance of regional vocational school. Education is a life-long learning thing for all of us. We see this in principle as a positive piece of legislation that does continue the support of regional vocational schools in terms of facilitating, in part, their existence for their ongoing contributions, and so forth.

With those few words, we don't have any problem with it going to committee. Thank you.

**Mr. Speaker:** Is the House ready for the Question?

**An Honourable Member:** Question.

**Mr. Speaker:** The question before the House is second reading, Bill 8, The Public Schools Amendment Act (Regional Vocational Schools).

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

**Bill 10—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 10, 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, I previously had spoken in detail with respect to this bill on April 18, 2007. In order to permit as much debate as possible in this House, therefore, I refer members, or I refer any legal scholars who are subsequently researching the pith and substance of the bill through the legal system, to the comments made on April 18, 2007.

Now, with those few comments, I look forward to a speedy passage of this legislation.

**Mr. Gerald Hawranik (Lac du Bonnet):** Mr. Speaker, I'm pleased to put a few comments on the record with respect to this bill, Bill 10, the family maintenance amendment act. On behalf of my caucus, I support the bill itself in terms of the provisions that are contained therein and the intent of the bill, and I would encourage it to be moved to committee as well, which I understand might be sometime next week.

This bill enhances the ability to locate people in cases of child support, recalculation, maintenance enforcement and interjurisdictional support, and the ability to obtain financial information needed to recalculate or enforce support orders that are out there. It encourages prompt financial disclosure in child support cases by recalculating income levels so that children, particularly children who are, of course, the beneficiaries of maintenance support orders that a recalculation can be done no matter

where the respondent is and whether or not they provide financial disclosure in a particular case.

It also clarifies the court's jurisdiction in Manitoba to very certain support orders, particularly when spouses flee the province. Perhaps they may be fleeing the province for different reasons, Mr. Speaker. We've seen an out-migration of our young people here in Manitoba and, in particular, to Alberta and British Columbia and, in those kinds of cases, they may be leaving the province simply because they need to find a meaningful, well-paying job, and they may not mean to leave the province simply because they are avoiding maintenance support.

So there are varied reasons why people leave, but, in any event, this bill, I believe, has been recommended by both the Manitoba Law Reform Commission and the Family Law Section of the Manitoba Bar Association and, therefore, we intend to support the bill.

Everyone, Mr. Speaker, has an obligation to support his or her children. There's no denying that and there's absolutely no excuse why a spouse in a marriage break-up or in a break-up of a common law relationship, why they would not support their children. This bill creates a presumptive income level upon which to base support for children in the event that there is a failure to disclose by the paying parent for the support for the children.

There may be various reasons why they may refuse to disclose financial information. I've seen it, Mr. Speaker. Although I don't practise law to any great extent in family law at this point, I do have an associate, a couple of associates in fact, who do practise in the area of family law, and they find that at times spouses refuse to provide financial information for whatever reason and particularly in family cases where families split. They sometimes use children as pawns in terms of trying to get at each other and trying to work at each other and trying to get back at one another. Sometimes they refuse for whatever reason to provide financial information, and this in itself is important that we support the bill because the bill itself will presume certain income levels on behalf of certain spouses who are subject to a maintenance order.

There are certain times when spouses will neglect for whatever reason, whether they're busy or whether they've forgotten, to provide financial information, provide the disclosure that's required under the act. As I said before, there are occasions when spouses subject to maintenance orders leave

the province for whatever reason, and this bill itself will provide for increased powers, first of all, to locate a spouse who has a maintenance order against himself or herself, so it'll increase the powers to locate them, first of all. Secondly, when they locate them, if they don't provide sufficient financial information, based on the previous financial information that was given to the court, a presumption can be made for maintenance for the children.

Having said that, though, when I first read the bill, Mr. Speaker, there was a bit of a concern by myself in terms of, well, if we do provide for a presumptive income level on behalf of a parent who has a maintenance order against them, certainly there has to be a right of appeal, and the bill itself does provide for an appeal. It can be challenged, and there are 31 days within which—after the maintenance order is made, 31 days within which the spouse who is subject to the maintenance order can appeal and can challenge the amount.

Therefore, there's no benefit to delay financial disclosure on behalf of a spouse, and because there's no benefit, I think what it'll do, and what the bill will do, is it will encourage financial disclosure to be made as early as possible, and that can only be better for children in particular who are the beneficiaries of maintenance to a great extent.

It also improves the interjurisdictional co-operation, Mr. Speaker, where a person relocates to another province, and it also clarifies the jurisdiction of Manitoba courts to modify support orders to have effect outside the province. I think that's an important provision as well, to ensure that simply because a spouse who has a maintenance order against them, to prevent them from running away from their obligation to support their children. It certainly goes a long way with respect to the protection for children.

\* (16:00)

Lawyers have been asking for more tools for many years, Mr. Speaker, and, in fact, I would venture to say that MLAs have been asking for more tools and more authority in The Family Maintenance Act because not a week goes by, as an MLA in the Lac du Bonnet constituency—and I'm sure I'm not any different than any other MLA in this room—where I don't hear about some complaint about the Maintenance Enforcement branch of the Province. This kind of bill will give them more tools, more power and more authority to find spouses who may

have fled the province or to deal with spouses who decide that they're going to avoid a service of documents to increase maintenance support orders for their children, or who simply neglect or refuse to provide the financial information that's required under the act. So I think this would be a welcome addition and welcome bill for not only lawyers, as I've said before, who are dealing with it on a daily basis, but also for the Maintenance Enforcement branch and, of course, for us as MLAs. Hopefully, it will make a bit of a difference in terms of support for children in the province.

Having said that, Mr. Speaker, I can tell you that, to a great extent, there's a shrinking Manitoba Bar in the province in terms of the numbers of Family Law lawyers that are willing to take on these kinds of cases, that are willing to go after spouses. Therefore, there's more demand, I believe, on the Maintenance Enforcement Program here in the province. We ought to ensure that there is proper funding so that children's interests are protected, and so on. So, with those few words, I would support moving Bill 10 to committee. Thank you.

**Mr. Cliff Cullen (Turtle Mountain):** Mr. Speaker, I just want to put a few comments on the record, as well, just to echo some of my counterpart's message that he delivered. I think he raised an interesting point. I think a lot of us as MLAs do field a lot of inquiries from family members who are seeking some kind of a support for family members, and it seems to happen on a fairly regular basis.

My expectation is this particular legislation will strengthen some of the existing legislation and, hopefully, it will move it forward so that there is, actually, a financial incentive that does go forward there to assist in situations where they do have family break-ups. It is obviously, Mr. Speaker, a very troubling time. We do have situations where families do break up, and it's very important that the children that may be associated with that break-up are looked after in a favourable manner.

*Ms. Bonnie Korzeniowski, Deputy Speaker, in the Chair*

So, clearly, this particular legislation has to be very, very firm in that regard. As my colleague did mention, too, we are in a situation now where people are moving around a lot more than they have in the past, so trying to locate an estranged spouse may be quite difficult. So I'm assuming with this strengthening of this legislation the next step is to actually provide the implementation. That, Madam

Deputy Speaker, is really where the rubber will hit the road. The fact of the matter is that we're going to have to allocate resources to that particular area so that these estranged spouses can be tracked down and then dealt with accordingly in terms of their obligations to support their family.

I think, Madam Deputy Speaker, the other real issue here is we can certainly have a legislation in place, but there also has to be the will of the courts there to make the process work. Again, it's up to the Province to make sure that those resources through the court system are available and that Manitobans can access those resources in a timely manner. So this is a very important piece of legislation going forward. But, as I say, it has to be financially supported by the government and by the Province.

Clearly, we're seeing a situation develop now where we do have a shortage of lawyers dealing with these particular situations. Unfortunately, a lot of these situations end up falling through the cracks or becoming delayed over a course of time. So, again, it's important that the Province recognize that these things have to be addressed in a timely fashion. The resources have to be there to support the families that are breaking up; the resources have to be there to support the children of those families when they break up. So, really, this is just one key in the cog here that has to move forward. The other thing is we have to have the will of government to be there to support this particular legislation.

So, really, that's the point that I'm trying to make at this particular time. Again, with any legislation, we have to have the will of government there to support it. Hopefully, the government of the day will proceed to put resources in place to address this very important issue. We know as MLAs that we deal with these situations quite frequently. So we're hopeful that the government is there with intent to move this forward. We certainly want to hear from Manitobans when this particular legislation goes to committee very shortly.

With that, I just thank you for your time and those comments.

**Mr. Kevin Lamoureux (Inkster):** I did want to just contribute somewhat to the bill before its passage into committee. Once again it's the principle of the legislation. It's something in which we support anything that enhances the ability of government, of individuals, affected stakeholders, to locate and ultimately enhance payments for a child. It is

something that's a positive, that we need to support and encourage through the process.

*Mr. Speaker in the Chair*

Having said that, Mr. Speaker, I anticipate that everyone inside the Chamber would have some opinions on the importance of child support. I do know that when it comes to maintenance enforcement it is very much an emotional issue. Some of the greatest challenges that we have in that whole area are through international maintenance enforcement or the lack thereof. Even interprovincially there are serious issues in terms of trying to be able to get the support. There are other forms of child support, from an essence where you have dysfunctional families and one parent is able to get out of that rut and try to get some sort of maintenance of any form from a spouse who, for whatever reason, remains in that rut, or in many cases outside of those dysfunctional families just where sometimes you have family breakdowns through the personalities involved. You have one spouse who doesn't want to take seriously their ultimate responsibilities of helping in the rearing of that child by cutting back, or people make decisions that affect their children quite often that are based on feelings that they might have with their ex.

Mr. Speaker, that's why there is a need for government to do what it can to ensure that the child's best interests are being served, and that's how in part we see Bill 10. There is always opportunity for improvement. I make reference to a couple of areas that are exceptionally challenging, especially in that whole international area. Every year I am contacted by at least one or two types of cases of that nature, and one can't help but feel for the sense of frustration that that individual has.

Mr. Speaker, I look forward to this bill going through to the committee stage. I suspect that it won't have any problem in terms of passing, receiving Royal Assent in very short due course.

Thank you for the opportunity to speak, Mr. Speaker.

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

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is second reading of Bill 10, The Family Maintenance Amendment and Inter-jurisdictional Support Orders Amendment Act.

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

\* (16:10)

**Bill 14—The Government Purchases  
Amendment Act  
(Responsible Manufacturing)**

**Hon. Ron Lemieux (Minister of Infrastructure and Transportation):** I move, seconded by the Minister of Labour and Immigration (Ms. Allan), that Bill 14, The Government Purchases Amendment Act (Responsible Manufacturing), be now read for a second time and referred to a committee of this House.

*Motion presented.*

**Mr. Lemieux:** The proposed amendment to The Planning Act requires that two or more livestock operations that total 300-plus animals of the same category that are located within 800 metres of each other and that are under the same ownership will require under sections 111 to 118 of The Planning Act a conditional use, a public hearing and a review by the Technical Review Committee. The—

**An Honourable Member:** Is that the right bill, Mr. Speaker?

**Mr. Lemieux:** Sorry, Mr. Speaker. Can I have a moment for a second?

**Mr. Speaker:** The honourable minister will just take a—

**Mr. Lemieux:** Well, thank you for your patience, Mr. Speaker. I thank the House for their patience as well.

I just wanted to make a brief comment. I previously commented with regard to this bill before. So I just wish to continue, and I thank you very much for your time.

**Mr. Cliff Cullen (Turtle Mountain):** Mr. Speaker, I'm assuming we're speaking on Bill 14.

**An Honourable Member:** Yes.

**Mr. Cullen:** We are? Okay, I just wanted to confirm that was the bill the minister moved.

Bill 14 is an interesting bill, this particular bill. What it does is it amends The Government Purchases Act. I see here from our notes on some of the research the provincial departments that are involved here, and it looks like we're looking at Justice, Infrastructure and Transportation and Conservation

are typically spending money on clothing and apparel. It looks like we're spending to the tune of about \$1.3 million every year looking after purchasing of clothing and apparel for our civil servants and our staff.

Certainly, we want to make sure that our staff is well protected, first of all, in cases where that's required. We certainly want to make sure that they have proper uniforms and that they can be easy for the public to make sure that they know who they are.

**An Honourable Member:** Recognizable.

**Mr. Cullen:** Yes, exactly, they have to be recognizable. Obviously, that's very important in terms of the Justice side of things. We do see some Justice officials throughout the building from time to time and, of course, running back and forth across the street. It's certainly nice to know that we can count on those people for their support when required.

The other thing, too, talking about Infrastructure and Transportation, a lot of times our staff are out on the highways, working on the highways. We do know there's a lot of work required in our infrastructure and, in particular, our highways and on our bridge infrastructure around Manitoba.

Mr. Speaker, I'll just reference back to just a few weeks ago. We had a couple of individuals that were working on a highway, actually a highway within the city of Winnipeg and, unfortunately, those workers were injured quite seriously in an automobile accident. So it's very clear and it's very significant, then, to our workers that are employed by the government and are working out on our highways and our infrastructure are properly, have the proper equipment so that motoring Manitobans or people that are out and about around Manitoba can identify those particular workers and take all the necessary safety precautions associated when working and driving around where those people are working.

Mr. Speaker, I had the opportunity to partake in the Emergency Services Conference, which was held in Brandon last week. This particular conference has been going on for several years. Initially, it was done out of the fire services college in Brandon. Over the years, it's just grown outside capacity, outside of that particular structure. So the conference is now being held at the Keystone Centre in Brandon, and it provides the opportunity for hundreds of volunteer emergency services and some full-time emergency services people, both on the fire side and on the

ambulance side of things, to get together and discuss issues relative to the emergency service.

Part of this particular conference involves displays where they have a number of suppliers come in and show their wares. There's obviously a lot of equipment. The fire and safety equipment is there and, as well, the people that sell apparel, outfitting the emergency service responders. So it's a very good conference for, you know, not just the various fire departments, but the ambulance personnel to attend to have a really good look at the various apparel and some of the new technologies that are coming out in the industry.

Also, I think, Mr. Speaker, it's an opportune time for provincial people to come and have a look at what types of clothes and apparel are out there that could outfit provincial employees. Obviously, when we look at those particular garments, boots and gloves and all those types of apparatus and material that you need, it's very important that we make sure that they're made correctly, they're made safely and that they're going to do the job that they were intended for.

So what this particular bill does, it actually goes one step beyond that. Once we have the safe merchandise and apparatus and the material that's there for purchase, this bill goes a little further. It talks about how those particular garments are made, not just garments, but all kinds of other things which the government may purchase from time to time. The intent of the legislation is quite noble. Basically, it just talks about and stresses how those particular pieces of apparel are made. We just want to be careful that we don't get involved in some kind of an operation where we're purchasing materials or apparel from some organization or some business that's not doing things in an ethical manner, in a business ethical manner. So that's really the intent of this particular bill, Mr. Speaker.

The bill brings in a new definition. It's called a "compliant bid." I think that's kind of the essence part of what this bill is trying to accomplish, so that the government, when they do put a tender out, they know exactly what kind of quality they're purchasing and just how that particular material was made so that it meets with the standards that we would expect in our society.

\* (16:20)

So that's really the intent of the bill. I think it's a noble impression. It's my understanding that very

few, if any, other provincial jurisdictions have taken this particular model. We know other provinces are having a look at it at this point in time. Some of the other major cities around North America have actually implemented this particular type of policy. I think we have to make sure that this policy emphasizes compliance with the minimum labour rights, such things as no forced labour, no child labour and, of course, adherence to any applicable local laws.

We know from time to time we're going to end up buying materials from other countries. That does happen from time to time, so we have to be cognizant of how those particular garments were made. This legislation really enforces those rules—or standards; I guess that might be the proper term to use.

The one thing I guess we have to be cautious of in this bill is that it allows the government to bring forward regulations under this bill. Really, sometimes, Mr. Speaker, we do get caught up in the detail of those regulations. We're not just sure how those regulations might come forward in the future, so I think it is cognizant that the government be aware that those regulations have to be very favourable. We have to be careful that they don't do something that we on this side of the House may not like.

The statement in the bill talks about minimum fair labour practices prescribed by regulation. That's the particular clause that we have to be aware of, Mr. Speaker, going forward. We know that this particular government is fixated on having unionized labour involved. I can reference back to the floodway agreement here not too long ago where the government prescribed that particular project had to be of a minimum amount of unionized labour involved. I'll just have to be careful that any regulations that come forward don't explicitly imply that some form of unionized labour has to be employed in terms of developing some of these garments.

Mr. Speaker, I think it's a very important piece of legislation going forward. Clearly, when we move it forward into committee, we're interested to hear what Manitobans have to say on this particular bill. As a province, we want to make quite clear that our suppliers do adhere to International Labour Organization standards. We recognize that ILO is an agency for the U.N., so, obviously, there are standards out there in such areas as child labour,

forced labour, the wages, occupational health and safety. There are internationally accepted standards in these areas.

We want to make sure that, when we do send these tenders out, when the bids come back in, they are quite compliant with our prescribed regulations, Mr. Speaker. I know it does lay out a few different requirements in terms of the tenders and requirements under those particular tenders, and it should be fairly straightforward.

So I guess, with those few words, I certainly want to turn it over to my colleagues for their comments on Bill 14, but we do look forward to hearing what Manitobans have to say on this bill. Thank you.

**Mr. Larry Maguire (Arthur-Virden):** I want to thank the Member for Turtle Mountain (Mr. Cullen) for putting those words on the record in regard to Bill 14, The Government Purchases Amendment Act. Mr. Speaker, I sometimes wonder why acts like this come into being because the government is already using certification in this process. Certainly, there is an intent to make sure that we are not involving child labour, low wages, working hours, maternity protection, and a few other circumstances, to name a few, that are required under making sure that goods are purchased from companies that are not utilizing any of those circumstances.

I want to say that I met with the minister on this particular bill, and, Mr. Speaker, I should indicate in my opening remarks that the minister is trying to update the rules governing how goods are to be purchased under The Government Purchases Act. I've got a couple of concerns that I'll point out in my discussion today while he is bringing this bill forward.

I'll get to those in a few minutes, but it also requires the suppliers of certain classes of goods establish that the goods have been made in accordance with minimum fair labour practices. That is a circumstance that I want to get a few items on the record at least so that the government doesn't get off track down the road in some of its purchasing at a later date.

I think one of the questions that concerned me, Mr. Speaker, was, under compliant bid, that the persons making the—of course, this is a new definition, as the Member for Turtle Mountain pointed out in this act. One of the questions that I raised about this particular point was that, under

section 2(a), it says, "made by a person who has met all conditions imposed in the request for tenders on persons seeking the contract in question." I questioned whether "imposed" was quite the right word or whether it was just the intent of the government in purchasing these things. It sounds like they are imposing some restriction on the parties that are doing the purchasing, when I would hope that the imposition is that the clarification of the purchasing agreement and that the companies, actually, are complying with the requests that are being made by the tenders that are being put forward, that nothing is being imposed upon these companies.

I only raise that, Mr. Speaker, because you have to be very clear in this whole process. One of the questions that, and I know that I had to minister was: Is this in any way an issue where only those—well, a particular example was the floodway—where only those who are unionized companies need apply? Of course, the minister assured me that this was not the case with this bill. It was certainly not the intent of Bill 14 to limit purchases to only companies that are unionized in the province of Manitoba or in other jurisdictions. But, very clearly, to meet the International Labour Organization standards, the minister pointed out very clearly—I take him at his word at his staff briefing—that very fully, he was limiting this to the purchases of clothing in the departments of government. He went even so far as to say that it didn't even include work boots. It's purely the clothing. The departments of Infrastructure and Transportation, government services, as well as Justice, as well as Competitiveness, Training, some of the main areas, highways that utilize garments from this industry, it's based on purchases of over \$5,000 tenders per year. Only those over \$5,000 qualify is my clarification under this particular bill. There's about \$1.3 million to \$1.6 million worth of purchasing in clothing, garments required every year by the government in these areas.

Those tenders would go out. Clearly, the persons doing the supplying of those tenders would have to meet International Labour Organization regulations. That's what we were assured the minister means under section 7(2) Responsible manufacturer policy. When I questioned him on what was meant by "minimum," and I quote, Mr. Speaker, "minimum fair labour practices prescribed by regulation," he indicated that: No, it wouldn't be just unionized people that would need apply like they did with the floodway. It would be clearly anyone, open to any

private sector person or unionized company to apply under the standards of the International Labour Organization, as he has appointed out.

Mr. Speaker, I know that we, certainly, on this side of the House are concerned about child labour and minimum standards being established for the purchases of such materials. I take the minister that he has said that it would be for clothing only in regard to garment purchases, but the act, under 7(1) Purchasing rules, states: "All purchases of goods made under authority of this Act are subject to the following rules:". That would apply to any department of government and all purchases, I would assume, not just those of clothing because, in this amendment, there is, of course, the original act—it talks about clothing—but the amendment hasn't got the word "clothing" in it anywhere. I only point that out as a concern.

So, Mr. Speaker, I know that there are other bills that the members would like to speak to today as well. So I would just like to close by saying that we want to make sure that the issues around "compliant bid" are very clear that it's a new area, that section 14 was repealed by the government under this act completely.

\*(16:30)

I would also close by saying that I would recommend to the government that they bring in an amendment to this bill to say that they could do this bill by Royal Assent on the day that this bill is passed, Mr. Speaker. Why doesn't it become effective that day, instead of under force on a day to be fixed by proclamation, Mr. Speaker? They're already doing this. The minister has indicated that they've already had a couple of purchases that have had tenders that have gone out that have already filled out the certification; they're already doing it. So in this case they've got the cart in front of the horse.

They didn't get any negative feedback from the two purchases that they had. I don't know who they were, but I would confer that from our side of the House perhaps if he got this bill in and made it effective the day it receives Royal Assent, it could move forward because the government's already doing it.

So thank you for those words, Mr. Speaker, and I'd turn it over to others for further comment.

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, the concept and principle of the bill is something that's

applaudable, and we're looking forward ultimately to the bill's passage. The member that spoke prior to myself talked about just how quickly a bill of this nature could in fact pass. The political will, I think, is there for it.

One of the things that I found interesting, actually on a couple of points. First, I was watching the minister as he introduced the bill for second reading and was a bit surprised that he wasn't too sure in terms of what it is that he was actually supposed to be talking on this afternoon. But he was able to recover in the sense of saying, well, he believed that he did speak on the bill previously. The minister is correct; he did speak on the bill. But there was one thought that came across my mind in reading this bill that I wanted to be able to pose a question to the minister, but I didn't think it would be appropriate, given he wasn't too sure what bill he was speaking on.

Tradition, quite often, has allowed members during second reading that, if they had a question through leave, the minister would respond to the question. As opposed to trying to put the minister on the spot, I thought I'd wait until I was afforded the opportunity to speak and then put the question to the minister. Maybe the minister could see to it to give me a response before the bill actually goes to committee. I would very much appreciate that, and it would be a good way to kind of redeem himself in one sense, Mr. Speaker.

The question that I have is that, when you talk the talk about an important issue of this nature, Manitobans expect that the government is acting on what it's talking about. You know, during the summer, Mr. Speaker, I know you participate, most MLAs participate, in Folklorama. One of the things that I noticed in Folklorama is we would see these ambassadors of good will that are dressed in Spirited Energy T-shirts. The thought that came across my mind as I was reading this bill is I wonder where those T-shirts came from and whether or not those T-shirts and the condition of the manufacturing of those T-shirts. I look to the minister who's responsible for this bill, believing that his intentions are genuine, could he in fact look into between now and the bill going into committee whether or not those T-shirts would meet the standard that this particular bill is talking about? My assumption is whether it's a Crown corporation or the government, one of the two, I understand, would have paid for those T-shirts, and I'm curious on whether or not that that is the case.

Now, knowing the incredible resources that this government has had because there's been no shortage of resources when it comes to funnelling for spin doctors and getting their research people and so forth, Mr. Speaker, I'm going to assume that if the minister does not get back to me before the third reading with some sort of response, he was discouraged by the response and didn't want to share it with us. But that's that bit of scepticism that I might have and maybe it's unwarranted in this case. I look forward for the minister to provide me the information that I've requested.

Without further ado, we're prepared to see the bill go to committee. Thank you.

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

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is Bill 14, The Government Purchases Amendment Act (Responsible Manufacturing).

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

#### **Bill 15—The Biofuels Amendment Act**

**Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines):** Mr. Speaker, I move, seconded by the honourable Minister of Conservation (Mr. Struthers), that Bill 15, 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 this message.

**Mr. Speaker:** It's been moved by the honourable Minister of Science and Technology, seconded by the honourable Minister of Conservation (Mr. Struthers), that Bill 15, The Biofuels Amendment Act, 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 the message has been tabled.

**Mr. Rondeau:** Mr. Speaker, in the interests of expediency, I will refer the House to my longer message that was tabled on April 18, 2007.

I would like to point out that this legislation has three objectives: to harmonize the ethanol policy framework with other jurisdictions; to ensure biodiesel fuel quality; and to enable future biodiesel market development opportunities. This will make sure we move forward in our mandate, and make

sure that we have the proper incentives and framework for the biodiesel and ethanol markets. Thank you.

**Mr. Gerald Hawranik (Lac du Bonnet):** Mr. Speaker, I move, seconded by the Member for Turtle Mountain (Mr. Cullen), that debate on Bill 15 be adjourned.

*Motion agreed to.*

#### **Bill 22—The Medical Amendment Act**

**Hon. Theresa Oswald (Minister of Health):** Mr. Speaker, I move, seconded by the Minister responsible for Healthy Living (Ms. Irvin-Ross), that Bill 22, The Medical Amendment Act; Loi modifiant la Loi médicale, be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Ms. Oswald:** This bill amends the medical act, and it is proposed in this bill that the amendments would, No. 1, improve public accountability. Provisions will be added to require the College of Physicians and Surgeons of Manitoba to consult with the Minister of Health when developing by-laws regarding the establishment and operation of diagnostic and treatment facilities. These by-laws have the potential to significantly affect the publicly funded health care system in terms of public safety, access to services and resources required to provide such services.

Given the potential impact of these by-laws, consultation with the minister is appropriate. New provisions will also require that the College of Physicians and Surgeons of Manitoba ensure that information about the establishment and operation of diagnostic facilities is promptly provided to the Minister of Health. The College of Physicians and Surgeons of Manitoba will be required to provide the Minister of Health with an annual report of its activities including information on the number of physicians registered, the number of complaints received, and the nature and disposition of the complaints, the composition of the governing council and committees and financial information.

Secondly, it will improve patient safety. The whistle-blower protection currently provided under the act will be expanded by providing liability protection for a physician who reports to the college that another member is unfit, incompetent, or unethical.

Thirdly, updated complaints and disciplinary procedures will occur. The complaints and

disciplinary process will be updated to include provisions allowing disciplinary action to be taken against a physician in Manitoba where he or she is also registered in another jurisdiction and has been disciplined there.

The time period for complainants to submit an appeal of a complaints committee decision will be changed from six months to 30 days. The proposed 30-day appeal period is consistent with provisions in 10 other health professions, statutes in Manitoba and, as well, in one form or another in health professions legislation in British Columbia, Alberta and Ontario.

\* (16:40)

Amendments have been included to allow the complaints committee to sit in panels. The college has proposed two panels in order to manage the workload requirements for the committee and to improve the time frame within which a complaint can be considered.

Lastly, Mr. Speaker, there will be some minor amendments to address some of the changes I've already referred to. Thank you.

**Mr. Gerald Hawranik (Lac du Bonnet):** Mr. Speaker, I move, seconded by the Member for Lakeside (Mr. Eichler), that debate on Bill 22 be adjourned.

*Motion agreed to.*

#### **Bill 19—The Fair Registration Practices in Regulated Professions Act**

**Hon. Nancy Allan (Minister of Labour and Immigration):** I move, seconded by the Minister of Health (Ms. Oswald), that Bill 19, The Fair Registration Practices in Regulated Professions Act, 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.

**Mr. Speaker:** It has been moved by the honourable Minister of Labour and Immigration, seconded by the Minister of Health, that Bill 19, The Fair Registration Practices in Regulated Professions Act, be now read a second time and be referred to a committee of this House.

His Honour the Lieutenant-Governor has been advised of this bill and the message has been tabled.

**Ms. Allan:** Bill 19 requires that regulated professions establish fair application and registration

procedures that are transparent, objective and impartial. Regulatory bodies in Manitoba will be required to have registration practices that are clear, understandable and accessible. The proposed legislation builds on the qualifications, recognition policies and programs developed over the past few years in Manitoba. The legislation respects the independence of regulatory bodies to protect the public interest by setting the standard of professional practice.

Along with Ontario, Manitoba will be a forerunner among Canadian provinces in adopting legislation to break down barriers and help the internationally educated to work in their fields of expertise. Improved assessment and registration practices should provide more efficient routes for the qualifications recognition of skilled immigrants and entry to relevant employment. Although newcomers are more highly skilled and experienced than ever before, many are struggling to work in their professions and achieve their career goals. Since 2002, extensive work has been undertaken on our Manitoba qualifications recognition strategy where our tackling barriers in assessment and recognition and speeding up immigrants' job entry into occupations where they have education and experience. To support increased levels of immigration and economic growth, Manitoba is committed to leading an informed, fair and systemic approach to improving recognition processes for skilled immigrants.

There are three components of the fair registration practices bill. The Fair Registration Practices Code, which is regulatory bodies would be required to comply with specific duties to ensure that their registration practices meet well-established principles of procedural fairness such as transparency, objectivity and impartiality. Among other things, the code requires the regulator to provide clear and understandable information about registration processes, including how long they take and related fees, assessment criteria, how acceptable alternative requirements can be met and internal appeal processes.

The bill also requires regulators to help applicants understand their registration decisions in writing and to be completed within reasonable time frames. In addition, it requires information on supports that may be available to increase the applicants' chances of success. Activity such as orientation manuals, guidebooks and Web sites may

be available through a regulatory body, or in partnership with community or government services. Regulatory bodies will be required to review and report on their registration practices.

Two, Fair Registration Practices Commissioner. The next major component of the bill is the appointment of a fairness commissioner to give information and advice to regulatory bodies and help them understand the requirements of the act. The commissioner will review the registration practices of regulatory bodies and recommend improvements to regulators, government and other stakeholders. The commissioner will be responsible to provide a report to government on the implementation and effectiveness of the act, including recommendations or improvements.

Three, Minister's Responsibilities. The bill includes a commitment by government to provide support and assistance to internationally educated individuals and registration requirements. As well, information and assistance will be provided to regulatory bodies and others that deal with those educated outside of Canada to improve practices and remove barriers. The proposed act will apply to 30 regulated professions in Manitoba. The bill also allows for the inclusion of teachers, trades and others to be determined following a review process.

I'd like to acknowledge and thank APEGM for their contribution to the bill and to their ongoing commitment to qualifications recognition for foreign, educated professionals.

I'd like to note legislation is one more step in Manitoba's leading edge QR strategy. Working in close collaboration with regulators, educational institutions and employers, a number of initiatives have been implemented, such as alternative assessment and licensing processes, bridge training, communications and employment entry programs.

This bill represents a balanced approach to resolving barriers to foreign qualifications recognition often faced by newcomers in Manitoba. For all these reasons, I commend this bill for approval of the Assembly. Thank you.

**Mr. Gerald Hawranik (Lac du Bonnet):** I move, seconded by the Member for Carman (Mr. Pedersen), that debate on Bill 19 be adjourned.

*Motion agreed to.*

**Bill 20—The Planning Amendment Act  
(Deemed Single Operations)**

**Hon. Ron Lemieux (Minister of Infrastructure and Transportation):** I move, on behalf of the Minister of Intergovernmental Affairs (Mr. Ashton), seconded by the Minister of Water Stewardship (Ms. Melnick), that Bill 20, The Planning Amendment Act (Deemed Single Operations), be read now for a second time and be referred to a committee of the House.

*Motion presented.*

**Mr. Lemieux:** Mr. Speaker, the proposed amendment to The Planning Act requires that two or more livestock operations that total 300-plus animals of the same category that are located within 800 meters of each other and that are under the same ownership will require under sections 111 to 118 of The Planning Act the conditional use of public hearing and a review by the Technical Review Committee.

The amendment is intended to remedy a situation where a livestock operator might split his or her operation into two or more smaller units in close proximity to each other, but on separate properties, thereby potentially allowing them to escape public scrutiny and a technical review, as presently stipulated in the act. The amendment will also enable the Lieutenant-Governor-in-Council to make a regulation to define ownership of a livestock operation or operations for the purposes of ensuring that all forms of ownership of livestock operations are captured by the proposed change to The Planning Act.

This amendment reflects the Government of Manitoba's continued commitment to monitor the livestock industry in Manitoba, and to ensure that our environment is protected to maintain a high quality of life for Manitobans. Thank you, Mr. Speaker.

**Mr. Gerald Hawranik (Lac du Bonnet):** I move, seconded by the Member for Carman (Mr. Pedersen), that debate on Bill 20 be adjourned.

*Motion agreed to.*

**Bill 5—The Public Accounts Committee Meeting Dates Act (Legislative Assembly Act Amended)**

**Hon. Dave Chomiak (Government House Leader):** Mr. Speaker, I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 5, The Public Accounts Committee Meeting Dates Act (Legislative Assembly Act Amended); Loi sur les

dates de réunion du Comité des comptes publics (modification de la Loi sur l'Assemblée législative), be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Mr. Chomiak:** Mr. Speaker, I refer members of the House to my comments on my second reading speech on the bill on November 27, 2006.

Note that we are making progress as we evolve in the PAC committee, and I look forward to more progress in this regard.

**Mr. Gerald Hawranik (Lac du Bonnet):** I move, seconded by the Member for Ste. Rose (Mr. Briese), that debate on Bill 5 be adjourned.

*Motion agreed to.*

**Bill 6—The Adult Literacy Act**

**Hon. Diane McGifford (Minister of Advanced Education and Literacy):** I move, seconded by the Minister of Manitoba Infrastructure and trade, that Bill 6, The Adult Literacy Act; Loi sur l'alphabétisation des adultes, 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 Advanced Education and seconded by the honourable Minister of Infrastructure and Transportation (Mr. Lemieux), that Bill 6, The Adult Literacy Act, 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 this message has been tabled.

\* (16:50)

**Ms. McGifford:** Well, thank you, Mr. Speaker. In the interest of expediency, I will refer the House to my second reading speech introducing The Adult Literacy Act the afternoon of November 30, 2006. Furthermore, in the interests of all Manitobans, and particularly in the interests of adult learners, I look forward to the speedy passage of this bill.

**Mr. Gerald Hawranik (Lac du Bonnet):** I move, seconded by the Member for Emerson (Mr. Graydon), that debate on Bill 6 be adjourned.

*Motion agreed to.*

**Bill 7—The Insurance Amendment Act**

**Hon. Greg Selinger (Minister of Finance):** I move, seconded by the Minister of Justice (Mr. Chomiak), that Bill 7, The Insurance Amendment Act; Loi

modifiant la Loi sur les assurances, be now read a second time and be referred to a committee of this House.

***Motion presented.***

**Mr. Selinger:** Mr. Speaker, for the sake of moving along the process today, I'll refer the House to my second reading of the speech on December 5, 2006.

**Mr. David Faurchou (Portage la Prairie):** I move, seconded by the honourable Member for Turtle Mountain (Mr. Cullen), that debate now be adjourned.

***Motion agreed to.***

**Bill 9—The Securities Amendment Act**

**Hon. Greg Selinger (Minister of Finance):** I move, seconded by the Minister of Family Services and Housing (Mr. Mackintosh), that 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:** Again, Mr. Speaker, to move things along, I will refer the House to my second reading speech of April 8, 2007.

**Mr. David Faurchou (Portage la Prairie):** I move, seconded by the honourable Member for Ste. Rose (Mr. Briese), that debate now be adjourned.

***Motion agreed to.***

**Bill 11—The Children's Advocate's Enhanced Mandate Act (Various Acts Amended)**

**Hon. Gord Mackintosh (Minister of Family Services and Housing):** I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 11, 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.

**Mr. Speaker:** It has been moved by the honourable Minister of Family Services and Housing, seconded by the Minister of Finance, that Bill 11, 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 this bill and the message has been tabled.

**Mr. Mackintosh:** Just in light of the time and the history of this bill, I understand that second reading was moved on April 18, and remarks are reported there, I understand.

**Mr. Stuart Briese (Ste. Rose):** I move, seconded by the Member for Portage la Prairie (Mr. Faurchou), that debate on this bill now be adjourned.

***Motion agreed to.***

**Bill 21—The Housing and Renewal Corporation Amendment Act (Fund for Housing Revitalization)**

**Hon. Gord Mackintosh (Minister of Family Services and Housing):** I move, seconded by the Minister of Finance (Mr. Selinger), that Bill 21, The Housing and Renewal Corporation Amendment Act (Fund for Housing Revitalization), 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.

**Mr. Speaker:** It has been moved by the honourable Minister of Family Services, seconded by the Minister of Finance, that Bill 21, The Housing and Renewal Corporation Amendment Act (Fund for Housing Revitalization), be now read a second time and be referred to a committee of this House.

His Honour the Lieutenant-Governor has been advised of this bill and the message has been tabled.

**Mr. Mackintosh:** Mr. Speaker, in light of the time here today and the history of this bill, I'll let the remarks of June 6, 2006 stand.

**Mr. David Faurchou (Portage la Prairie):** I move, seconded by the honourable Member for Emerson (Mr. Graydon), that debate now be adjourned.

***Motion agreed to.***

\* \* \*

**Hon. Dave Chomiak (Government House Leader):** Mr. Speaker, I wonder if there's consent to call it 5 o'clock.

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

Okay. The hour being 5 p.m., this House is adjourned and stands adjourned until 1:30 p.m. tomorrow (Wednesday).

# LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, October 16, 2007

## CONTENTS

<b>ROUTINE PROCEEDINGS</b>			
<b>Introduction of Bills</b>		Trans-Canada Highway Maguire; Lemieux	1379
Bill 215—The Mandatory Testing for Pathogens Act Goertzen	1373	Antibiotic Prescriptions Gerrard; Oswald	1380
<b>Petitions</b>		Crocus Investment Fund Lamoureux; Rondeau	1381
Provincial Nominee Program Lamoureux	1373	Northern Healthy Food Initiative Jennissen; Wowchuk	1381
Neepawa, Minnedosa and Areas Local Hospitals Briese	1373	Car Immobilizers Maguire; Chomiak	1382
Cottage Owners and Homeowners Access to Property Hawranik	1374	Emergency Room Services Closure Briese; Oswald	1383
<b>Committee Reports</b>		<b>Members' Statements</b>	
Report of the Proceedings of the Committee of Supply from September 25, 2007 to October 15, 2007 Korzeniowski	1374	Canadian Foodgrains Bank Graydon	1383
<b>Tabling of Reports</b>		Ethan Kendrick Jennissen	1384
Annual Report of the Department of Competitiveness, Training and Trade for the fiscal year ending March 31, 2007 Rondeau	1374	2007 Special Olympics World Summer Games Cullen	1384
<b>Oral Questions</b>		College Expansion Initiative Caldwell	1384
Hollow Water Cottage Barricade Stefanson; Struthers	1374	The Maples Constituency Nomination Lamoureux	1385
West-Side Manitoba Hydro Line Cullen; Selinger	1375		
Rowat; Selinger	1376	<b>ORDERS OF THE DAY</b> (Continued)	
Manufacturing Sales Borotsik; Selinger	1377	<b>GOVERNMENT BUSINESS</b>	
Seven Oaks School Division Schuler; Bjornson	1378	<b>Second Readings</b>	
		Bill 4—The Real Property Amendment Act (Wind Turbines)	
		Rondeau	1386
		Cullen	1386
		Gerrard	1390
		Pedersen	1390
		Graydon	1391
		Maguire	1392
		Eichler	1396

Bill 8–The Public Schools Amendment Act (Regional Vocational Schools)		Bill 19–The Fair Registration Practices in Regulated Professions Act	
Bjornson	1398	Allan	1407
Schuler	1398	Bill 20–The Planning Amendment Act (Deemed Single Operations)	
Lamoureux	1399	Lemieux	1409
Bill 10–The Family Maintenance Amendment and Inter-jurisdictional Support Orders Amendment Act		Bill 5–The Public Accounts Committee Meeting Dates Act (Legislative Assembly Act Amended)	
Chomiak	1399	Chomiak	1409
Hawranik	1399	Bill 6–The Adult Literacy Act	
Cullen	1401	McGifford	1409
Lamoureux	1401	Bill 7–The Insurance Amendment Act	
Bill 14–The Government Purchases Amendment Act (Responsible Manufacturing)		Selinger	1409
Lemieux	1402	Bill 9–The Securities Amendment Act	
Cullen	1402	Selinger	1410
Maguire	1404	Bill 11–The Children's Advocate's Enhanced Mandate Act (Various Acts Amended)	
Lamoureux	1405	Mackintosh	1410
Bill 15–The Biofuels Amendment Act		Bill 21–The Housing and Renewal Corporation Amendment Act (Fund for Housing Revitalization)	
Rondeau	1406	Mackintosh	1410
Bill 22–The Medical Amendment Act			
Oswald	1407		

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