

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

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The Honourable George Hickes
Speaker*

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, October 23, 2007

The House met at 10 a.m.

PRAYER

ORDERS OF THE DAY

GOVERNMENT BUSINESS

Hon. Dave Chomiak (Government House Leader): As Government Business, I'm wondering if there is leave of the House this morning from 10 until 12 to follow the pattern that we do normally during private members' hours on Tuesday, and that is to have no votes, no quorum, from the period of 10 a.m. until 12.

Mr. Speaker: Is there agreement to not have votes during 10 until 12? Is there unanimous consent? *[Agreed]*

Mr. Chomiak: Thank you, Mr. Speaker, and I thank the members of the House for their concurrence in this matter.

I'd like to call the bills in the following order: Bill 28, The Budget Implementation and Tax Statutes Amendment Act; Bill 11, The Children's Advocate's Enhanced Mandate Act; Bill 15, The Biofuels Amendment Act; Bill 19, The Fair Registration Practices in Regulated Professions Act; Bill 20, The Planning Amendment Act; and Bill 5, The Public Accounts Committee Meeting Dates Act.

Mr. Speaker: Okay. The bills that have been called, to resume Debate on Second Readings, are listed in order: 28, 11, 15, 19, 20 and 5.

House Business

Mr. Gerald Hawranik (Official Opposition House Leader): Mr. Speaker, I table for the House Concurrence for Wednesday, October 24, tomorrow. Following Routine Proceedings, we call the following ministers in Concurrence: the Minister of Family Services and Housing (Mr. Mackintosh); the Minister of Agriculture, Food and Rural Initiatives (Ms. Wowchuk); and the Minister of Infrastructure and Transportation (Mr. Lemieux).

Mr. Speaker: Okay. For the next meeting of Concurrence, the ministers that have been asked for are Family Services and Housing, Agriculture and Food, and Infrastructure and Transportation. That's for the information of the House.

Are we ready to resume Debate on Second Readings? Okay.

DEBATE ON SECOND READINGS

Bill 28—The Budget Implementation and Tax Statutes Amendment Act, 2007

Mr. Speaker: Resume debate on second reading of Bill 28, The Budget Implementation and Tax Statutes Amendment Act, 2007. The debate remains open. Any member wish to speak? No?

Is the House ready for the question?

An Honourable Member: Question.

Mr. Speaker: The question before the House is Bill 28, The Budget Implementation and Tax Statutes Amendment Act, 2007.

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

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

Mr. Speaker: I'm going to call next Bill 11, The Children's Advocate's Enhanced Mandate Act (Various Acts Amended), standing in the name of the honourable Member for Lac du Bonnet (Mr. Hawranik).

What is the will of the House? Is it the will of the House for the bill to remain standing in the name of the honourable Member for Lac du Bonnet?

An Honourable Member: No.

Mr. Speaker: No, it's been denied.

Any members wish to speak?

Is the House ready for the question?

An Honourable Member: No.

Mr. Speaker: The honourable Member for Russell to speak.

Mr. Leonard Derkach (Russell): I'm pleased to put some remarks on the record with regard to Bill 11, The Children's Advocate's Enhanced Mandate Act, Mr. Speaker. We have certainly watched with interest some of the activities that have gone on under the watch of this government. This bill, although it flows out of the recommendations

following the investigation of Phoenix Sinclair, is a bill that perhaps should be included with lots of other recommendations that were made with regard to how the welfare of children in our province is being looked after.

Mr. Speaker, although the whole issue of devolution is not one that anybody has spoken against or come out against, the process is one that was flawed by this government and one that has caused an extreme amount of pain, especially on little children. And government has to bear the responsibility for that because it is under the administration of this government, and several ministers now, that this whole devolution process has been bungled severely.

Front-line workers in the system have talked to us and have talked to Manitobans about some of their serious concerns regarding the welfare of children. They have spoken out about the way in which devolution has been mismanaged, Mr. Speaker. But the government continues to plough straight ahead without putting the kinds of resources that should be put in place in order to be able to have the transition a smooth one, and to ensure that the priority of children is No. 1 when it comes to the devolution process and to the welfare system.

Mr. Speaker, front-line workers have talked about the fact that they can't handle the workload. There aren't enough resources in the system to be able to manage the workload that is before these people. So government has the responsibility, and if we're going to put our money anywhere, it's to front-line workers because those are the people who have charge of ensuring the safety of these children that are placed in foster homes, that are placed back with families, that are placed in environments that sometimes, unfortunately, become environments of danger, environments where the safety of those young people is compromised.

Unfortunately, government also points the finger at staff when problems arise. Government does not take responsibility. The ministers don't take responsibility for those issues that arise when mismanagement occurs. Instead, Mr. Speaker, we have watched in this House how ministers stand up in their place, including the Premier (Mr. Doer), and point the finger at people who are responsible for the system, those front-line workers who work everyday to make sure that the safety of those young people is not compromised.

Mr. Speaker, today we are seeing a system where there are more children in care than we have ever seen before. When you have more children in care in the system, it means that you have to provide for those additional resources to ensure that those children are looked after appropriately.

I've talked to workers in the welfare system who have told me that they just simply cannot handle the caseload that they have before them. If they're going to handle it adequately, that means that they have to have some assistance. They have to have more hands-on people, if you like, working on the front lines.

So, Mr. Speaker, unfortunately, this all comes back to the House. Unfortunately, it comes back to us. But the greatest travesty in all of this is that we have the death of children from time to time. Now, we're not here to blame any individual minister or specific person for the death of any children. That is the job of the law enforcement people to ensure that those responsible are brought to justice, but when you look at the management of the system, that comes right back to this House. That comes right back to the ministers. That comes right back to the government.

*(10:10)

Mr. Rob Altemeyer, Acting Speaker, in the Chair

Mr. Acting Speaker, we have seen, I think, first-hand—and the newspapers have written about it; the media have carried it—in terms of where the mismanagement really lies. It lies with the policies. It lies with the inaction. It lies with the lack of attention by ministers and this government.

Now, Bill 11, Mr. Acting Speaker, simply expands the whole investigation area. It gives the power to the Child Advocate to now investigate children's deaths. Previous to this, that was how it was with the coroner's office or the Medical Examiner's Office. That probably is appropriate.

If you're going to add additional responsibility at the feet of the Child Advocate, who should be advocating for living children, the Children's Advocate is the one who should be looking at the welfare, the safety and the interests of living children, but today the government is now following the recommendations, after the Phoenix Sinclair recommendations, is now expanding that to allow the Children's Advocate to investigate those deaths.

Well, Mr. Acting Speaker, what we don't see are the resources that will be put in place to ensure that the Children's Advocate has the proper resources to be able to investigate those deaths and also to carry on the responsibilities that have been given in the mandate to the Children's Advocate.

Additionally, Mr. Acting Speaker, it appears, from what we know from the bill, that resources are going to be taken away from the Medical Examiner's Office. The Medical Examiner's Office today can't manage the workloads that it has in front of it, and now we're going to see some resources taken from—I think there's a complement of two staff persons that are going to be taken away from the Medical Examiner's Office. I think that is unfair, to begin with, because I don't believe that the Medical Examiner's Office is overstaffed either.

Ms. Bonnie Korzeniowski, Deputy Speaker, in the Chair

Again, this comes back to the policies and the management or the mismanagement of government. That is where, rightfully, we need to point the finger, Madam Deputy Speaker, because it is up to government to ensure, No. 1, that the resources are in place to be able to do the job, and secondly, that human resources are put in place to ensure that no more deaths occur.

We live in a society where, unfortunately, there's too much violence and too much neglect of children and too much of this kind of activity going on. Unfortunately, we have to put in, I guess, agencies like the Children's Advocate's office, who not only look after the welfare of living children but indeed now have to have their role expanded to investigate deaths of children as well.

Madam Deputy Speaker, how can anybody oppose legislation like this when, on the surface, it looks like we are looking after the interests of children by allowing the Children's Advocate to do the investigation? That's not the issue here. It's not a matter of opposing the bill. It's a matter of ensuring that the bill does what it's supposed to do. If the investigation of these deaths is supposed to be done in completeness and in a timely fashion, we have to make sure that the resources follow so that the people who are responsible can access enough resources to be able to do this. That's where the fear is. That's where the concern is, and it wouldn't be right for us not to put those concerns on the record.

There were other recommendations that flowed out of the reports that have come, and we seem to have report after report, review after review done on the whole welfare system in our province. That signals, in itself, that there is a problem with the welfare system in our province. If you have to have one review after another because continuous problems continue to arise, then it means that the system is in chaos. Madam Deputy Speaker, unfortunately, the government just can't get a handle on the issues and can't seem to be able to address those serious problems that persist with the child welfare system.

Madam Deputy Speaker, it's appalling when you hear that a child, after being abused in a home, is taken out of that home and is then returned to that home, either dies or suffers more abuse. That does not speak well for how we manage the system. It does not speak well in terms of how we have put safety mechanisms in place to ensure that those kinds of things don't happen. It's easy to point at the front-line workers who are overburdened and say, well, that's not our fault; we have devolved the system, it's somebody else's problem.

Well, Madam Deputy Speaker, the problem lies in how the system is managed and how the policies have been put into place and how ready the people who the system has been devolved to are capable of indeed managing and dealing with those issues.

Madam Deputy Speaker, the Children's Advocate, when doing an investigation on a death of a child will come forward with recommendations. I'm hoping that those recommendations aren't going to be shelved and aren't going to be ignored just like we have seen other recommendations ignored regarding the child welfare system.

Now, we won't talk about blatant ignorance of recommendations, but there is a process by which we can check on whether recommendations are implemented. The government continues to avoid that check, if you like, of whether recommendations are, in fact, being implemented as they are recommended. To this, I speak about the Public Accounts process that we have in our province. The Public Accounts process is supposed to allow those of us in the Legislature here to be able to call forward those people who have responsibility for administering programs within departments and ask some questions regarding how the recommendations of a particular report, whether it's an Auditor's report or whether it's a different report that comes forward

with recommendations, how those recommendations are being implemented.

That is the process that we're supposed to follow in the Public Accounts process and it works right through the country. There are jurisdictions, Madam Deputy Speaker, where jurisdictions have a Public Accounts process in place where members of the Public Accounts Committee are allowed and have the responsibility to ask departments and those who head those departments, basically deputy ministers, as to how they are implementing and how they are getting along with the implementation of recommendations that are made to improve a particular process within their department.

Madam Deputy Speaker, I say to this government that if we had a proper Public Accounts process in this province where we could ask deputy ministers how recommendations are being implemented, to report to the Public Accounts Committee on the progress of implementation of recommendations, maybe, maybe some of these issues that arise in this province, issues like the death of children, issues like recommendations that have sat on the shelf for far too long, would not happen.

But, for whatever reason, we continue to have a Public Accounts process in this province that is mired in muck. It doesn't progress. It doesn't really get at the issues. It's one that is flawed, yet we fail to be able to modernize it, to get on with the job as other provinces have and to make sure that it is a respectable process, a process of accountability to Manitobans, so that Manitobans, indeed, can feel secure that there is some accountability on matters that are before it.

Madam Deputy Speaker, although this seems to digress from the bill, it does not because the bill talks about implementing a process where we are going to have a Children's Advocate investigating the deaths of children. That is going to be followed with recommendations, I would assume. Those recommendations then have to be followed up on. Who does the follow-up on recommendations? If we, as the legislators in Manitoba, cannot hold departments and government accountable through a process of accountability in this Legislature, then we fail to do our job.

So, Madam Deputy Speaker, although this bill addresses or tries to address the issue of how we get to the bottom of what went wrong in a case where a child has died and when that child is in care of the child welfare system, I fear that this particular bill

does not address all of the issues that are out there, and it ignores some of them. The issues that I see that it ignores are issues of resources to both the Children's Advocate and to the front-line workers, and it ignores some of the recommendations that have come down before and have not been implemented to date.

So, with these few words, Madam Deputy Speaker, I certainly think that this bill could be improved, but in principle, I think that this bill does merit support in that at least it's a first step, if you like, to ensuring that we have greater accountability and greater, I guess, tools at our disposal to be able to investigate issues where a child has died in the care of the Province, in the care of the welfare system of our province. Thank you.

* (10:20)

Mr. Larry Maguire (Arthur-Virden): Madam Deputy Speaker, it is my privilege today to rise and speak on Bill 11, The Children's Advocate's Enhanced Mandate Act. Like the Member for Russell (Mr. Derkach), we're very concerned about the circumstances surrounding this type of bill. Of course, it provides an opportunity to support investigations into deaths in regard to children across the province of Manitoba who have been involved with the Child and Family Services programs. We know full well that there are more children in care today than ever before, and bills like this are necessary in order to provide an opportunity to enhance the opportunities of dealing with some of these circumstances.

Madam Deputy Speaker, this bill introduced first—would be just before Christmas last year, in '06—is an opportunity for the government to amend The Fatality Inquiries Act and The Child and Family Services Act and transfer some of the responsibility for those reviews of the death of children in care to the Children's Advocate. As the Member for Russell indicated, this first blush is a great opportunity. It's another investigative area to look into the Child and Family Services and look at discrepancies perhaps that may have happened, and particularly look at the circumstances around the deaths that have happened to children who are under the care of these jurisdictions.

There are a couple of points that I want to make today in regard to this bill, in regard to my experiences with it.

I want to first say that I hope that the transfer of this responsibility to the Children's Advocate will not affect the Chief Medical Examiner's power to investigate the death of a child or to call an inquest into the death of a child, Madam Deputy Speaker. I know that the Ombudsman is involved in this as an appeal process, where Bill 11 requires the Ombudsman to monitor and report to the Legislative Assembly on the implementation of the Children's Advocate's recommendations. Of course, there were many recommendations coming out of the reviews of the death of Phoenix Sinclair that have been spoken about in this House. We need to continue to look at all of the recommendations that have come forward from that review, and hopefully the government will implement many of those that have come forward.

I believe though, that we have cautions in regard to some of the areas that are involved in this particular bill because of the nature of the Ombudsman's role, and that is, of course, to look at providing an unbiased view of anything that's brought forward to them in any jurisdiction across the province of Manitoba. It is a concern to some, and I've had it expressed that perhaps the Ombudsman, who is an unbiased person and department to review issues in Manitoba, is also the advocate in this particular case dealing with appeals from the Chief Medical Examiners and the Office of the Child Advocate as well.

So that's a bit of concern that I would just acknowledge here in the House today on behalf of those who have brought it forward to me. I just want to say that I would hope that the government has thought that through in regard to it not being seen as that. The Ombudsman, of course, would be required to monitor and report to the Legislative Assembly on the implementation of the Children's Advocate's recommendations, and I guess those are the concerns that have been raised to me.

Another area, Madam Deputy Speaker, that's come to my attention in regard to this bill is that it's, of course, coming forward, Department of Family Services and Housing; it's also a Justice issue, as we've talked about many times. It's a concern that not more has been done in regard to getting to the bottom of some of the cases and the many deaths that we've had, that we've raised issues on over the past several years in this House in regard to this particular jurisdiction.

I think, Madam Deputy Speaker, that we want to be very clear that education, in my estimation, does

play a role in the opportunities of limiting these kinds of circumstances, and regardless of whether they are on First Nations or in the rest of the province of Manitoba as well, education of residents in regard to the rights and wrongs in these kinds of situations that occur would—I believe it's been proven—minimize the occurrences of these types of errors. Of course, providing funds for bettering living conditions in some of the areas where these types of deaths occur in a higher rate, I believe, as well would be beneficial across the province of Manitoba in limiting the amount.

I think we have to be proactive in regard to the root cause of these deaths, Madam Deputy Speaker, not solely focussing on the reviews after the fact. I think that that's a major issue that we need to examine. I certainly would encourage the government to move forward with enhancing, as they've used the term in the title of the bill, enhancing the opportunities for the Children's Advocate, but I caution that perhaps the Department of Education could play a better role or more of a role in this whole area as well in regard to providing funds, making sure that persons in these less—I guess if you could look at it in areas of hurt in these through some of the lower-income levels that we have in Manitoba. We have much poverty in some of the areas of Manitoba that the government hasn't addressed, and I caution the government that perhaps dealing with education funds in these areas would be a benefit, as well, in regard to making sure that we make people more greatly aware of responsibilities of raising children and treatment of them. There will always be bad cases, and I have concerns for those folks.

But I want to just say that while these recommendations have come forward, we haven't seen too many of them acted on yet, and, of course, they're going to continue to be put in place. I know that there has been a large increase in the budget of the Children's Advocate by some 88 percent here in 2007, up from three-quarters of a million to just about \$1.4 million, and I only raise that in regard to my previous comments about making sure that we're putting the dollars in the right places to make sure that we limit the amount of deaths that actually occur, Madam Deputy Speaker.

*(10:30)

I know that the Office of the Chief Medical Officer is required to review the quality or standard of care and service provided by the agency and that the Office of the Child Advocate will look through

that as well now. It's a three-tiered process, basically, that the government is establishing in this. While these reviews continue to take place, my concern is that action is being done in a timely manner to limit the amount of deaths that actually occur.

So I would very much support anything that could be done to reduce the time frame involved in these reviews. I have no problem with them being reviewed, but I think one of the issues that we need to make sure about as an opposition, that we bring to the government's attention, is that they are done in a timely manner, that the results are tabled and tabled with the government in a timely manner, as they are supposed to be under this act, and that action actually has taken place. Also, when those reports are presented to the government in a very timely fashion, to make sure that action is taken to reduce the number of deaths in the province.

I think one of the other major areas is that more of these types of situations that we can get before the—as the Member for Russell (Mr. Derkach) mentioned—Public Accounts Committee, bring some of these actions forward, have them tabled, have them discussed there, the public of Manitoba will be much more responsibly replied to in regard to their concerns if these types of recommendations are made public in a timely manner as well.

So I look for complete reports coming out of this area from the ministers responsible, Madam Deputy Speaker, and I look for a complete review from compliance in the review functions that go to the Ombudsman and want to close my comments by saying that I feel that this type of bill could be a benefit to children in Manitoba. I think our focus needs to be on those that are living children in Manitoba.

These kinds of reports, obviously, are dealing with the deaths of those in Manitoba, and we need to make sure that there's a disclosure in regard to that process. I'd like to finally say that I think that the departments, whether they're in Justice or Family Services, need to enrol the Department of Education in a responsible manner in making these kinds of reports and activities a priority back into the areas and jurisdictions where these deaths occurred. Thank you very much, Madam Deputy Speaker.

Mr. Cliff Cullen (Turtle Mountain): It's certainly a pleasure for me to rise in the House this morning just to say a few words about this particular piece of legislation.

Obviously, it's very important for all of us in the Chamber when we're dealing with children, children in care, and ultimately children that face some bad circumstances. Anything that we can do to strengthen legislation that currently exists to the benefit of the children in care throughout Manitoba I think is something we should be trying to achieve.

Again, when we talk about legislation, it really just provides a framework, in this case, a framework for reviews once situations do develop. And we do know in Manitoba, Madam Deputy Speaker, that we have had over the last several years a lot of children in care and a lot of very negative occurrences. In fact, a lot of deaths have occurred when children have been in care under the jurisdiction of the province. So, clearly, this is very troubling for all Manitobans when these situations arise. I think it's very prudent that we have a clear understanding of what happened in those individual circumstances. Going forward, we need a clear understanding of how we can improve those situations. Hopefully, we can make changes so that those particular situations don't occur again in the future.

The other component here is, once we have this particular framework put in place in terms of the review process and the recommendations coming forward, there still has to be the will of the government of the day to make sure that the recommendations are followed through. There has to be the will there to put the resources forward to make sure that there are people in place to deal with those particular recommendations. Again, this particular legislation will improve the framework, but, Madam Deputy Speaker, there has to be the will of government there to actually implement those changes.

I guess what this particular bill will do, it brings the Office of the Children's Advocate to play a more prominent role in the review process in dealing with the deaths of children in care. Hopefully, the intent would be to identify ways in which the programs and services can be enhanced to effectively manage these children in care and, ultimately, to prevent any deaths that may occur or that have occurred and going forward into the future.

It really talks about the quality of care and the services that we've provided under the Child and Family Services Department, and we know, Madam Deputy Speaker, when we're dealing with children in Manitoba, it's a very important issue for all Manitobans. We do know there has been an increase

in the budgets in terms of the Children's Advocate. Ultimately, by this legislation, there will be more funding required for that particular office.

I think it's important that when these recommendations come forward, they are open and transparent, that all departments will be involved in the discussion and the recommendations going forward. So that, I think, Madam Deputy Speaker, is important that, where the government wants to put resources into the various departments that could be impacted by the recommendations going forward.

As I said, we're certainly interested in doing whatever we can on this side of the House to assist in looking after children that are in care throughout Manitoba, and we hope that this legislation will provide that framework, but we also will be monitoring the government, going forward, to make sure that they are there with the resources to manage the recommendations and to effectively manage the Child and Family Services system throughout Manitoba.

With that, Madam Deputy Speaker, I thank you for your time. We certainly look forward to having this legislation move forward to committee and to hearing what Manitobans have to say about this particular legislation. Thank you.

Madam Deputy Speaker: Is the House ready for the question?

Some Honourable Members: Question.

Madam Deputy Speaker: The question before the House is second reading of Bill 11, The Children's Advocate's Enhanced Mandate Act (Various Acts Amended).

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

Bill 15—The Biofuels Amendment Act

Madam Deputy Speaker: We move on to Bill 15, The Biofuels Amendment Act, standing in the name of the Member for Lac du Bonnet (Mr. Hawranik).

Is it the will of the House for the bill to remain standing in the name of the Member for Lac du Bonnet?

Some Honourable Members: No.

Madam Deputy Speaker: Leave has been denied.

Mr. Cliff Cullen (Turtle Mountain): It's certainly a pleasure to have a few moments to discuss Bill 15. This is the latest version of The Biofuels

Amendment Act. I guess this is the second time this particular bill has been introduced, and I think it's important, too, Madam Deputy Speaker, that we reflect back a little bit on the history and actually have a look at what legislation we are amending.

Madam Deputy Speaker, this government brought forward The Biofuels Act. I believe it was passed back in December 2003. Actually, that was before my time here in the House, so it's approaching the four years since that particular legislation has been introduced.

**(10:40)*

Of course, as the critic now on the Energy side, the Energy portfolio, I did a little bit of research in terms of where the government has been at and what has been done over the last few years in terms of the energy sector. So I was very interested to note when I reviewed the existing Biofuels Act to find that only about 20 percent of that particular legislation has ever been proclaimed.

In talking with some of my senior colleagues here, the government was in a big rush to pass that particular legislation back in 2003 because the government felt they had to get this legislation hammered through so that we could have an ethanol industry in Manitoba. Well, the fact remains, you know, we agreed, we rammed that legislation through the House and everything was passed, and, boy, everybody in Manitoba thought this was going to be great; we're going to have ethanol plants springing up around Manitoba.

Well, Madam Deputy Speaker, here we are four years later and nothing can be further from the truth. I guess this is the government's second approach at trying to enact some legislation that might enhance, in this case, more than just the ethanol industry. They're talking about biodiesel and all kinds of biofuels as well. Really, and again, we can put the legislative framework in place but unless there's a real will on behalf of the government to move these various projects forward, the legislative framework doesn't really do too much for us.

What we've seen over the last four years in the ethanol business and the biofuel industry is, in my view, a complete lack of action on behalf of this government. We do have announcements coming forward on a fairly regular basis talking about how green Manitoba is, but the fact remains, Manitoba is not very green. So it's all about smoke and mirrors here.

You know, the government of the day is trying to put out the perception that we have all these biodiesel plants, we have all these ethanol plants, we have companies coming from around the world wanting to do business in Manitoba. Well, some of that is true. We do have some companies that want to come to Manitoba and do business, and there have been quite a few over the last several years coming to Manitoba looking to do business in the biofuel industry, but we haven't seen any of those companies actually develop plants in Manitoba.

The only thing we have had, and this goes back a number of years, we've had the Husky plant in Minnedosa which produces ethanol. It's going through an expansion process and we certainly commend the industry moving forward on that initiative. It's certainly going to be a tremendous economic boom for that particular area, but Husky are developing that plant in spite of what this government in Manitoba is doing.

The federal government has been onside in terms of developing the biodiesel industry across Canada, but the provincial government here has been, for some reason, very reluctant to move the industry forward. It's very frustrating for companies that come to Manitoba looking for an opportunity and even for individuals that have got some ideas on how they can create economic activity within their communities.

Madam Deputy Speaker, we know we can produce a tremendous amount of grain in Manitoba, whether it be wheat or canola. We recognized in the past that grain has not been fetching a very good price in the market so we're looking for other opportunities to market our commodities and hopefully to improve the price as well.

We do have this global discussion about using food products in the fuel business, and quite frankly, it's an interesting discussion to get into. I guess the fact of the matter is that most people are not willing to pay too high of a price for their food, but, on the other hand, it seems that society is prepared to pay a relatively high price for fuel. So if I'm a producer and I am growing a commodity, historically it's been for the food use, but if I can garner some extra revenue by selling my product into a different market, in this case into the fuel market, well, I'm going to take that option. I think most people around the table would take that particular option too, moving forward.

So, Madam Deputy Speaker, we know we want to reduce our reliance on the non-renewable resources. Our American friends are certainly way

ahead of us in this regard. They recognize that they have to import a lot of their oil products, so they are really moving ahead quite quickly in the ethanol and the biodiesel business to reduce their reliance on imports and certainly a very novel approach to it.

We here in Manitoba at least haven't embraced that to high degree. I think there's tremendous opportunity for us. We know we have a number of individual companies and co-operatives that are actively looking at both ethanol and biodiesel in Manitoba. I know certainly several of them in southwestern Manitoba, and those companies are moving forward as individual investors are moving forward. Unfortunately, the Province hasn't been there to help facilitate that development. In my view, that's an important role for the government to take. They should be talking to those companies and saying, how can we help you make this happen?

I'll use an example close to home. The Turtle Mountain ethanol group there have been working for a number of years. In fact, their history goes back a long time where they were trying—several years—I think this goes back four or five years where they talked to a company called Iogen. Iogen had a tremendous revolutionary concept where they were going to use straw residue. *[interjection]* Yes, it's a biomass. It's a biomass way of making ethanol at that time. Iogen are still doing some work in Ontario, but I know the group in Killarney, they certainly catered Iogen, talked to the government about Iogen and the possible production turning the unused residue, the excess straw residue, and turn that into ethanol.

But that never did get off the ground, Madam Deputy Speaker. There didn't seem to be a lot of buy-in from the provincial government at that time. But the group in Turtle Mountain, they are diehards. They keep coming to the plate and trying something new. So they've formed a group over the last couple of years, been raising money over the last few years, and they are looking at setting up an ethanol plant. Obviously, they bring in the experts to give them some direction in terms of how things should be going. They've developed a business plan, and they think they can make a few dollars at it. The way they look at their ethanol facility, it's part of a regional development, economic development strategy. What it does, you need the grain product from quite a large acreage to actually run the ethanol plant. So what it does it provides an opportunity for farmers to market their grain, hopefully to provide a reasonable return on their grain. It also has an opportunity to employ a number of individuals from around the various

communities. It's just another way that we can try to keep our youth here in Manitoba, keep them employed, keep them in our local communities. Hopefully, they will raise some children there and, you know how the story goes, it's good for the whole community.

Now the other side of the production process when you deal with ethanol, you end up with a product that's left, distiller's grain if you will. That particular product can be very good for the livestock industry in terms of a feedstock. So what it could do is, once you have the facility established, you have the facility in production, you have this, it's almost like a waste product, but it can be turned into a very positive feedstock. So, if that feedstock is readily available within an area, then the opportunity exists for livestock production to really take off in that given area given that you would have a fairly inexpensive feedstock.

So, it really is a wonderful way to create economic activity within a community. You know, even just the investment, in this case we're probably looking at about \$130 million, you would think the provincial government would be interested in having that type of an investment in a rural community in Manitoba, and I think that there is opportunity for several of these facilities in Manitoba.

*(10:50)

What this bill talks about, too, when you talk about ethanol is actually creating an ethanol fund where the ethanol that's produced in Manitoba and sold in Manitoba would garner some revenue, would garner some grants. The grants would go back to the actual producer of ethanol in Manitoba. We certainly think that's a novel approach, a novel incentive. I think this bill too it's kind of taken a different approach from the original Biofuels Act, but it seems like it's more in line what other jurisdictions are doing across Canada. So it certainly from that fiscal management perspective seems like the way to go.

I think the opportunity exists, Madam Deputy Speaker, because there is such a demand outside of Manitoba for ethanol, that there's room for ethanol production over and above what will be mandated by this provincial government. Of course, anybody that produces over what the mandate is in Manitoba won't be eligible for that particular provincial subsidy, if you will, or grant, but because the demand is out there in other jurisdictions, the people like the Turtle Mountain ethanol project, they're not necessarily looking at the Manitoba market. They're looking at

markets elsewhere because at this point in time the demand exists.

I think this was a very good time for the government to stand up and take notice. If we don't seize the opportunity now, in terms of ethanol and biodiesel production, other jurisdictions across the country and in the United States will be selling their product into those other markets, and we will have missed the opportunity to make some money and actually save some of our rural communities.

So this is a very important time in our history here in Manitoba and, again, it's about the will of the government to make sure that these things will come to fruition for development throughout the province.

The one thing this particular bill does too, it does allow the opportunity, it's not limited to just ethanol and biodiesel. It does allow the framework to be in place for other types of biofuels to be developed. We know the technology certainly changes on a daily basis and we're certainly hoping to other technology being developed, such as the Iogen technology.

Having said that, we know the current technology and the processes are proven. The business plans say that they can make money at it. So it's a proven technology. It's a proven system, and it's a proven money-maker, Madam Deputy Speaker.

Why don't we move ahead on those particular projects? If we're going to be sitting back waiting for new technology to come along, we know for a fact that that new technology has not been proven. So I don't think it's some place where we, as a government, necessarily want to have a large investment in a new technology, but we certainly should be there to facilitate the development. The new technology hasn't been proven on large-scale manufacturing as the ethanol and the biodiesel plants have been.

The biodiesel industry here is really, I guess, in its infancy. Really, we've got a few people out there, a few players out there, very small operations who are, I would say, in the experimental phase of biodiesel. They're basically waiting for some framework, some legislative framework to move forward and hopefully, this bill will allow them to have that framework so they have some consistency going forward. That consistency, Madam Deputy Speaker, I'm talking about is actually establishing standards for biodiesel and what kinds of quality standards we will have in Manitoba.

Now, we know other jurisdictions, the American jurisdictions, European countries, and I believe there is a standard also established in Canada—we feel there should be some standards here in Manitoba so that these people who are trying to manufacture biodiesel will have the standards in place, so that they know what parameters they have to manufacture to meet those standards.

So, Madam Deputy Speaker, it's certainly interesting that the government has opened up a lab here in Selkirk—

An Honourable Member: East Selkirk.

Mr. Cullen: Oh, East Selkirk. I think that's probably a positive step forward, and hopefully the government will be working closely with these manufacturers who are experimenting. Just to refer to the—

An Honourable Member: The industry has moved far ahead of government. That's the problem.

Mr. Cullen: And really, quite frankly, it is time government caught up to what the industry is doing.

You know, we questioned the Minister of Energy (Mr. Rondeau) in the House yesterday about the ethanol and biodiesel activity in Manitoba, and he talks about these five biodiesel plants. One time he talks about them, they're producing biodiesel, and then he talks about them, well, they're being built; they're nearing completion, and they're getting ready for distribution.

Well, we're not exactly sure where those five plants are, and we will certainly take the minister up on his offer to go on tour and see where these plants are. I certainly haven't heard of any plants that are nearing completion in terms of commercially selling biodiesel, Madam Deputy Speaker.

Mr. Speaker in the Chair

Quite frankly, we've only got, to my knowledge, the one ethanol plant in Manitoba that's actually commercially producing ethanol. We do have one or two that may be small operations that are probably consuming some of that product on their own, but as far as the actual commercial market is concerned, we're a long way from where other jurisdictions are. Every time you turn around and open up a paper, we have another province or another state setting up another ethanol plant or another biodiesel plant, and quite frankly, we're getting left in the dust. So it's time, you know, this government moved on.

The government talks about a number of different programs being out there, and one is the community economic tax credit. That was a 30 percent credit that was put forward out there for people that were going to be involved in different businesses and business ventures. Now, the frustrating part for people that are looking at ethanol and biodiesel, they're finding that, you know, that could have been a good opportunity for them to entice investors into their company. But the fact of the matter is you have to qualify your company, your investment, your business plan, with the provincial government before you get that 30 percent tax credit.

In fact, again, I'll use the example, the Turtle Mountain ethanol project, a very viable business plan. Certainly they've got tremendous staff onside there. The research has been done. They know the technology. They came to the provincial government and said, okay, here's our plan. Can you have a look at this 30 percent tax credit for our investors? And, lo and behold, they were turned down, and we just can't understand, and they can't understand why the government would turn down investment on this particular business. Well, Mr. Speaker, again, it's all about talk and it's not about action.

Even the frustration that's out there in terms of, you know, water as a big component of ethanol production, and water is very, very important in terms of ethanol production. So you have to make sure you have a secure water source, and in the case with the facility in Turtle Mountain, the proponents came to the Province and said, okay, we want to do some test drilling. Can you give us a licence to do some test drilling? Well, sure, we can, but that's three or four weeks later we got an approval to dig a test well. So then they, of course—we're in the process now of doing the test wells trying to determine what the water quality is and water quantity is and all those sorts of things. So they will be putting all those pieces of the puzzle together. Then they will come back and they will submit that to the government again, and then the government will take three or four or five or six months, whatever it takes in the process, to either say yes or no, or maybe you should try somewhere else. So, in my view, the government is holding all the cards in terms of development going forward, and it's time the government got onside and said, okay, how do we help you guys out in terms of moving this project forward?

Now, we know, Mr. Speaker, that the federal government's onside. They have tremendous programs, a number of programs that are really

positive for the industry. We just hope that this particular government will get onside and try to move the industry forward because there is tremendous potential for economic activity here in Manitoba, and if we don't seize the opportunity we have before us right now, we're going to miss that opportunity. It's going to go to other provinces, and again, we're going to miss the opportunity as we did in the slaughter capacity here in Manitoba when we had our crisis with the BSE situation.

So, Mr. Speaker, it really is a timing issue that has to be addressed out there quite quickly, and we certainly want to see this bill move forward, but we also want to see this particular legislation brought into force fairly quickly. We don't want to have another piece of legislation sit on the fence as the last one did for the last four years and not move forward.

So, the final comment is, it's time for the government to move forward on this legislation. It's time for them to quit the charade about talking about ethanol and biodiesel and let's actually move on and get something done here in the province of Manitoba. Thank you very much, Mr. Speaker.

* (11:00)

Mr. Leonard Derkach (Russell): I rise to put some comments in addition to those that were put on by my colleague on The Biofuels Act because, Mr. Speaker, I feel this particular piece of legislation is critical to Manitobans in terms of where we are going in the future with regard to biofuels development in our province. We see that the government is stuck on dead centre with regard to any future development. Other jurisdictions across Canada are moving ahead in leaps and bounds, and across the United States as well. Manitoba is, once again, stuck in the mud and can't seem to move off in any direction with regard to the expansion of the development of a biofuels industry in this province.

Now, you'll hear the members opposite tell you about the progress being made in Minnedosa and, Mr. Speaker, that particular project was in the works long before this government took office, and all they did was sign the documents after they became government. The project has been the only one of any significance in the province since this government took office.

Mr. Speaker, there are projects that want to get going in this province. The industry is a long way ahead of where this government is at. It's unfortunate that government always follows instead of sets the

example, and this government, in particular, has been dragging its feet and has been actually hampering the development of a biodiesel industry and an ethanol industry in this province. This is where Manitoba is so well situated for the development of biofuels, and yet, because of government inaction, companies just seem to come and go, come and go. But we're hoping that there will be the possibility of some true development in this area in the next few months.

Mr. Speaker, I guess I have a personal experience with what kinds of delays the government is up to with regard to ethanol production. In my part of the world, on my side of the province, a company who is very eager to start the development of an ethanol plant has come to the province and has asked that some of the licensing and regulations that the government is demanding be put in place. Now, the industry itself is prepared to go ahead. They want to put the shovels in the ground, but because of delays by the government in terms of responses to their questions and to support in the basic infrastructure the government has responsibility for, the project continues to be delayed.

There was a potential for them to turn sod at the beginning of October, but, once again, government came to them and said, oh, well, just wait, because we need to have more information; can you give us information on this before we give you the green light. Mr. Speaker, that is typical of what is happening right across the province. If you were to look at my colleague's area—and he will talk about it, I'm sure, in more detail—the member from Virden has the same situation in his area where a project is ready to move ahead but, because of government delays, government dragging its feet, the project is stalled.

Mr. Speaker, I asked a question yesterday of the minister who is responsible for rural initiatives as to why it is that she can't convince her colleagues to get on with the job of moving these projects ahead because not only do they provide employment in our rural communities, they provide economic development for the entire regions and that is so important.

Mr. Speaker, the world is moving ahead, yet Manitoba is left behind because of government mismanagement. We see this initiative after initiative after initiative to the point where people just leave. Witness what happened with the James Richardson Canola-crushing initiative. That plant should have been located in Manitoba. James Richardson is a Manitoba company, a company that built its foundation right here in this province and yet, when

they went ahead to move forward on a Canola-crushing plant, they had to go out of the province because this government refused to deal with them in a proactive and a progressive way. That goes only to the detriment of the development of our province.

So James Richardson moved across the border into Saskatchewan and will certainly help the people in Saskatchewan develop their Canola-crushing industry further than what it is today, a loss to Manitoba, a gain to Saskatchewan, a loss because we have a government that continues to drag its feet on every single initiative that is undertaken.

Witness what's happening in the hog industry, Mr. Speaker. Over a year ago the minister announced a pause in the whole hog expansion in our province. Fine, there was a pause. Done for what reason? Well, they were going to examine whether or not these new barns that are being built will conform to the new environmental standards. Well, today that pause, moratorium, continues. What is the purpose of it? Well, the minister talks about ensuring that our environment is safe. They were supposed to do a review. It was supposed to be a short pause. It happened prior to the election. Once the election was over that pause seems to become a moratorium and is now almost a permanent moratorium, if you like, on any hog expansion in our province.

So where is this government leading our province? Well, Mr. Speaker, high taxes. That's certainly a characteristic of our province. Depending on federal transfers, that's another characteristic of this government, and we continue to be last in the west. We are last in Canada in many ways, and that is because of the mismanagement of a government that doesn't know where it's going.

Mr. Speaker, there was a biofuels act passed in 2003, I believe it was; 2003?

An Honourable Member: Yes.

Mr. Derkach: 2003, and in that act at the time there was a mandate as to when vehicles in this province would be mandated to use a blend of ethanol. I think it was 2005 or something thereabouts. That date came and it went and today we are still back where we were in 2003. Most of the regulations with regard to that—or the bill in itself hasn't been proclaimed in totality. So what's the point of passing legislation if in fact it just sits there on the shelf, isn't proclaimed into law and continues to collect dust?

Mr. Speaker, I'm a bit afraid that's the same with this bill. If you look at the contents of this bill, it really follows where the industry is going. It's not leading in any way. The industry has moved far ahead of where this government is at. The government is saying that we're going to have to use these products in Manitoba, but the industry has moved ahead so far that today there are mixing plants on the pipelines where biodiesel is actually being blended right into gasoline and oil when it's being transferred across the country through our pipelines.

So the industry is moving ahead in that respect. No longer are we just producing for the local market. This has become a North American market, and that's why there's such a demand for ethanol and biodiesel, because jurisdictions other than ours are moving ahead in terms of ensuring that there's some environmental protection in terms of the emissions that are coming from our automobiles and the vehicles and the machinery that we have to use for development in the course of our lives.

Mr. Speaker, where's Manitoba? Let's take a look across the province. How many biodiesel plants do we have working in Manitoba of any significant size? We have some labs. We're going to have a lab now, and that's not a negative but, more importantly, where are the production plants?

*(11:10)

An Honourable Member: You've got to have some plants to test.

Mr. Derkach: Yes. Where are the plants where we can take the product and test it, Mr. Speaker? I think there's one operating in, is it Hartney, Hargrave? There is one that's either producing or is about to produce in southern Manitoba. It's producing ethanol, by the way, not biodiesel. That plant is owned by an individual and his family who have moved ahead despite where the government is at. Because they see a market. They see a need. They see a niche that they can capture in terms of the marketplace. Why isn't the government working with these people, moving ahead and ensuring that ethanol production, biodiesel production is something that is a reality in this province?

When I asked the minister the question yesterday in the House, he was referring to biodiesel production that really doesn't exist in this province. He was talking about how far we've moved ahead in terms of biodiesel production. Well, that is all false

because there isn't any production of any significant size in Manitoba at this time. Companies that are coming to this province continue to be frustrated by the fact that they cannot move ahead because of government delays, government dragging its feet, bureaucratic bungling, if you like, Mr. Speaker, in terms of this whole industry.

Mr. Speaker, technology is moving ahead. If we are going to stay with the rest of the world we had better get on board in terms of freeing the hands, undoing the shackles of those who want to move ahead to ensure that economic development happens in our province, that in fact we have the production capability and the capacity to meet the market demands.

What's the point? The Premier (Mr. Doer), today, is at a conference on the environment on how we can better address some of the climate change issues and some of the environmental issues that are before us but, Mr. Speaker, words are easy to put on the record, talk is cheap. The government can be long on its talk, but where is the action that is supposed to follow? We haven't seen any of that and, unfortunately, all Manitobans suffer as a result.

So, Mr. Speaker, once again, is this a good bill? Well, I think we've raised some of the issues regarding this bill. Is it going to bring us closer into line where other jurisdictions are? We hope so. But if this bill is simply passed, not proclaimed, it's not going to have any effect at all, just like the bill that was passed in 2003, where a major part of the bill has not been proclaimed yet.

All I can do is encourage the government to move ahead to ensure that Manitobans can see some activity, see some production besides what's happening in Minnedosa on the whole ethanol and biodiesel front so that, in fact, we can join other provinces, other states, to be a producer, to help those in our province who are producing the product for biodiesel.

I can tell you that Bunge in Harrowby, right now, is sending tankers full of Canola oil to the United States to be processed into biodiesel. Why can't we simply, instead of putting that oil in tankers and sending it to the United States, why can't we put a pipeline to the plant itself that is crushing the Canola and have a biodiesel plant standing beside it producing the final product so we can add further value to the product that we are growing in this province, Mr. Speaker?

So, with those few comments, Mr. Speaker, I simply encourage this government to get on with the task of ensuring that there is a proactive approach to supporting the production of biodiesel, supporting the production of ethanol, so that this industry can, indeed, become a shining light in this province, as it should be.

Mr. Larry Maguire (Arthur-Virden): It's my pleasure to rise and speak on this bill in the House today as well, Bill 15, The Biofuels Amendment Act. This bill has been necessary to bring forward by the government because they didn't do a good enough job of bringing the bill forward in the first place when they brought it forward and didn't have enough foresight in 2003, when they brought The Biofuels Act into being. Otherwise, we wouldn't have to be here and debate this today. And I daresay that we'll have to do it down the road in a few years again because they still haven't got a vision for where Manitoba needs to go in the production of clean environment issues.

Mr. Speaker, I want to get into that a little bit later in regard to the track record of this NDP government because it's terrible, when it comes to the environment in regard to the province, and has been very much proven to be a complete contradiction to the years of the previous Filmon government when they were rated and ranked with a B-plus in regard to environmental issues. This government's down around a D or worse. It has received an F over the years since I was first elected in 1999, in regard to environmental sustainability in this province.

Yet they kept coming forward with these ideas that we can probably have a more friendly environment in the province of Manitoba. Mr. Speaker, there's no doubt that we can have a better environment in the province of Manitoba than what we've got today, and we put forth many ideas during the provincial election campaign last summer in regard to the environment. Some of those are being proven. Like a number of other ideas that we put forward, the government has picked up on some of them, more fuel-efficient cars and tax credits for some of those are just a few.

But I want to go back to what my colleague from Turtle Mountain was speaking about, the Member for Russell (Mr. Derkach), today, in regard to the track record of this government, Mr. Speaker. Of course, you know, I guess if I had to really summarize this whole issue, it would be that this

government is full of gas; they've got no fire, and they're out of combustion. They're all talk and little walk. There's just no backup behind any of the issues that they're dealing with and this bill proves it.

This bill proves it, Mr. Speaker, because if they had had a vision for where this province needed to go, they would have developed the industry back when they said they were going to. As the Member for Turtle Mountain (Mr. Cullen) said, it was imperative that we get that bill through in December of '03, before we had the Christmas break, because if we didn't get it through, the federal government wouldn't recognize Manitoba in regard to the funding that was going to be made available. Of course, that was a federal Liberal government at the time, and we know that they didn't have any priority in regard to this area either.

So, Mr. Speaker, the government of the day here in Manitoba has allowed this, you know, basically said, we've got to get this through. We've got to begin the process, but we need it so that we can get the mandate going for the—I believe it was January of '05. Well, those dates have passed long ago and, of course, now, we're coming up to January of '08 when it's supposed to begin again. I daresay that, unless they move very quickly, the only plant that we have in Manitoba producing enough product to meet the 10 percent ethanol, and I've got to back up on that one.

The original bill had 10 percent ethanol on 85 percent of the gasoline in Manitoba. They've now realized the folly of that and had to bring forward a bill and change it in this bill that would allow for 8.5 percent on all the gasoline sold in Manitoba, which makes more sense in the first place, Mr. Speaker. But I want to say that the only plant that we have in Manitoba will produce 140 million litres of ethanol, and that is the Husky plant in Minnedosa, Manitoba, a very much needed expansion in the province, a very valuable expansion in the province of Manitoba.

I'm very encouraged by the fact that it is going forward and being built and needs to be, but the circumstances are here that the government has come forward with a bill here that provides for incentives for products produced and sold in the province of Manitoba, both ethanol and biodiesel.

I just queried, Mr. Speaker, if this government is going to buy any ethanol from any other of the plants that they talk about. They are promoting a program that will produce some smaller on-farm sites and smaller investments to take place, which I would

encourage as well as my two colleagues that have spoken before me in regard to the types of plant that perhaps Ag-Quest at Minto, Manitoba, has set forth with a very innovative individual by the name of David Rourke there. He has done a number of areas in wheat research for varieties that would yield much, much higher starch contents than protein which is completely opposite to what we've developed and spent all of our lifetime developing here in the province of Manitoba in regard to wheat varieties.

I spent some seven years on the Western Grains Research Foundation committee dealing with the Grain Commission Standards Committee to look at the quality of grain that would be used in Manitoba. We have always exported high protein. We are in a location that will have a proximity to Minneapolis. Some of the NDP members may not know that that's where most of the mills have had to leave now to be producing the high-protein grains that we grow here.

But we also have an excellent opportunity because of our export detriment position that we are the highest freight distance from Montreal, Vancouver and New Orleans that we need to process every kernel of grain we can in Manitoba right here. One of the best ways of doing that at the present time is to deal with much higher yielding varieties in regard to starch content because you don't need a lot of protein in ethanol.

*(11:20)

So, Mr. Speaker, there needs to be a two-fold program in this place. Of course, the minister was even asked this at a breakfast this morning by the Manitoba Chamber of Commerce that I attended and, you know, they indicated that they needed these higher varieties that have been on the table for years. I know that Mr. Rourke at Minto has developed many of these varieties. I just wanted to throw it out for the NDP members. They may not be aware that for every protein percentage that you increase towards the 14 percent, 15 percent, 16 percent, you lose about 10 percent in yield. So, if you back this down to about an 11.5 percent protein, you can quite readily increase the yield of the product to somewhere in the neighbourhood of 40 percent above the Berry and Superior, the two standards of wheat today that have been standards for some time in the province of Manitoba in high protein.

I just want to say that this is all relevant to The Biofuels Act because it's adding value to a home-grown product here in Manitoba that other

jurisdictions like Saskatchewan may not want to do because they have a higher ability to raise protein in some of the drier areas of the Palliser Triangle than perhaps we do even out where I used to farm in the southwest part of this province, Mr. Speaker, and particularly here in the Red River Valley, which is most conducive to the high yielding varieties of wheat that would be used in these types of production, never mind already being used in the feed industry that we are developing in the hog industry here in Manitoba as well as the cattle industry.

The importance of these plants is just so obvious because of our, as what I've said, our proximity and distance and freight. We need to process everything we can here. I know that the ministers try to do what they can to support and get more of these plants on the road, encourage the smaller type plants.

But I want to back up to the point that if the government is only going to provide the incentive as they talked about in the ethanol fund for these dollars to be used in production of ethanol and ethanol that's actually sold in the province of Manitoba, consumed in the province of Manitoba, then they are very much limiting all of this production and ethanol fund to be used by one company, Husky Oil because they will produce, and are producing when they get going, all of the needs of Manitoba. I believe it's 130 million litres that we would need to have 8.5 percent levels in all the gasoline in Manitoba.

So, I know what their objective is to take those funds and use them to help support some of the local programs and support on-farm types of ethanol production, which, as I've said earlier, we've spoken in favour of. It's also an opportunity to make sure that we encourage the government to make sure that they do not detract from other major companies that want to come into Manitoba and build as well, as the Member for Russell (Mr. Derkach) has indicated. The Member for Turtle Mountain (Mr. Cullen) has indicated that the Killarney, Boissevain area, part of my constituency as well, is looking at it. I would also add that there's a group in Virden and Moosomin working at a joint provincial, inter-provincial program in that area.

There are many others in the province of Manitoba, but the key one that I'm concerned about right now that has been seeing some foot-dragging in regard to the government of the day is Clean Country Resources, a group that's had their plan in place for over two years, come to the government. I know

they've listened. They've changed their mandate on the type of energy source that they are going to use, away from coal and into some of the biomass and natural gas-electricity combinations that they will eventually put forward to the government as well. But they are not getting replies in regard to their needs for urgency to move forward. I encourage the government to not lose the opportunity to build some of these. They may think, well, we can use Husky and we only need a half a dozen or 15 or 50 even of these small plants in Manitoba to create the economic activity that we need for ethanol production. But that's looking at it from a very small scope in Manitoba, Mr. Speaker.

I want to say that when I had the opportunity of being in Traverse City in Michigan this fall, many of the New Democrats were there as well in regard to my colleagues in regard to this midwest Legislators Forum which was a wonderful forum, Mr. Speaker, an opportunity to commiserate and discuss issues across all political boundaries with our neighbours from Ontario and Saskatchewan as well as 11 U.S. midwest states.

I had the opportunity of having a luncheon with a member, a Democratic representative, actually, from the state of Nebraska. He indicated to me, when we got talking about ethanol production alone, never mind biodiesel, that the state of Nebraska alone has 19 ethanol plants on production at this point and will have 11 more by the end of 2008. So, they will have 30 ethanol plants on-stream in the state of Nebraska alone, most of it going out of that state for export. I don't want the government here in Manitoba to forget that we have the potential to export a tremendous amount of ethanol, way beyond what we can use in the province of Manitoba.

And it's no different than our meat industry. We can't consume all the meat that we grow in Manitoba. The minister said this morning, we are an export province. We need to make sure that we don't limit the ability of our entrepreneurship and our producers, to make sure that they maximize the production on their farms in co-operative groups, in business enterprises, to make sure that we maximize the return to our agricultural industry. And if the government was looking at it positively, they might even collect some extra tax space that they'd be able to put the support programs in place to make sure that the programs that they need for the safety nets that are there are for the future of agricultural, as well.

Now these plants in Nebraska, I just want to look at the volume of those. In Minnedosa we have a plant that will produce 35 million U.S. gallons of product in a year, Mr. Speaker. The plants being talked about by this Democratic member of the House in the state of Nebraska were anywhere from 60 to 100 million U.S. gallons apiece. So, the average size of those plants was twice the only plant that we have in Manitoba. So that's equivalent to 60 Minnedosas at least, in the state of Nebraska; 60 ethanol plants the size of Minnedosa in the state of Nebraska alone.

Well, Mr. Speaker, I was most encouraged by the entrepreneurship of the people in that state and I would encourage—and I know that we have the entrepreneurs that can do that in the province of Manitoba, and I just encourage the government to move forward on plants like have been talked about here, and particularly the group that I'm most familiar with, in Clean Country Resources. They have an excellent business plan; they have the developers ready to go. I believe they're signing contracts as we speak to help move forward to get them in place for production, and I am encouraged by the words that I got from all three ministers, the Minister of Energy (Mr. Rondeau), the Minister of Agriculture (Ms. Wowchuk), and the Minister of Water Stewardship (Ms. Melnick) in regard to their comments in Estimates around the construction and moving forward. They have very much appreciated the forthrightness of the group in coming forward with a new business plan and a new energy source and I thank the government members for what they've done in that area so far.

But, Mr. Speaker, I want to say that while there's a great opportunity to move forward here, it's just something that struck me that the Member for Russell (Mr. Derkach) was saying in his presentation is that Manitoba, when we were first put in as a province, we were the gateway to the west. We still are, in a geographic sense only, because this government has got us dead last in the west in regards to a whole number of other areas and that's to do with taxation, to development of our livestock industry, to the development even of our environmental resources that we need.

I would only point out that, in regard to the greenhouse gas emissions track record, according to Environment Canada, the NDP government in Manitoba is the worst in Canada and that they, in 2004 or 2005, had a 20 percent increase in the greenhouse gas emissions. Now, maybe it's a shock

to some of the members from the New Democratic Party as well, and it goes back to what I said earlier about the record that they've had established and the failures that they've had in regard to grades in regard to the measurement of emissions.

But, Mr. Speaker, we weren't even close to the next province that was second in that area and that is the province of Saskatchewan, and they only had a 2 percent increase. The province of Alberta, as an example, had a reduction of greenhouse gases of 84 tonnes in that particular period of time. Our increase was second in Manitoba, in Canadian levels, was a 480-tonne increase, second only to Ontario, a province that was 10 times our size.

So, when we talk about environmental responsibility, we need to talk the talk and we need to walk the walk, not just talk the talk, pardon me. We need to get out and actually put some activity in place around these types of programs, Mr. Speaker, and expand some of the opportunities that we've got in not only livestock production and other industries in Manitoba, but we need to make sure that we're cleaning up and utilizing a great many other of the clean energy sources, whether it's biodiesel, ethanol that we spoke about, the biomass sector, as well.

There's another one, and that's methane capture that can turn our livestock production into a very positive means by capturing a lot of the methane off of some of the lagoons and other areas that we have. The government hasn't gone forward enough in that area.

* (11:30)

I think it's so critical, as was pointed out to the minister this morning in the question and answer period afterwards, that the hog pause that we're dealing with in Manitoba, that they look at providing some direction at least to that industry, that's been so positive, that is leaders in Canada in regard to its environmental integrity.

You know, Mr. Speaker, I've heard of a lot of other food products in Canada. I've heard of, you know, the minister has got this pause on hogs and pause on pigs. I've heard of frogs legs, but I've never heard of pig paws. I think that we need to make sure that we move forward with limiting this type of thing to more than just a sarcastic comment like I just made. We need to get the government to make sure that with the highest regulatory environment in Canada and a ministry that's complying with it that they allow this industry to expand. I think it's very,

very important that they look at that down the road for the betterment of the development of the whole province of Manitoba because, of course, the highest levels of environmental regulations are in that industry today and they are complying. They are very much forthright in coming forward. They have other issues that they want to bring up with this government, that they raised with them this morning as well, but I think that rather than segregating out one sector of family farms versus another the government could do more to co-operate with expanding all of these areas.

Mr. Speaker, there is so much that you could put on the record in regard to improvements that need to be made in this whole area of this bill, but I thank my colleagues for allowing me a few moments to speak on this, and look forward to their comments on it as well.

Hon. Jon Gerrard (River Heights): Mr. Speaker, I rise to talk briefly on Bill 15.

Manitoba Liberals support the development of biofuels in Manitoba. We support this development on a rational, science-based, business-based approach in which we are going to make substantial progress.

We clearly have had some major issues with the way that the government has proceeded to date, and to some extent this bill is an acknowledgement that their failures over the last several years and the recognition that, you know, a new approach is needed.

Mr. Speaker, I am quite concerned with certain aspects of how this bill is written. It seems to me that this bill is a recipe for the politicization of the biofuels industry in Manitoba. When we look, for example, at the mechanism for handing out grants and the grant program that will be set up, biofuels and ethanol fund, there are some real issues here. It seems to me that the wording here is a set-up for decisions to be made politically rather than on a strong science and business analysis basis. That is a recipe for disaster.

We need to make sure that there is integrity in the process rather than setting up a process that the minister alone can approve and deny grants based on her political whims or wishes. This is not a way to structure a proper science- and business-based grant fund. This is a recipe for the politicization of this whole process and it's wrong.

We have seen time and time again that the NDP government have tried to politicize things in this province, have tried to make decisions on politics rather than on science and business aspects. I am quite concerned about what's happening here and believe that there need to be some amendments to change the direction to make sure that there is a strong science and business basis for decisions rather than decisions being made at the whim of the minister.

Another area here—this is part of the act—allows for the Minister of Finance (Mr. Selinger) if he's short of money to dip into this fund. The Minister of Finance can transfer out of the ethanol fund and treat as general revenue of the government all or any part of the amount which is standing to the credit in the ethanol fund. Clearly this is a recipe for problems because it means that the people who are making decisions around the ethanol fund will have problems knowing how much is going to be there, because each year the Minister of Finance could come along and grab part or most of the money. It would make it very difficult to be responsible in organizing the process for making grants around the decisions and for planning in a several-year framework, which is clearly important if this kind of legislation is going to succeed.

Once again, we've seen this already with Manitoba Hydro. The Minister of Finance, whenever he's short of cash, is ready to raid anybody's pocketbook or the Crown corporations like Manitoba Hydro. Now he's making sure that there's a clause in this act that he can raid the ethanol fund. Mr. Speaker, if this has got a rational purpose, then clearly this fund should be there to do its job and it should be there in a way that's consistent and reliable. The funding shouldn't be at the whim of the Finance Minister. All, of course, here is the ability of the Finance Minister to take money out of the fund, not to put money into the fund. But regardless of that, what has to happen here is that if there's going to be some security in looking ahead and planning, you don't want to create problems in the running of this fund because you have no idea what the Minister of Finance may or may not take out of this fund in any given year.

So, Mr. Speaker, I have a few comments that would, I suggest, improve this legislation. We are generally supportive of the industry and are generally supportive, provided that we can get some revisions to this act, of initiatives like this which will help the biofuels industry. But we're a little bit skeptical that

the primary purpose of this act is, in fact, the politicization of the biofuels industry rather than the substantial growth of the biofuels industry on a strong science-and-business basis. Thank you.

Mr. Blaine Pedersen (Carman): I thank you for the opportunity to speak to this Biofuels Amendment Act, Bill 15. Like my colleagues, I am supportive of the act, of its intention, although, again, what we're really concerned about is the action. It's all fine to put the act through, but then to not make it happen is what constantly worries us about this.

They passed the 2003 Biofuels Act with great fanfare, and with that everything stood still after that. Nothing had happened. We knew that when they mandated a portion of gasoline had to contain ethanol, when it had to contain a certain proportion of ethanol when there was no production in Manitoba that could nearly handle that. So, again, now we're seeing them trying to mandate biodiesel, and we have the same situation here.

I went back into *Hansard* yesterday and I found it quite entertaining really, the Minister of Science, Technology, Energy and Mines (Mr. Rondeau) in response to some questions he had yesterday, he said that there are five new plants that are being built and are working from biodiesel, whatever that means. Then he goes on to say that you can see the plants are producing biodiesel around the province and there's more being built.

Okay, so now we have plants that are being built. We have plants that are actually in production. Then he said, so now we have five biodiesel plants that are moving toward completion, so where are we here?

* (11:40)

An Honourable Member: All of the above.

Mr. Pedersen: Right. Five biodiesel plants that are nearing completion that are producing biodiesel. Well, either you're nearing completion or you're producing. I'm not quite sure how that can happen that you can both be under construction and still being built.

I invite the member to go around the province, in Winnipeg and throughout the province, and see five biodiesel plants some of which are producing and others that are—and all of which are nearing completion or producing fuel in Manitoba. I will keep my calendar open so that we can go and view these plants because I'm sure then that he is meaning

that these plants are licensed, producing biodiesel and in production, or very near production according to this. So I'll keep my calendar open just to make sure I don't miss this tour.

One thing I do want to go back though and, again, it was entertaining reading yesterday in *Hansard*, that switching from biofuels to ethanol and back and forth. Mr. Speaker, there is a difference between the two. Ethanol is produced and is mixed with gasoline. Biodiesel is mixed with diesel fuel and for anyone who's ever put gasoline into a diesel vehicle, you know you've got serious problems, or vice versa. So let's get it straight here when we're talking about biofuels and ethanol and biodiesel. There is a huge difference in this.

Minnedosa is going to produce ethanol. We know that. It can be mixed in with gasoline. It also presents some challenges in terms of mixing the ethanol with gasoline. Federated Co-ops has had, and the other retailers have had, some great concerns about how we're actually going to get this ethanol mixed in the gasoline because Federated Co-ops has told our local co-op that they cannot mix the ethanol in the pipeline in Regina and pump it to Winnipeg where it comes out and where the fuel trucks pick it up in Winnipeg and deliver it to the retailers, because the ethanol attaches to water and water in the pipeline, and then it creates rust in the pipeline.

So, while we're going to have ethanol being produced in Minnedosa, does this government really have any idea how it's actually going to get blended in and then sold in the retail business? Judging by their great haste to pass the act in '03 and then doing virtually nothing since, it's going to be entertaining to watch this one, how they do this and get it mixed in.

In terms of biodiesel, again, I don't need a map to find towns across Manitoba as some members opposite have, but I really wonder where these plants are, these five phantom plants that are producing biodiesel or about to produce biodiesel in anything more than the—

An Honourable Member: We're going to get a tour.

Mr. Pedersen: Well, again, I'm kind of wondering. I have known in past life of some stills around the country and perhaps these are about the same capacity as some of the stills. If they're producing enough for their own yard, well, that's fine, but we're not talking about licence and we're not talking about commercial production so let's get on with it.

Well, I'm sure the government will pass another law to make sure the stills don't produce anything more. We want to make sure we control everything but it's just frustrating out in the real world where people want to get into biodiesel production—biofuel for diesel, biodiesel production and also the other side in the ethanol.

I've heard from my colleagues here that in their constituencies they have plants. Certainly, in my area there's been some talk about plants, nothing firm yet because it takes a great deal of money and before you commit to raising the money, you have to know that these plants are going to go, that they are actually going to gain support and be able to go ahead, because raising money and then being stalled by government regulation or lack of government attention is certainly not going to make it very possible to raise funds for these.

We want to make sure that, while we do support the legislation because it has good intentions, what we really want to know is what the plan is behind this. Like many other bills that we've seen, there's lots of smoke and mirrors, lots of good intentions, but when it comes right down to it, there is no plan as to how these things will actually happen. What we need from them is a commitment more than just lip service as to, yes, we have an idea of this, this is a good thing. We actually need some plans set out to show how these things are going to work, and that's always been a factor missing from this current government.

We have some concerns in terms of this bill, too, in terms of a subsidy on production and distribution of the product. There are some notes in the bill about subsidizing the production of it, but, as we well know, we're in an open market, and what happens if companies start to produce this and then it gets sold outside of Manitoba because there is a higher demand and a higher price? Is there any way of ensuring that we're not subsidizing it to be sold outside of our jurisdiction? Again, how do we ensure that this is really going to happen? Lots of good ideas and lots of lofty goals, but very little practical implementation on this.

We have some other possibilities in the whole biofuels and with the switch grass, straw and cellulose bioenergy, and, again, what we need are some firm commitments out of this. The technology is out there, and if you would let companies embrace this technology and encourage them to do it, it doesn't take government subsidies to bring out the

entrepreneurial spirit in people. It certainly helps make it happen, and we've seen this happen in other jurisdictions, particularly in the south, and again to our neighbours to the west building biodiesel plants in Edmonton. There are some huge plants that are being built, or the ground's already been broken out there for them. So, it's going to help Alberta get ahead of us again, and that seems ironic with their oil business, and yet they're still promoting biodiesel. So, where are we?

I have some friends that live out at Castor, and they're telling me there's another plant being proposed in the Stettler area which would be in the range of some 500 jobs in the town of Stettler, which is really not a very large city, and the spinoff from that. It's frustrating in Manitoba when you just sit and watch this stuff as we watch the world go by, and we don't get anywhere here because of a government that just has no intention of following through on their stated goals. There's such a huge difference between stated goals and what really does happen.

Mr. Speaker, this bill is fine. It's a good idea, and our caucus is supporting the bill in its intention, but what we really would like to see is how it's actually going to be implemented and how it will continue to unfold as time goes on.

So, I don't really have much further to add to that. It's just amazing how the plans never get off the ground in this province, and it's really unfortunate. We have so much potential here. It would help our rural economy that's so desperately needing some jobs right now. It's just tied up in rules and regulations, and it's not going anywhere. So, with that, Mr. Speaker, thank you very much.

* (11:50)

Mr. David Faurshou (Portage la Prairie): I do appreciate the opportunity to rise and participate in the debate on Bill 15, The Biofuels Amendment Act. It is very much of a topic that I have a great interest in. Biofuels in the province of Manitoba will in the future become a very, very important industry. Currently the technology to produce the biofuels is improving. However, right at the present time the manufacturers who ultimately warranty and guarantee the automobiles and trucks that will be using the biofuels are yet to come on board and offer the lengthy warranties and guarantees of engine performance and engine longevity with the new biofuels being used. I think that we have to see work in this effort to make sure that the use of biofuels in

the engines of trucks and automobiles on the roadways of Manitoba, which we all want to see more of, does not impede the performance that drivers are expecting nor the impediment of warranty work on the engines by the owners of the vehicles either.

Mr. Speaker, I have long wanted to see more use of the biodiesels and ethanol in our province. And I do appreciate the government in its efforts to at least put forward the public perception that they are supportive of biofuels used in the province of Manitoba.

However, to date, it's extremely disappointing to see the level of production in our province lagging significantly behind other jurisdictions. It's not for lack of producers' support or persons willing to invest. It is this government that has put up numerous road blocks, whether they be of an environmental nature and licensing on that topic or whether or not it's just co-operation with the licensing of operations of the particular biofuels business. That is why we are indeed lagging behind other jurisdictions. And we should not be, because the raw products here in Manitoba are produced at a distance that is greater than any other in all of Canada to salt water, which we all recognize is the motive shipment of our farm products being exported.

So we should, as a province, be taking all of the production from the fields in Manitoba and value-adding through processing, and one of those processes should be for the production of biodiesel and ethanol. However, to date we still see rail cars and unit trains of Manitoba-produced crops leaving the province down the rail, which is extraordinarily disappointing to myself as a producer. This should not still be happening. We should be having the processing right here in Manitoba.

Now, I know there's a lot of published information. In fact, this morning's newspaper once again talked about ethanol production. And the headline reads: Ethanol industry fuels debate. Well, I will say that the listing of pros and cons of developing an ethanol industry and that what level of support governments should recognize to birth an ethanol industry here in the province, but I think that it is important that we do just that.

I do support the government effort, although I'm not certain that the time lines that are currently laid out by this government are long enough for an

industry to be established here in the province and to pay down the capital investment that is required to get into the industry in the course of two short years, which this government has outlined in legislation. I believe that we should be looking at a longer time period than the two years. I know that there is follow-up in the subsequent three years and then three years thereafter, but at much reduced levels of supports. I think it should be recognized that there is a great deal of investment and that investment will not be paid down over two years.

We, as legislators, should recognize through consultation that perhaps a minimum of 10 years should be considered for support for the industry so that the persons willing to invest in developing a biofuels industry here in Manitoba have at least a decade that they can work with their financial institutions and secure the needed capital in order to be able to put forward that endeavour.

Also, I would like to say that the consideration for the biodiesel expansion, I would like to see a greater number of vehicles sold here in Manitoba that can actually make use of the biofuels, especially biodiesel, which primarily comes from the production of Canola here in the province of Manitoba.

I know the honourable Minister of Science, Technology, Energy and Mines (Mr. Rondeau) spoke glowingly yesterday in this House of five operating plants here in the province; however, I am yet to be made aware of where these five plants are located. I'm looking forward to the minister providing us that information as he did promise yesterday, although he would not elaborate in the House. I don't why he wanted to do it away from the official record. Maybe, perhaps, those five plants that he referred to are not yet operating, or perhaps if they are operating, they are operating in someone's garage at a quantity and quality not wanting to be mentioned.

I look forward to seeing a greater involvement, but I will say that we have to also work in co-operation with the plant breeders to make certain that the grains and oilseeds that are developed here in the province of Manitoba that can be produced here under our temperate climate are ones that are ideally suited for the biofuels industry.

In speaking with Dr. Peter McVetty, the province's if not the nation's leading plant breeder in the area of Canola, he stated that they're looking to

develop a long carbon chain Canola that will be able to allow the biodiesel from Canola to be used in wintertime. Currently the varieties of Canola that are produced in the province of Manitoba lend themselves only to biodiesel being used in the summer months where temperatures are higher, and as would happen if the temperatures dropped, there would be an element of precipitation within the biodiesel which would plug the fuel filters of the truck or car that was using the biodiesel at the time. So we do have to look, also, to supporting the efforts of our plant breeders to accomplish the new varieties

of Canola that will allow for biodiesel to come from Canola and to be used in the wintertime.

Also, the honourable members from Arthur-Virden and Turtle Mountain—

Mr. Speaker: Order. When this matter is again before the House, the honourable Member for Portage la Prairie (Mr. Faurichou) will have 20 minutes remaining.

The hour being 12 noon, we will recess and reconvene at 1:30 p.m.

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, October 23, 2007

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