

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

*Published under the
authority of
The Honourable George Hickes
Speaker*

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, November 1, 2007

The House met at 1:30 p.m.

ROUTINE PROCEEDINGS

MATTER OF PRIVILEGE

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I wish to rise on a matter of privilege.

Mr. Speaker: Okay, the honourable Member for Inkster on a matter of privilege.

Mr. Lamoureux: Mr. Speaker, you have indicated in rulings in the past that intentionally misleading this House is very difficult, at the best of times, to be able to clearly prove and establish. You have indicated how important it is that we substantiate it with facts and realize the importance in terms of how intentionally misleading the House is to the detriment of MLAs to be able to perform their duties.

In fact, under Marleau and Montpetit, and I quote from, I believe it's page 86, Mr. Speaker, in ruling on a question of privilege, Speaker Fraser stated: "The privileges of a Member are violated by any action which might impede him or her in the fulfillment of his or her duties and functions."

Mr. Speaker, I'm going to provide you a copy of *Hansard*. I'll get maybe one of the pages to bring it over to you as I go specifically, and it won't take long for me to go through this, the first time I raised the issue in regard to what was happening in The Maples was back on November 22 of 2006. I had posed the question because it was important to me in terms of the allegations that were being raised to the Premier (Mr. Doer).

The Premier has gone out of his way to give the impression to this Legislature, and in fact to all Manitobans, that he advanced everything directly to Elections Manitoba and that's an important point now. I'll expand on why right away.

I quote November 22 from *Hansard* 2006, the Premier, in response to my question: "Mr. Speaker, any innuendo or any issue of allegations that deals with any breach of The Elections Act, I refer immediately to Elections Manitoba."

Mr. Speaker, if you go to the next page, you will see on December 4, again a question, and I had asked

a series of questions in regard to this issue. In the question I asked the Premier—and it's a fairly precise question. My question to the Premier is: "Did you provide a copy of the letter or show it to anyone else other than Elections Manitoba?"

Mr. Speaker, this is the letter that was given to me that I ultimately was able to table inside this Chamber, and I was being told at the time that the Premier did not give it directly to Elections Manitoba. Yet the Premier, and you could read the answer: ". . . I have acted always consistent with the laws of Manitoba in sending anything, if it is alleged, properly to Elections Manitoba."

Then you can go on to December 5 where, once again, I'm trying to seek clarification on what I believe is a very important issue, and I quote. The question I asked was: "I ask the Premier again and will he tell this Chamber: Did he provide a copy of that letter or share that letter with anyone else other than Elections Manitoba? Mr. Speaker, that is a very simple question. Can we get an answer, a direct answer, from this Premier?"

This is the issue that ultimately had me leaving the Chamber at your request, Mr. Speaker, as you'll recall back in December.

What was the government's response? I think this is the fourth or fifth—this is now the Minister of Justice, or the Government House Leader, responding to my question. I think this is the fourth or fifth question the member's asked on this issue.

It's an important issue because there's a difference if you get a letter with serious allegations about a staffperson and you hand it directly to Elections Manitoba, which gives a nice positive media spin to the public, Mr. Speaker, as opposed to giving it to some party hack within the political party, or I should say, a staffperson within the party. It was a very important point at the time, and I was pushing and pushing the best I could in terms of resolving that.

Well, Mr. Speaker, you know, during the Estimates, on September 25, the Premier (Mr. Doer) said, and I quote, and this is in response to an opposition member's question. He says, and I quote:

"Having said that, Madam Chair, when the letter came to me, I immediately had it sent to Elections Manitoba through the provincial secretary of our party. I acted instantly."

Mr. Speaker, the Premier did seriously attempt to give this Chamber the impression that he, himself, gave it to Elections Manitoba. In *Hansard* he is now saying that he didn't give it directly to Elections Manitoba. He gave it to Wayne Copeland. There's a huge difference. We don't know how long Wayne would have sat on it or what the intentions of—was it Wayne's idea to hand it over to Elections Manitoba? We don't have any idea what took place there. What we do know is that the Premier made it very, very clear and I asked very specific questions: Did he provide a copy of it to anyone? Did he hand it directly to Elections Manitoba? He intentionally misled this House by not telling us back then that he had, in fact, not given it directly to Elections Manitoba. He gave it to the party secretary of the New Democratic Party, and there is a difference.

Mr. Speaker, I believe that the Premier owes this Chamber an apology for intentionally misleading this House. I would conclude by moving a motion that I would move, seconded by the Member for River Heights (Mr. Gerrard) that the Premier be directed to apologize to this Legislative Assembly and the people of Manitoba for intentionally misleading the Legislative Assembly.

Hon. Steve Ashton (Deputy Government House Leader): Mr. Speaker, I think it's very important right from the beginning to assess the significance of the matter of privilege and how a matter of privilege indeed is a matter that rarely comes to this Legislature or to any Parliament, in fact. *Beauchesne's* citation 27 makes it very clear that it's a matter that is rare and should be taken seriously by the House.

Beauchesne's is also very clear, Mr. Speaker, as well, about what is not a matter of privilege. I quote *Beauchesne's* 31(1): "A dispute arising between two Members, as to allegations of facts, does not fulfill the conditions of parliamentary privilege."

Now, Mr. Speaker, let's deal with what is being suggested here by the Member for Inkster. There's a matter that has been dealt with by Elections Manitoba. Elections Manitoba has indicated there was no violation of the Elections Act, period. That is not a dispute; that is indeed a fact. The member talks about questions he raised with the Premier, but we all know that the Member for Inkster has made

statements as well about the outcome of what would happen in this matter with the Elections Manitoba. I won't reference this in detail. It is a matter of privilege, but certainly, I know the Member for Inkster is quite anxious to perhaps restate his original promise in terms of this matter.

But you know, Mr. Speaker, it has been dealt with by Elections Manitoba. For the Member for Inkster to continue to suggest in this House that the Premier or anyone has done anything other than, in this case, refer the matter to the appropriate authority, I think is not only not a matter of privilege, but even in debate in this House where there is a fair amount of leeway in what is considered—you know, the fact that we take any member of the Legislature's word. I think even there it would be a stretch for the Member for Inkster, in this particular case, to be continuing this line of argument.

* (13:40)

This is a dispute over the facts, Mr. Speaker, but the real dispute here is only on behalf of the Member for Inkster (Mr. Lamoureux) because the facts are, this matter has been dealt with by Elections Manitoba, and the member can distribute as many petitions, hold as many meetings as he wants. It has been dealt with. And in this particular case, I would suggest that the Member for Inkster may wish to move on because I think that all this matter of privilege does is highlight the degree to which the Member for Inkster is very sensitive about some comments he made.

And I had some opportunity to make comments occasionally that I might regret, but I would say of the last number of years I think the Member for Inkster certainly made comments that extended beyond what most members of the House would consider to be a reasonable promise. I mean to say: I will quit my seat, and then not do it. I realize that puts the member in an untenable position. And I actually respect the Member for Inkster, Mr. Speaker. He's quite a tenacious individual, but there's a difference between tenacity and—*[interjection]*

Well, I'm not going to use, perhaps, any unparliamentary language, but I would suggest the Member for Inkster recognize there's not a matter of privilege. And I would suggest, Mr. Speaker, that he perhaps might want to at any of these upcoming meetings explain why he said one thing and did another. That, indeed, is not a matter of privilege for us to raise because it is a dispute over the facts. But I

would suggest the words of the Member for Inkster were a lot clearer in this particular case than anything I've ever heard from a member of this House in the last decade or so.

So, Mr. Speaker, in summary, this is not only not a matter of privilege, I don't think it's even a point, let alone something that should take any time of this Legislature.

Mr. Kelvin Goertzen (Deputy Official Opposition House Leader): It's a pleasure to rise to speak on the Matter of Privilege raised by the Member for Inkster, and certainly I listened to the comments made. I could see by the information provided that the member has done a fair bit of homework and a fair bit of research on the discrepancies, clear discrepancies, between the comments made by the First Minister (Mr. Doer) on this particular issue, and how his version of the facts has changed over time.

I do think, though, Mr. Speaker, in opposition to what the Deputy Government House Leader said, I do think this is an important issue, and I do think this is an important issue to Manitobans, and it's worthy of raising here on the floor of the House. In fact, when you look specifically at what the Premier originally said, and it's important that Manitobans remember that the allegations here are that an individual was asked not to run for public office in exchange for a government position, a government taxpayer-funded position that Manitobans would expect would be provided on merit, not based on some sort of a quid pro quo from the government to a particular individual for not running in an election. Those were the bases of the allegation. When raised to the Premier, and I remember, and I know most members of this House will also remember, the Premier said that he directly brought those to Elections Manitoba.

Now we find through *Hansard* and continuous questioning on this issue that, in fact, the Premier didn't bring it directly to Elections Manitoba. He sent it instead to the wing of his political party. And there's a significant difference between the two. Certainly anybody with even a casual understanding of The Elections Act of Manitoba, and one would assume that the Premier, who in the past has said that he is the chief ethical officer for his party, would have a casual understanding of The Elections Act, would know that that type of an allegation would be a breach if it was proven to be true and would want to directly bring that to the attention of Elections Manitoba. There's even an argument to be made that

it's a breach of the Criminal Code when there is an offer to not do something in exchange for a government position, that that could be considered influence pedalling or other parts of the Criminal Code.

So, clearly, I would believe that the Premier (Mr. Doer) would know, looking at those allegations, that this is something that should directly go to Elections Manitoba or to an appropriate authority in the RCMP. Instead, what we now find out is that the Premier decided to give it to his political party, which leaves the impression to Manitobans that maybe he was hoping it would go away and be swept under the rug and be dealt with in another manner, and that really is the crux of the issue. So I believe that the member has a valid point. I know you've ruled in the past that there needs to be close to a direct admission. I don't believe we could get closer to a direct admission that the Premier deliberately misled this House than the facts that have been presented before you, Mr. Speaker.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. On the matter of privilege raised by the honourable Member for Inkster (Mr. Lamoureux), I would like to inform the House that this is clearly a dispute of the facts. *[interjection]*

Order. Once I make my ruling, if the member wants to challenge it, you have that right, but don't mock my rulings.

I would like to inform the House that this is clearly a dispute of the facts. To allege that a member has misled the House is a matter of order rather than privilege and is not unparliamentary whether or not it is qualified by an adjective, unintentionally or inadvertently. To allege that a member has deliberately misled the House is also a matter of order.

Beauchesne's citation 31(1) advises that a dispute over the facts does not fulfil the criteria for a prima facie case of privilege, while Joseph Maingot advises, on page 241 of the second edition of *Parliamentary Privilege in Canada*, that allegations that a member has misled the House are, in fact, matters of order and not matters of privilege.

I would therefore rule that the honourable member does not have a matter of privilege.

Mr. Lamoureux: Yes, Mr. Speaker, I wonder then if it would be more appropriate for me to rise on a point of order to explain it.

Mr. Speaker: Yes.

Point of Order

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

Mr. Lamoureux: Yes, on the point of order then, Mr. Speaker.

Mr. Speaker, I do believe that if we take a look at the context of if you intentionally mislead the Chamber, what you're hoping to be able to achieve is to leave an impression with members of the media and through the media to be able to communicate a message. The message that was trying to be communicated is that the Premier (Mr. Doer) did the right thing here by advancing a very important document directly to Elections Manitoba. We now know for a fact that that did not occur.

I'm not too sure exactly how, through a point of order, I request that the Premier apologize, but I do believe, contrary to what the acting Government House Leader has said, Mr. Speaker, I do believe the Premier does owe this Legislature an apology.

So I stand on a point of order, in essence, asking for you to review possibly what it is that I had inappropriately stated in the matter of privilege and look at it from a perspective of a point of order, because I truly do believe that it was intentionally done by the Premier, and the outcome, he was successful in trying to give the impression that Elections Manitoba and he did the right thing, because he did not do the right thing, Mr. Speaker.

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

Mr. Ashton: Well, I know it's the old adage: if at first you don't succeed, try, try again. But not in the Manitoba Legislature, Mr. Speaker.

It's clearly a dispute over the facts. I think the member has been in this House long enough to know that it's quite common to have disputes over the facts. Without having disputes over the facts, we wouldn't have that wonderful institution of Question Period, of debate in the Legislature. There are probably dozens of disagreements and interpretations over the facts, Mr. Speaker.

But there are two indisputable facts here, Mr. Speaker, that clearly indicate this is not a matter of order. One is that the matter to which the Member for Inkster (Mr. Lamoureux) refers has been dealt

with by Elections Manitoba, indisputable. It has been dealt with by Elections Manitoba. The second indisputable fact is that the Member for Inkster promised to resign and didn't do so.

So I would not get up on a point of order on that, because that I'll leave to the Member for Inkster to explain, but my suggestion, Mr. Speaker, it's not if at first you don't succeed, try, try again in terms of this. Accept the reality. Move on. It wasn't a matter of privilege two minutes ago; it's not a matter of order.

Mr. Goertzen: On the same point of order, Mr. Speaker, I regret that the rules of the Legislature probably will not allow this to proceed as a point of order because I do think it's at least an important point.

Unfortunately, the way the system works, if you give two answers to the same question in a court of law, it would probably be ruled as perjury. If the Premier (Mr. Doer) gives two answers to the same question in the Legislature, it's ruled as a dispute over the facts. That's unfortunate, that that's how the system is set up here in the Legislature.

But I think that there's another alternative here. In the spirit of bipartisanship, I would encourage the Premier to go to the public meeting on Monday, on November 5, that's being hosted in his own riding and tell his own constituents the truth about what happened on these allegations.

*(13:50)

Mr. Speaker: On the point of order raised by the honourable Member for Inkster, I'm going to take it under advisement. I'm going to consult the authorities and peruse *Hansard*, and I'll bring back a ruling for the House.

Mr. Speaker: Routine Proceedings. Introduction of Bills. Petitions.

PETITIONS

Dividing of Trans-Canada Highway

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

These are the reasons for this petition:

The seven-kilometre stretch of the Trans-Canada Highway passing through Headingley is an

extremely busy stretch of road, averaging 18,000 vehicles daily.

This section of the Trans-Canada Highway is one of the few remaining stretches of undivided highway in Manitoba, and it has seen more than 100 accidents in the last two years, some of them fatal.

Manitoba's Assistant Deputy Minister of Infrastructure and Transportation told a Winnipeg radio station on October 16, 2007, that when it comes to highways' projects the provincial government has a flexible response program, and we have a couple of opportunities to advance these projects in our five-year plan.

In the interests of protecting motorist safety, it is critical that the dividing of the Trans-Canada Highway in Headingley is completed as soon as possible.

We petition the Legislative Assembly as follows:

To request the Minister of Infrastructure and Transportation (Mr. Lemieux) to consider making the completion of the dividing of the Trans-Canada Highway in Headingley in 2008 an urgent provincial government priority.

To request the Minister of Infrastructure and Transportation to consider evaluating whether any other steps can be taken to improve motorist safety while the dividing of the Trans-Canada Highway in Headingley is being completed.

This is signed by Shannon Dawley, Sherry Laing, Murray Clearly and many, many other Manitobans, Mr. Speaker.

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

The Child and Family Services Act

Mrs. Leanne Rowat (Minnedosa): Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

Manitoba's provincial government has a responsibility to protect children from exploitation.

Canada's laws recognize those less than 18 years of age as deserving of certain legal protection. Under law, children cannot drive until they are 16, and cannot smoke cigarettes or drink alcohol until they

are 18. Yet, the current age of consent under Canada's Criminal Code is 14 years of age.

Families, communities and law enforcement authorities recognize that young Canadians between the ages of 14 and 16 years of age are especially vulnerable due to legal loopholes. They are frustrated with the lack of tools available to them from exploitation by adult predators at least three years older whose intent is to sexually exploit these children.

Predators are increasingly using nefarious means such as drugs, alcohol, gifts and false promises to lure at-risk victims. In addition to sexual abuse, these victims are sometimes coerced and misled into criminal activity, drug use and gang recruitment.

The consequences of any type of exploitation are devastating. While any child may become a victim of exploitation, at-risk children are particularly vulnerable and targeted. Many of these children are in the care or have previously had contact with Child and Family Services.

While the age of protection is within federal jurisdiction, there are actions that could be taken by the provincial government to protect young people in the care of the Department of Family Services and Housing. Section 52 of The Child and Family Services Act could be strengthened to better safeguard minors in care.

We petition the Legislative Assembly of Manitoba as follows:

To request the Premier (Mr. Doer) to consider amending and strengthening section 52 of The Child and Family Services Act to allow for a greater protection of children in care from exploitation.

To request the Premier to consider urging the federal government to raise the age of protection to a minimum of 16 years of age.

This petition signed by Verna Hourie, Myles Courcher, Glenda Smith and many, many others, Mr. Speaker.

Personal Care Homes—Virden

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

These are the reasons for this petition:

Manitoba's provincial government has a responsibility to provide quality long-term care for qualifying Manitobans.

Personal care homes in the town of Virden currently have a significant number of empty beds that cannot be filled because of a critical nursing shortage in these facilities.

In 2006, a municipally formed retention committee was promised that the Virden nursing shortage would be resolved by the fall of 2006.

Virtually all personal care homes in southwestern Manitoba are full, yet as of early October 2007, the nursing shortage in Virden is so severe that more than one-quarter of the beds at the West-Man Nursing Home are still empty.

Seniors, many of whom are war veterans, are therefore being transported to other communities for care. These communities are often a long distance from Virden and family members are forced to travel for more than two hours round trip to visit their loved ones, creating significant financial and emotional hardship for these families.

Those seniors that have been moved out of Virden have not received assurance that they will be moved back to Virden when these beds become available.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Health (Ms. Oswald) to consider taking serious action to fill the nursing vacancies at personal care homes in the town of Virden and to consider reopening the beds that have been closed as a result of this nursing shortage.

To urge the Minister of Health to consider prioritizing the needs of those seniors that have been moved out of their community by committing to move those individuals back into Virden as soon as beds become available.

This petition is signed by Jack Day, Dave Preston, Betty Day and many, many others.

Public Meeting—Premier's Attendance

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

The background to this petition is as follows:

The Premier (Mr. Doer) has been silent on the issue related to serious allegations with respect to his office.

The Premier is not answering questions related to the said issue inside the Legislature.

There is no indication that the Premier is enforcing Manitoba's code of ethics for political parties.

Based on the 1999 Monnin report inquiry, leaders of political parties are obligated to enforce the code of ethics.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Premier to consider attending the November 5 public meeting at the Munroe public library, which is located in his constituency.

Mr. Speaker, this is signed by M. Cruz, C. McQuade, M. Alinsob and many, many other fine Manitobans.

TABLING OF REPORTS

Hon. Diane McGifford (Minister of Advanced Education and Literacy): I'm pleased to table the following reports: the University of Manitoba Annual Financial Report 2007; the University of Winnipeg Financial Statements for the year ended March 2007; Brandon University Annual Financial Report 2007; Collège de Saint-Boniface Financial Statements for the year ended March 2007.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, I'd like to draw the attention of honourable members to the Speaker's Gallery where we have with us today Steven Kopak, economic development officer from Repulse Bay, Bob Aymont, senior administrative officer, also from Repulse Bay, and Johnny Tagornak, who is the mayor of Repulse Bay who are accompanied by Mr. Jim Downey, who is a former member of the Legislative Assembly for Arthur-Virden, and also Brian Henderson from Price Waterhouse.

[Inuktitut was spoken]

Translation

Welcome to Manitoba.

English

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

Also in the public gallery we have from Kelvin High School 60 grade 9 students under the direction of Carmelina Tarantino. This school is located in the constituency of the honourable Member for River Heights (Mr. Gerrard).

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

* (14:00)

ORAL QUESTIONS**Manitoba Hydro Power Line
Support for West-Side Location**

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, the decision by the Premier and his government to require Manitoba Hydro to embark on a project that is going to leave a legacy of half a billion dollars in debt to future generations; it's going to cost hundreds of millions in lost power sales, it's going to inflict damage on the environment through lost opportunities to cut coal production and to inflict damage in the way of lost economic development opportunities for some of the poorest communities in Canada, is based on the Premier's concern about opposition to the construction of an east-side line that could have a variety of impacts.

Mr. Speaker, we've been keeping track of those Manitobans who have spoken up in favour of the east-side option, and they include the experts at: Manitoba Hydro; the Chambers of Commerce; the taxpayers' organizations; environmentalists like Jim Collinson; constitutional experts like Dr. Brian Schwartz; First Nation leaders like Elijah Harper, the former NDP MLA; Dr. Sydney Garrioch, the leader of First Nations for northern Manitoba which includes 11 of the First Nations on the east side; Berens River First Nations Chief George Kemp; the *Winnipeg Free Press* editorial board; the *Winnipeg Sun*; and, for heaven's sake, even the Liberals agree with our position on the east side.

So I want to ask the Premier—and I would add to that list the former Deputy Premier of Manitoba, Jim Downey, supports our position.

Mr. Speaker, I want to ask the Premier: In light of the fact that his position to waste hundreds of millions of dollars of Manitobans' money to squander

an opportunity to clean up the environment, in light of the fact that it's based on this opposition that he's siting, in light of the fact that we've got a long, long list of Manitobans who support the east side, would the Premier be good enough to indicate, other than the members opposite and other than Robert Kennedy Jr., who is on his side on this issue?

Hon. Gary Doer (Premier): Mr. Speaker, I would remind the member opposite that we took our position out in front of the people in 2004, 2005, 2006 and in 2007, the people voted with us.

Mr. McFadyen: Mr. Speaker, let's look at the position that the Premier took to the people.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. McFadyen: Thank you, Mr. Speaker. It's not normal for the Premier to lead with his chin in that way.

I want to ask him, given that he says that he took his position to the people of Manitoba on this issue, why is it that during the CBC leader's debate on May 17, in the midst of the election campaign, Janet Stewart was there moderating on behalf of CBC, the Leader of the Liberal Party was there, why is it that the Premier said, in response to a question about the transmission line, and I quote, we're not planning to build it on the west. That's what the Premier said during the election campaign.

So given that he thinks that he has a mandate, I want to ask the Premier: During the election campaign, we're not planning to build it on the west, those are the Premier's words; after the election campaign, we're going to build it on the west. How is it that he can take the position: not on the west during the campaign, on the west after the campaign, and why doesn't he apologize for misleading Manitobans about what his plans were during the election campaign?

Mr. Doer: Well, Mr. Speaker, the government, we were very clear that we were opposed to and weren't going to build the transmission line on the east side. There's article, after article, after article about the east side.

At committee last week, Mr. Speaker, the member opposite raised some of these issues with Mr. Brennan, and Mr. Brennan appropriately pointed out the difference between the issue of reliability and the issues and opportunities of the east-west grid.

There is still the opportunity, I believe, to sell power to Ontario, running it across the north, but if you ran the power across the north you wouldn't be able to cover, you'd be able to cover the export sales but not the issue of reliability. There was four and a half hours of committee meetings last week dealing with that issue, and I think it was properly answered by the CEO of Hydro, as it's been properly answered by ourselves.

Mr. Speaker, I would finally add that I was glad he quoted Mr. Downey. Mr. Downey has his tracks all over *Hansard* when he was a member of the Lyon Cabinet that cancelled Limestone. They cancelled Limestone because Limestone was going to leave all our little children in debt, and there would be no place to sell the power, and the sky would be falling, and they cancelled Limestone. We built Limestone. We have the export sales. We have the lowest hydro-electric rates in the world because we had the vision to build, not mothball like the member opposite.

Mr. McFadyen: Mr. Speaker, the Premier talks about history. It was a Progressive Conservative government under Duff Roblin that began the exploration of northern generating stations and that's the legacy, a Progressive Conservative legacy, of building in the north.

The fact is that it was the Schreyer NDP government that couldn't close a deal to sell power that resulted in the delay of projects. It was the Howard Pawley government that he was part of that couldn't close the deal to sell power to Ontario that resulted in delays under that government on other projects. So why doesn't he get the facts straight? Progressive Conservatives build. Progressive Conservatives close deals to get things done for Manitoba Hydro. NDP—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. McFadyen: After eight years in power he still doesn't have a deal with Ontario, Mr. Speaker. Just like governments in other parts of the country that have gone ahead spending millions of dollars on capital projects without a customer at the other end, he runs the risk of leaving a legacy of debt without revenue, just as his predecessors did, just as what happened in Newfoundland. It's irresponsible to go around making promises about building projects, when for eight years he still hasn't been able to close a deal with Ontario. So let's get the record straight on the history of Hydro projects in Manitoba.

I want to say and I want to ask the Premier: Given that he hasn't been able to name a single person, other than Robert Kennedy Jr., who supports his position—we've got a growing list of Manitobans, First Nations, environmentalists, Hydro experts, media outlets and many, many others, Mr. Speaker—can he name a single Manitoban, other than the members of his caucus, who support the foolhardy position that he's taken?

Mr. Doer: I'm glad the member opposite is going back in history. He will find that some of the same media editorial writers in the 1980s had the surrogate position of the Conservative Party on the building of Limestone. Tories cancelled it. The NDP built it. The people that predicted, editorial writers and other learned people on the opposition side, predicted the sky would fall, the sales would not be there, our children would be left in debt. And now, Mr. Speaker, we have now had two successive sales, northern state sales. We've also had the Ontario sale. We had the Ontario sale of 300 megawatts.

Our government had a memorandum of agreement on Conawapa that was again mothballed by members opposite. History is very clear on these issues. I would point out many of the environmental groups in Manitoba have made strong statements about maintaining the intact boreal forest in terms of the east side, but I'd also point out, Mr. Speaker, last week, and this must be—Thursday must be meltdown day for the Leader of the Opposition because we had a similar flailing away at inaccurate history last week on Thursday.

Mr. Speaker, last week again, Mr. Brennan, the CEO of Hydro, said the west-side line would allow for thousands of megawatts to be sold, sold to export markets, the government—it will not cost money to build the transmission line. We will make money on the line.

He also said that the east side is much more difficult. It has much more opposition, something that we've been saying day in and day out: more opposition on the east side, making money on the west side. It's very simple we're going to make money and preserve the boreal forest undisturbed on the east side of Lake Winnipeg.

Agriculture Industry Government's Response to Current Challenges

Mr. Ralph Eichler (Lakeside): Mr. Speaker, there are severe storm clouds over many parts of Manitoba's agriculture sector.

Yesterday the Canadian dollar hit a 50-year high which has significant impact on our exports. Input costs continue to rise and some fertilizer is in short supply. Country-of-origin labelling is creating uncertainty. Certain American groups are trying to keep Canadian cattle from being exported at a time when that sector is dealing with the BSE crisis.

Mr. Speaker, will the Minister of Agriculture tell this House what long-term plans this government has to help Manitoba's agriculture community to weather these challenging times?

* (14:10)

Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives): Mr. Speaker, I'm pleased that the member opposite finally recognizes that we have serious challenges with regard to the border, with regard to older animals. That's why we have been trying to increase slaughter capacity. I'm disappointed that the member opposite continues to speak against it, continues to tell producers that they should take their money out so that enhancements cannot take place.

Mr. Speaker, the issue of country-of-origin labelling is a very important issue. We have been in discussion with the industry. Our answer is to increase slaughter capacity, create new markets so that we are not as dependent on U.S. markets. But I would say to the member, start getting some ideas and supporting producers when they look for solutions like increasing slaughter capacity.

Mr. Eichler: Eight years of nothing, Mr. Speaker. This NDP government has got to make serious commitment to keeping agriculture economy strong because if it suffers, the impact is felt across our province. Looking at the cattle industry, KAP prices are low, feeder cattle are being shipped to the U.S. in high numbers due to high feed costs, lower feed prices, the impact of the rising dollar and the cost related to the enhanced feed ban.

Mr. Speaker, will the Minister of Agriculture outline what plan this government has to help Manitoba cattle producers deal with these extraordinary challenges?

Ms. Wowchuk: Well, I can assure you, Mr. Speaker, that I will not be telling cattle producers to take their money out of the enhancement council. I will not be taking ads out on that one which has resulted in

Manitoba cattle producers taking their money out of Manitoba Cattle Producers organization as well.

Mr. Speaker, this member chooses to try to discredit the industry every time they come forward with an idea. Certainly, the producers came to us and asked us to place the enhancement—

Mr. Speaker: Order.

The honourable Member for Emerson (Mr. Graydon), we will have decorum in this House.

Ms. Wowchuk: Thank you, Mr. Speaker. I also want to recognize that there's a livestock show in Brandon going on right now. They have the Taste of Beef in Brandon which shows the very high quality of Manitoba product that we have. I would ask the member—*[interjection]*

Mr. Speaker: Order.

Mr. Eichler: The minister has no plan or she would table it now, Mr. Speaker. The hog moratorium, the country-of-origin labelling, proposed labour law changes, rising input costs, the impact of the Canadian dollar, the threat to trade challenge related to cattle are just a few of the serious issues facing our producers. At a time when the agricultural community needs strong leadership from a provincial government, we have heard virtually nothing. This minister proved it again today. It is very disturbing for our producers.

Mr. Speaker, I ask the Minister of Agriculture what discussion she has had with her federal counterparts developing long-term strategies to deal with these pricing issues.

Ms. Wowchuk: Mr. Speaker, there are very serious challenges facing certain sectors of the agriculture industry. There are other sectors that are doing well because of high grain prices. Those that are exporting are suffering from the high dollar.

You know, we have safety net programs in place. We have programs that we are improving on, programs that pay out millions of dollars. Again, the member opposite sits there and says the programs aren't working. Well, I would ask him to look at the budget and look at how much money is flowing to producers each year through this program. The programs are in place to help when there is a downturn in the economy. I say to you, Mr. Speaker, with this downturn in cattle and in the pork sector, the CAIS program will fill in that gap to a certain degree.

Biofuels Industry Status of Current Projects

Mr. Leonard Derkach (Russell): Mr. Speaker, the Minister of Agriculture talks about discrediting the industry, but her inaction is discrediting herself with regard to the agriculture industry. Manitoba lags behind other provinces when it comes to the biofuels development. Presently, we have one ethanol project in Minnedosa and no producing biodiesel plants. The minister keeps talking about how aggressively he's pursuing the projects and yet very little is happening.

Can the minister of industry, trade and competitiveness tell this House why Manitoba lags so far behind other provinces in terms of biofuels production?

Mr. Speaker: The honourable Minister of Agriculture and Food.

Hon. Jim Rondeau (Minister of Competitiveness, Training and Trade): Mr. Speaker, I'm pleased to tell the member opposite—

Mr. Speaker: Order.

The honourable Minister of Science, Technology. I had recognized the honourable Minister of Agriculture, Food, so it'll be the honourable Minister of Science and Technology. That's for *Hansard's* record.

Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines): Mr. Speaker, and I'm pleased to let the entire House know that not only are we moving from 30 million to 40 million litres of ethanol, but we're moving to 130 million litres of ethanol. I'm also pleased to tell the member opposite that a few years ago we had no biodiesel plants, so I'm pleased that we have five biodiesel plants that we expect to have up and running very shortly.

You can go to Bifrost. You can go to Eastman, Celtic. You can go to all sorts of them, speedway. These are plants that are going to be up and running in Manitoba, and I remind the member opposite that we just finished the law. We're going to ensure that we have a lab that tests to make sure that we have appropriate quality. We have licensing facilities, and we have appropriate support, and I'm pleased to move forward.

Mr. Derkach: Mr. Speaker, the minister is moving forward at a snail's pace. A proposed ethanol project on the west side of the province in my constituency is ready to proceed except for a commitment from

this government. Continued delays by the government and no commitment for support for infrastructure are frustrating municipalities, proponents of the project.

When will this minister, Mr. Speaker, get off his backside and allow projects to move ahead, before we lose another season, before we lose another project to another province?

Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives): Mr. Speaker, I'll compare our record to theirs anytime: 10 times as much ethanol being produced in this province under this administration than under theirs, 10 times.

Mr. Speaker, there are biodiesel plants being proposed, biodiesel plants that are operating. The member opposite refuses to recognize that there are biodiesels. He talks about people that want to work and develop ethanol plants.

I say to him when they come to us with proposals we will work with them. Just as the Member for Arthur-Virden (Mr. Maguire) came to us and said we weren't working with a company, I provided him the information that is needed so that they can move forward.

I say to the Member for Russell, tell us what this company is and who the group is and we will work with them.

Mr. Derkach: Mr. Speaker, I think the minister just demonstrated her lack of knowledge as to what goes on in this province. We have a project on the west side of the province that is ready to go, ready to turn the sod. They have been before government, before her department. The municipalities have been before her government, and she doesn't know about it.

Mr. Speaker, will the minister finally show a little bit of leadership and, perhaps, show the way in terms of developing other ethanol projects in this province, meet with the group that is coming to this province next week and ensure that this project has an ability to get off the ground before we lose it to another province?

Ms. Wowchuk: Mr. Speaker, we have an open-door policy. I have always said to people, other people of our government here, if there is an opportunity, if people want to come and talk to us, we will listen to them.

But I'll stand by our record. We are producing 10 times more ethanol in this province than was

produced under the opposition. They never even thought of producing biodiesel in this province. They did nothing with wind energy. This province and this government is working on rural economic development, and the member opposite does not like to hear that.

Bill 19
Support for Amendment

Mrs. Mavis Taillieu (Morris): Mr. Speaker, Bill 19, The Fair Registration Practices in Regulated Professions Act is intended to ensure that registration practices are transparent, objective, impartial and fair. Our caucus fully supports that intent of the bill as evidenced by our platform in the election, but we called for an independent body to oversee the recognition process. This NDP government wants the minister to oversee it. That's not impartial.

Mr. Speaker, recognizing that fairness is inextricably linked to independence, will the Minister of Labour and Immigration support the amendment put forward yesterday to have oversight by an independent body answering to the Legislature, or is she trying to politicize this process?

* (14:20)

Hon. Nancy Allan (Minister of Labour and Immigration): Well, Mr. Speaker, I'd like to take this opportunity to welcome the MLA for Morris to the new critic area of Labour and Immigration. I look forward to working with the new critic. I think that in Manitoba, we have ushered in a new era of harmonious labour relations, and I look forward to working with her.

Bill 19 is, indeed, a bill that we have introduced in this House, Mr. Speaker, so that newcomers, when they come to this province, will have a fair and transparent process with our self-regulatory bodies so that they can get their credentials recognized and get moving into jobs, get participating in our economies, their kids can go to school, they can live and build their houses in our community and fully participate in our economy.

Mrs. Taillieu: That really sounds like a yes.

Mr. Speaker, there's already a history in the Legislature of having independent bodies appointed by and reporting to the Legislature. The Auditor General, the Children's Advocate, the Ombudsman are all appointed by and report to the Legislature. In order to ensure fairness, there must be independence

such as in the Ombudsman's office, which is a non-partisan office of the Legislative Assembly.

So, Mr. Speaker, just to clarify: How can this minister justify having the fairness commissioner appointed by a political office when it is widely recognized that independence is required to promote fairness?

Ms. Allan: I'm so pleased that the member opposite talked about history because it provides me with an opportunity to talk about what has happened in our Immigration branch in the last few years in regard to qualifications recognition.

In 2002, our government put out a qualifications recognition strategy, and we have got the best recognition strategy of any jurisdiction in Canada. The most important thing that the fairness commissioner can do is work in our Immigration branch where we have already succeeded in developing pilot projects, one that was announced this morning at the University of Manitoba with the Department of Agriculture, and the self-regulatory body was there. This is a partnership, Mr. Speaker, and the fairness commissioner must work in our Immigration branch to continue that leadership role we play in Canada.

Mrs. Taillieu: Well, Mr. Speaker, there is a real irony in proposing legislation that is intended to promote transparency, objectivity, impartiality and fairness and having a fairness commissioner then report to the minister. That's just baffling.

Mr. Speaker, will the minister support this amendment so that foreign-trained professionals in Manitoba can be assured that the process will truly be transparent, objective, impartial and fair?

Ms. Allan: I'm so pleased that the MLA mentioned the word "irony" because when she spoke in the House in regard to Bill 19, she talked about the fairness commissioner, and she said in her speech that she hoped that when this fairness commissioner was appointed that there would not be a bureaucracy that was built up in my department in regard to this.

You know what? If we carve off this office and put it over and we make it independent to the Department of Immigration, that is exactly what we will do. We will build up a huge bureaucracy that is not leading and building on all of the success that we have made.

She should apologize to the people in my branch that know how to run this program and have been

responsible for our leadership in Canada, Mr. Speaker.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. If members wish to have a conversation, we have two empty loges. Right now it's Question Period. We're trying to get as many questions and answers in as we can.

Health Care Cancelled Cardiac Surgeries

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, we have heard that more heart surgeries have been cancelled this year than in previous years. Yesterday, the Minister of Health refused to say how many heart surgeries have been cancelled this year. I'm sure she's had a briefing overnight, so I will ask her again.

How many heart surgeries have been bumped or cancelled this year, to date?

Hon. Theresa Oswald (Minister of Health): We acknowledged yesterday when we were speaking with the member opposite that we know that we have lots of work to do in our cardiac program. We also know that lots of great work has been done. We know that according to the Canadian Institute for Health Information, Manitobans have the shortest wait in Canada for elective heart surgery, at 13 days.

We also know that we presently have some challenges with ICU nurses. It's a challenge that jurisdictions across Canada face. That's why we're taking measures to build that complement of ICU nurses, and it must be said, Mr. Speaker, that no patients on the wait list currently are exceeding the recommended medical wait time.

Intensive Care Unit Nurses Shortage

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, it's amazing that the Minister of Health will not answer this question.

The ICU nursing shortage at St. Boniface Hospital is dangerously high. They are short 37 ICU nurses. Dr. Postl said today that only nine new ICU nursing grads will be hired, which will still leave them 28 nurses short. This is the worst ICU nursing shortage in years.

I'd like to ask the Minister of Health to explain how she could have allowed the ICU nursing

shortage in this province to have grown so dangerously high.

Hon. Theresa Oswald (Minister of Health): Mr. Speaker, I'll say to the member opposite as a point of clarification that, again, we're working diligently to build that complement of nurses. I think she also is very aware that there is a class of ICU nurses studying right at this moment, a class of 25 nurses that will graduate in January. In recognizing that we have pressure in the ICU nursing area, we've also added an additional class of 50 students that will be in the ICU nursing program, and they will graduate by the summer.

In addition to that, it must be said the majority of surgeries that are done, emergency surgeries—let me correct that. It's 44 percent of the surgeries that are done that are emergency surgeries that never go on a wait list. The ones that are on a list are all meeting the medically recommended time.

Cardiac Surgeries Patients Moved to Other Hospitals

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, patients in this province have died on those waiting lists that this minister is talking about. They've been bumped numerous times and then some have died.

Mr. Speaker, Dr. Postl confirmed today that in order to make room for cardiac surgery patients in the St. Boniface ICU, which is short of nurses, other patients will be decanted to other hospitals, another Band-Aid solution from this NDP government.

I'd like to ask the Minister of Health to tell us what types of patients are going to be decanted to other hospitals and which hospitals will they be decanted to, to make room for the cardiac patients which are trying to get into the ICU at St. Boniface Hospital?

Hon. Theresa Oswald (Minister of Health): Mr. Speaker, the member opposite may have a variety of expressions for what we call it: opening beds and increasing nurses, and that's exactly what we're doing.

I'll say also to the member opposite 25 nurses will graduate in January from the ICU program, 50 more nurses will enter that program. Dr. Koshal gave our program, the consolidation program, an A, and I would also say that the president and the CEO of St. Boniface Hospital Research Foundation said about

the St. Boniface Hospital cardiac program, ". . . we're creating something truly special for the patients we serve." That was one Stuart Murray.

We're working together to make this happen for patients in Manitoba.

Child Welfare System Recommendations from Children's Advocate

Mr. Stuart Briese (Ste. Rose): Mr. Speaker, the Minister of Family Services and Housing has not been able to explain why Bill 11 is his biggest priority. His department is faced with 284 other recommendations. Instead of prioritizing the recommendations that would protect these children, he is shuffling the responsibility for child death investigations.

The minister says that all the recommendations from the child welfare review are a priority. Would the minister explain why he is ignoring so many important recommendations?

* (14:30)

Hon. Gord Mackintosh (Minister of Family Services and Housing): Mr. Speaker, I hope you choose the word of the day being "irony," because I've got another one, of course. Bill 11, they support it in principle, now the members opposite get up and they say oh, no, we don't like Bill 11; like Bill 21.

I think, Mr. Speaker, they're so desperate for an issue, legislation that they strongly support, they strongly oppose. Go figure that one.

Mr. Briese: Mr. Speaker, Bill 11 is trying to rectify a resource issue, but it's creating more problems than it solves.

The minister says he's going to give the Children's Advocate an extra \$380,000 to conduct child death investigations. Dr. Markesteyn, who is the real expert here says, and I quote: An investigator should not be an advocate, an advocate should not be an investigator.

This is an issue of resources. If the resources are there, why not eliminate the conflict of interest, eliminate the duplication of responsibilities and give those resources to the Chief Medical Examiner.

Mr. Mackintosh: Well, Mr. Speaker, the members opposite wish to reject the recommendations of the Ombudsman, the Children's Advocate. They should be explicit in so putting that on the record.

We accept those recommendations. We see all of the recommendations as a blueprint for action which is why we've launched Changes for Children, and we're one-third of the way into the budgeted allocation for that initiative.

Mr. Speaker, we're in favour of stronger powers for the Children's Advocate. We think it's very important that the Children's Advocate be given the responsibility in law and the duty to look at the quality and standards of service provided to a child who dies in care or within a year of being in care. We see that as an important series of recommendations. We endorse it. Why don't they say what they really believe?

Mr. Briese: Mr. Speaker, yesterday the minister said all the recommendations are a priority. What about a risk assessment tool? What about finishing the CFS standards manual? What about keeping kids safe? Well, the NDP won't have those things, but they will have shuffled the responsibility for child death reviews.

I will again ask the minister: Will he rethink the legislation?

Mr. Mackintosh: I remind the members opposite that there have been, indeed, revisions, Mr. Speaker, to the case management standards to reflect the changes in legislation, the authorities act, other enhancements to service delivery. There's been a clear articulation in the case management standards about the process of safety assessments, risk assessments, the implementation of the intake model to record new incidents and referrals, including safety assessments, including risk assessments, corresponding response time. There is a new provincial work force qualification standard introduced. Competency-based training has undergone regular updates.

Mr. Speaker, the member is just plain wrong.

Public Meeting Premier's Attendance

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I suspect that I've likely been in Concordia in the last few days more than the Premier (Mr. Doer) has been in Concordia, his own constituency.

Mr. Speaker, this Saturday I'm going to be out in front of his constituency office promoting a very special event, an event which I would like to see the Premier attend. On November 5, at 7 o'clock, at the Munroe public library, I'm going to be there to

explain to his constituents that the Premier, in issues related to the Premier's office are questionable. I'm asking for the Premier to do the honourable thing, to accept the challenge and to attend in his own constituency a public debate. If he has nothing to hide, why wouldn't he do that?

Hon. Gord Mackintosh (Minister of Family Services and Housing): Mr. Speaker, I'm just filling in, so I really wasn't paying attention to the preamble. Did the member just announce his resignation? Perhaps he'd just want to repeat that.

Mr. Lamoureux: Mr. Speaker, I stand up on a point of order.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Point of Order

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

Mr. Lamoureux: Yes, Mr. Speaker. I do believe that the government does have the option in terms of answering the question. I wasn't too sure if the member, or the former House Leader, whatever it is one wants to classify this particular minister, if he was actually up answering the question or was he posing a question. I'm not too sure what his role in that question was. I would seek clarification.

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

Hon. Steve Ashton (Deputy Government House Leader): Mr. Speaker, certainly you might classify that as a rhetorical question, but I think that a lot of members would like the answer anyway.

Mr. Speaker: On the point of order raised by the honourable Member for Inkster, he does not have a point of order. It's clearly a dispute over the facts.

I want members to be very cautious on their questioning and their answers to questions, because there's a certain matter I have taken under advisement, and members shouldn't be making reference to the point of order that I've taken under advisement until I come back with a ruling. So just be a little careful here.

* * *

Mr. Lamoureux: Mr. Speaker, I would look to the Premier, at the very least, to acknowledge that there is going to be a public meeting in his constituency. I believe that the Premier should do the honourable

thing. I would return the favour to the Premier. If he wants to come out to Inkster, I will host the meeting. He can make whatever case he wants to make. If he wants to talk about resignations, he can talk about whatever is in his mind, share.

Mr. Speaker, what I'm asking for this Premier to do is to come to his constituency and share. If he doesn't want to come to his constituency and share, well, maybe he can have any one of his, and I'll let you fill in the blank, any of his MLAs—there's 33 of them that will obey any word that he has to say. Why doesn't any one of those 33 come on over to Concordia, the area that he represents, and defend this government.

Mr. Mackintosh: I was glad to hear the member is going to a library. I think they've got copies of *Hansard* there. I think he should look up that one little line he said about resigning his seat unless, you know, if he wasn't vindicated in his allegations.

But I did notice, I was over in Inkster during the election campaign, and along Burrows Avenue I came across some campaign literature with the member's picture and name on it and McDonald's. I guess that's part of the Healthy Kids, Healthy Futures strategy. It had a big footprint on it, a big boot print, you know, but anyway—but it said on here: On May 22, vote for accountability; vote for Kevin Lamoureux.

Where's the accountability? We look forward to his resignation today, Mr. Speaker.

Mr. Speaker: Order. When members are making reference to other members in this House, whether they're quoting from a newspaper or any article, the reference should be made to members by their constituencies or ministers by their portfolios.

Premier's Chief of Staff Conduct

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, there is the difference between accountability. So the minister actually understands. He referenced McDonald's. Every Thursday night I'm at the local restaurant being accountable—underline, accountable—to my constituents. We have a Premier (Mr. Doer) that won't even show up at a public meeting.

You want to talk about accountability. I'll take my accountability for my constituents any day of the week. Will this Premier have the same courage and take accountability to his own constituents?

If he doesn't want to attend the meeting, let me ask a very specific question: Will the Premier say that his chief of staff did absolutely nothing wrong when he met with Mr. Kaur Sidhu? Will he say that his chief of staff did nothing wrong? Will the Premier at least answer that question, Mr. Speaker?

Hon. Gord Mackintosh (Minister of Family Services and Housing): Mr. Speaker, the member wants to cast aspersions on Elections Manitoba, and I think that's most unfortunate. I just noticed, though, that in this literature that I found on the street, I wanted to—

An Honourable Member: I can get you the original copy if you like.

Mr. Mackintosh: He's got more to hand out, where he says he's going to be accountable.

It says here: Inkster, more than any other constituency in Manitoba, has ensured that the Liberal Party has a presence inside the Manitoba Legislature. Now I understand why the Leader of the Liberal Party, remember when the BSE crisis broke out, why he really wanted the Member for Inkster to sit next to him and not behind him, Mr. Speaker.

Mr. Speaker: Order.

* (14:40)

Point of Order

Mr. Speaker: The honourable Leader of the Official Opposition, on a point of order.

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, the minister is making reference to the effectiveness of the campaign literature issue by the Member for Inkster, and, as I recall, the Member for Inkster got more votes in his constituency than the Member for Concordia got in his. I just wonder if the minister would then withdraw the comments about the effectiveness of the Member for Inkster's campaign literature in light of the fact that he got more votes than the Member for Concordia.

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

Hon. Steve Ashton (Deputy Government House Leader): Mr. Speaker, and the Leader of the Opposition got less seats in the next election. Not a point of order, and I don't think the Leader of the Opposition wants to get into that kind of issue.

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

Mr. Lamoureux: Mr. Speaker, on the same point of order. The minister makes reference to campaign literature and so forth. At the end of the day, all I really wanted was the Premier to answer a simple question.

Mr. Speaker: Order. On the point order raised by the honourable Leader of the Official Opposition, first of all, I want to remind members that points of order should be raised to point out to the Speaker a breach of a rule or a departure from our normal practices of the House. Points of order should not be raised for a matter of debate or disputing information that is brought on the floor. So the honourable member does not have a point of order.

Hybrid Plug-In Vehicles Winnipeg Conference

Ms. Marilyn Brick (St. Norbert): Mr. Speaker, this government's green agenda plays a vital role in continuing our economic growth.

Can the Minister of Science, Technology, Energy and Mines inform the House of another first for Canada and Manitoba, with the hybrid vehicle conference being held here in Winnipeg?

Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines): I'd like to inform all members of the House that the first hybrid plug-in conference for new vehicle technology is going on at the Delta again today.

What it is is another example of how Manitobans are leading the way. We've led the way with the hydrogen bus contract in B.C. We've led the way as far as geothermal installations. We're leading the way as far as demand-side, or energy conservation, and we'll continue to work with wind and other technologies to lead the way.

This plug-in vehicle is an electric car. It's new technology. It's state-of-the-art technology, and we're trying to bring that type of green industry to Manitoba to pave the way to a much brighter, better, more environmentally friendly future for all Manitobans.

Mr. Speaker: The time for Oral Questions has expired.

Speaker's Ruling

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

On October 24, during Tabling of Reports, a portion of Routine Proceedings, the honourable Member for Russell (Mr. Derkach) raised a point of order regarding the tabling of the Auditor General's special audit on the image campaign for the Province of Manitoba. The honourable Member for Russell contended that as the Public Accounts Committee had requested the Auditor General to conduct the audit, the Auditor General should have first reported the results to the Public Accounts Committee, due to the section 16(2) of The Auditor General's Act and that the honourable Member for Russell, as Chair of the Public Accounts Committee, should have been the one to table the Auditor's report in the Legislature.

I took the matter under advisement in order to consult the procedural authorities. From a technical point of view, I must advise the House that there is no point of order because, as indicated in *Beauchesne's* citation 168(5), the Speaker does not interpret questions of law. Similarly, it has been ruled on many occasions, both in the Manitoba Legislature and in the Canadian House of Commons, that it is not appropriate for the Speaker to intervene in committee matters.

That being said, however, there are some observations about the current situation that may be appropriate to share with the House.

Although the honourable Member for Russell (Mr. Derkach) contended that, as the Chair of the Public Accounts Committee, he should have tabled the special audit in the Legislature, this is at odds with both our practices and with section 28(1) of The Auditor General Act. Our practice in Manitoba is that the independent officers of the Legislature report to the Legislature through the Speaker, and that it is the Speaker who tables the reports.

Section 28(1) of The Auditor General Act also states that when making a report to the Assembly under this act, the Auditor General must submit the report to the Speaker, and the Speaker must table the report in the Assembly.

Also, rule 124 of the Manitoba rule book indicates that the Public Accounts Chairperson shall table reports in the House, but the rule does not state that these are annual reports of the Auditor. I would suggest that it is probably reasonable to assume that this rule instead refers to committee reports, which are different than reports prepared by the Auditor, as rule 126 goes on to use the word, the "report" of the Public Accounts Committee.

I would also offer the observation that section 16(3) of The Auditor General Act indicates that a report of an audit under this section may be submitted to the Assembly, while section 16(2) states that the Auditor General must report the findings of the audit to the person or body that requests the audit and to the minister responsible for any government organization concerned. Having the report tabled first in the Legislature does not preclude the Auditor from reporting the findings of the audit to the committee.

As the honourable Member for Russell pointed out, this is the first time that the Public Accounts Committee has requested the Auditor General to conduct a special audit under section 16(1), and it could be the case that expectations about what should happen were not clear. I note from reading the transcripts of the February 22, 2007 meeting, where the Public Accounts Committee passed a motion to request the Auditor to conduct a special audit, no terms of reference were explored, nor was the reporting process discussed.

I would suggest at this point that it would probably be appropriate for the Public Accounts Committee to have a discussion on this issue at the next Public Accounts Committee meeting, and to engage the Auditor General and perhaps the House leaders in this discussion.

Additionally, for future special audit requests, it may be helpful for the Public Accounts Committee to discuss terms of reference when making their request, as well as noting expectations about the reporting process.

MEMBERS' STATEMENTS

Habitat for Humanity Winnipeg

Ms. Bonnie Korzeniowski (St. James): Mr. Speaker, a hand up is always better than a handout. I was very pleased to attend three very special and heartfelt ceremonies in the last three weeks for families that are going to be getting new homes in St. James. The ceremonies were about giving hope to deserving people.

Habitat for Humanity International has been out building homes in 100 countries since 1976, and has been building houses in Winnipeg since 1987. I am pleased to inform the House that Habitat for Humanity Winnipeg is one of the most productive affiliates in Canada, having built over 150 homes.

Each home costs approximately \$125,000 and is built with volunteers working alongside professionals. The homes are created for low-income families who can apply to have a home allocated to them. Once selected each family must complete a total of 500 hours of sweat equity before taking possession of their home. One hundred hours of this sweat equity is done by working alongside volunteers to help build their own home.

A home is more than just a roof over one's head. A home is also about having a warm place to raise children, a safe place to call home and an investment for the future. It was truly touching to watch families be given a life-changing start, and I was pleased to be part of the ceremony of handing over the keys. These homes will be the foundation of good health and a source of stability for the family.

The work that Habitat for Humanity does has changed the lives of over 150 Manitobans for the better, Mr. Speaker. They have provided a new beginning to people who otherwise may not have had the opportunity to live in quality housing or thought it was beyond their reach. The work of the volunteers and sponsors are a critical part of making this happen. We all benefit from the work of Habitat for Humanity. They are helping to revitalize neighbourhoods by building quality housing and finding excellent homeowners.

I would ask that all honourable members join with me in congratulating Habitat for Humanity and all their volunteers and sponsors for their excellent work building quality housing for low-income families, and I wish them ongoing success in all their efforts. Thank you.

*(14:50)

Adoption Awareness Month

Mr. Stuart Briese (Ste. Rose): Mr. Speaker, November marks Adoption Awareness Month in Manitoba and across the world. Initially, Adoption Awareness Month was intended to eliminate the myths associated with adoption. Over the years, it has continued to do so but also broadened to include the celebration of families and love.

The particular theme of this year's Adoption Awareness Month is adoption of children currently in foster care. Mr. Speaker, foster families play a vital role in the children in care. They provide a stable and loving environment when needed. For this, I know we are all grateful to foster parents.

I would like to encourage families to consider opening their homes to deserving children of foster care. One moment of caring and support can make all the difference in the world. There are children of all ages and life experiences who would benefit from becoming part of a new family through adoption. Older children, sibling groups and children with special needs can offer so much love and need responsible individuals to be part of their lives.

The mission of the Adoption Council of Canada is to raise public awareness of adoption and promote the placement of waiting children. In Manitoba, the Friends of Adoption Manitoba organization provides Manitoba-based information on adoption for families. According to this organization, 134 children were adopted in the province last year.

Mr. Speaker, I ask the members here today to join me in applauding the efforts of the adoption agencies of Manitoba and across the country that facilitate in the adoption process from birth and adoptive parents. I would also like to thank and congratulate those parents who welcome children into their family through adoption. Families seeking to adopt can face long wait times, financial burdens and stress. The process of adoption is not easy and can seem daunting. But I ask families not to lose sight of why anyone does this. At the end of it all, we're building loving new families. Thank you.

Beautifying Elmwood Committee

Mr. Jim Maloway (Elmwood): The people in the community of Elmwood have many things to be proud of, something the members of the Beautifying Elmwood committee are well aware of.

The committee was formed three years ago out of a desire to reinvigorate the community spirit in Elmwood. Since then, they have spearheaded many initiatives to help brighten up the neighbourhood and help inspire pride in the community.

The most visible of these initiatives is the mural featuring two local heroes and role models, Clara Hughes and Cindy Klassen. Cindy Klassen has six career Olympic medals so far, making her Canada's most accomplished Olympian. Clara Hughes also holds an impressive record as the only Canadian athlete ever to win multiple medals in both summer and winter Olympic Games.

The mural is found on the side of Petal Purr-Fect, a flower shop on Henderson Highway owned by the Beautifying Elmwood chairperson, Jan

Stuyck. Jan and other committee members wanted to celebrate the accomplishments of these Olympians who both have strong ties to the Elmwood community. The mural was designed and painted by the Graffiti Gallery's Roger Dorian, with the help of Mike Valcourt. The two athletes are depicted wearing their many Olympic medals and smiling with their arms in the air. In the corners, they are in action—Cindy Klassen on skates and Clara Hughes on her bicycle. The mural is representative of the potential there is in everyone to work hard for their goals and to achieve them against all odds.

All of the Beautifying Elmwood projects, whether it be building flower boxes or lighting up Henderson Highway for the holiday season, focus on similar themes by getting people out and involved. The committee is hoping that people in the neighbourhood will build pride in their community and pride in themselves. If one has the confidence to do so, there's nothing that can stop them from pursuing their goals.

Mr. Speaker, it was my pleasure to attend the unveiling of the Olympian mural this summer. I would like to extend my sincere congratulations to Clara Hughes and Cindy Klassen for their accomplishments and to the members of the Beautifying Elmwood committee who are heroes and role models in their own way. Thank you.

Mothers Against Drunk Driving Campaign

Mr. Kelvin Goertzen (Steinbach): It's a pleasure to rise this afternoon to commemorate an event that happened this morning, the kickoff of the awareness campaign for Mothers Against Drunk Driving, which I understand was attended, in addition to the Leader of the Official Opposition, the Member for Fort Whyte (Mr. McFadyen), by His Worship the Mayor of Winnipeg, Sam Katz. The Member for Minto (Mr. Swan) was in attendance as well. Certainly all members of this House know that the work of MADD is very important work as they ensure that lives are saved throughout the province by raising awareness of the dangers of drinking and driving.

We appreciate all of the volunteers that are involved with Mothers Against Drunk Driving, all of those who have worked in past campaigns and those who are working on this campaign as well.

I do know that members on all sides of this House have supported legislation that's tougher on drinking and driving. I know the government has

brought forward legislation in the past which has increased the penalties. I certainly know that the former Conservative government brought forward some very unique legislation, legislation that some thought wouldn't even be constitutional in terms of seizing vehicles but was creative and was seen not only to withstand the test of time when it came to challenges but also seen as legislation that would help to reduce the instances of drinking and driving in our society.

I want to also commend all those who are involved with campaigns to reduce drinking and driving, whether it's Operation Red Nose or those who are working to ensure that people have rides home, particularly during this time of the season. As we move into the holiday season, we want to encourage all those who are out participating in different festive events to ensure that they get home safely.

I know that there are other issues that we could bring forward, whether it's the need for police officers on our streets, the need for police officers on our highways to ensure that there is enforcement of this particular issue, but I want to commend all those involved with the Mothers Against Drunk Driving campaign. We wish them a good month of raising awareness and a safe month, this coming month and in the Christmas season, for all those who are on the roads.

National Community Safety and Crime Prevention Campaign Month

Mr. Mohinder Saran (The Maples): Mr. Speaker, November is National Community Safety and Crime Prevention Campaign Month. It is an opportunity to remember that each person has an important role to play in keeping our cities and our province secure and out of harm's way.

Over the years, our government has encouraged Manitobans to play an active role in ensuring that their communities continue to be secure places to live and work. Lighthouses, part of the Neighbourhoods Alive! program, is an example of our many initiatives in this regard.

Lighthouses play a fundamental role in providing young people with positive community-based social and recreational activities that are run after hours through schools and other existing community facilities. My constituency, The Maples, is privileged to have a Lighthouse program in our area. It is run by the Maples Youth Activity Centre.

This program has built an important partnership with the Seven Oaks School Division, especially with Arthur Wright, James Nesbitt and Elwich schools. The City of Winnipeg and other community groups and social programs also contribute significantly to the success of this program. These partnerships have strengthened our neighbourhood and provided our youth with the opportunity to develop an enhanced awareness of their personal responsibility for their community.

Mr. Speaker, at all times and especially in November, the national month for Community Safety and Crime Prevention, we can all be thankful for the security we presently enjoy, but we also need to continue to work with all Manitobans in order to make our communities even safer in the future. Thank you.

ORDERS OF THE DAY (Continued)

GOVERNMENT BUSINESS

Hon. Steve Ashton (Deputy Government House Leader): Mr. Speaker, could you please call report stage of 17 followed by 19 and then motions for third reading for 4, 7, 9, 13 and 15?

Mr. Speaker: Okay, we'll be dealing with the report stage amendments on Bill 17, Bill 19, and then if we have concluded, we'll move on to concurrence and third readings of Bills 4, 7, 9, 13 and 15. That's how we will proceed, in that order.

REPORT STAGE AMENDMENTS

Bill 17—The Firefighters, Peace Officers and Workers Memorial Foundation Act

Mr. Speaker: So right now, I'm going to be calling report stage amendment to Bill 17, The Firefighters, Peace Officers and Workers Memorial Foundation Act, as amended in committee, and I'm dealing with the first amendment.

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, I just wanted clarification in regard to the amendments that are brought forward. We're going to be dealing with the last two amendments that are brought forward and I believe, procedurally, I'll ask the House how to proceed with that.

* (15:00)

Mr. Speaker: Does the honourable Member for Arthur-Virden have leave? *[interjection]* Order. Does the honourable Member for Arthur-Virden

have leave to deal with his amendments 6 and 7 first? *[Agreed]*

So now I'm going to be calling the No. 6 amendment to Bill 17.

Mr. Maguire: It's my privilege to put a few words on the record in regard to—I guess I have to read the amendment, pardon me.

I'll present the amendment, Mr. Speaker: It's a proposed amendment to Bill 17, moved by myself, Member for Arthur-Virden, seconded by the Member for Portage la Prairie (Mr. Fauschou),

THAT Bill 17 be amended by adding the following after Clause 14.1:

Paramedics Memorial Foundation to be established

14.2 Within one year after this Act comes into force,

- (a) the government must consult with paramedics in Manitoba or an organization that represents them; and
- (b) a regulation establishing the Paramedics Memorial Foundation must be made under section 14.1.

Mr. Speaker: It's been moved by the honourable Member for Arthur-Virden, seconded by the honourable Member for Portage la Prairie,

THAT Bill 17—

An Honourable Member: Dispense.

Mr. Speaker: Dispense.

Mr. Maguire: I've brought this amendment forward to put some time lines in regard to the Bill 17 and subsection 14 in this particular area. There was considerable support in committee as well for moving towards having paramedics recognized as a particular memorial as well as an essential service in our society today, parallel to that of firefighters, peace officers and all other workers, Mr. Speaker.

It was the feeling of the committee that there was considerable similarity and role of importance for paramedics in the province of Manitoba. I, with many of my colleagues, put words of support in *Hansard* the other evening in committee. I really appreciated the presentations from the firefighters' association, Mr. Alex Forrest as well, that came forward before us and, of course, Mr. Eric Glass from the Paramedic Association of Manitoba as well

in taking time to put their words on the record in regard to the support for this bill.

In the spirit of co-operation and camaraderie, Mr. Speaker, I would have moved this amendment. We supported the minister's amendment in regard to bringing forward section 14.1 as the minister did in the amendment in clause 14 of the bill that allows for a foundation to be established to promote the memory of paramedics and other specified groups of workers who have died in the workplace. Of course, that is the premise of the whole bill. It is the opportunity to recognize people who have given of their lives in regard to trying to save the lives of others in our province.

We fully support this effort and support moving the bill forward that establishes, allows the associations to establish memorials, to establish a foundation, rather, to begin to put funds together to erect a memorial in the form of, perhaps, a monument on or near the legislative grounds.

We support that, Mr. Speaker, but we felt that there should be some time frame in regard to dealing with this bill. I have proposed that in the addition that I'm putting in, in 14.2, following the minister's amendment that came forward and we supported the other night, that I'm seeking the government's support, as my colleagues already have it, for dealing within a year of the bill coming into force, that the government would consult with paramedics in Manitoba, or an organization that represents them, and that the regulation establishing the paramedics memorial foundation must be made under section 14.1 which, of course, is the government amendment that came in the other night.

So merely what this is doing is providing an opportunity to try to move forward with some direction and some time frame on this so that we can. I know that the Minister of Infrastructure and Transportation (Mr. Lemieux) is also the minister of government services. That's where this bill has come forward, and would be encouraged and look forward to working with him in regard to a time frame having a year established after this act comes into force to being put in place.

So, Mr. Speaker, I think, with those few words, that would be the amendment. I have had other amendments here as well, but I've chosen to move forward with this one. I believe that it's a responsible time frame to look at. It would provide the paramedics with an opportunity to meet with the government and decide the direction that they wish

to go in regard to the establishment of a memorial along with firefighters, peace officers and all other workers. So, with that, I will see if there are other members that would wish to speak to this amendment.

Mr. David Faurshou (Portage la Prairie): Thank you very much, Mr. Speaker. I do appreciate the opportunity to participate in the report stage regarding Bill 17. I did have the pleasure the other evening to be in attendance at committee when presenters came forward regarding Bill 17, and I listened with great interest to the presentations and also to the ensuing debate that we actually had at the committee level.

Ms. Bonnie Korzeniowski, Deputy Speaker, in the Chair

It was unusual, though, for a government-side MLA to participate during the committee stage and to make suggestions as to how the committee might better interpret the legislation. She offered her own interpretation and also went on to suggest what the real meaning that government was trying to put forward was, and I'm very much looking forward to being able to read the *Hansard*.

In so far as the legislation, too, I will suggest, making no considerations whatsoever to the abilities or capabilities of those within *Hansard*, but it is to this government a comment that when we're making legislation, legislation is passing through the House, it is beneficial for all members to have the *Hansard*, the recording of the committee minutes when debating a bill, and I would like very much to suggest that perhaps that might be a guiding suggestion, is that we, from here on in, attempt at our very best to effectively allow every member of the Legislative Assembly the opportunity to debate amendments but, without having *Hansard*, members of the Assembly that have not been present at committee would not have the benefit of the discussion that took place or the presentations that were made to the committee.

So it's very important that we attempt to allow for the broadest of understanding of the public's consideration when any legislation comes before the House, because that is the premise of our legislative process, to allow for public input, and we as members of the Legislative Assembly must take the responsibility to heart that it is vitally important that we truly do investigate and listen to the public and what they have to say regarding the legislation. And, unfortunately, without having the committee reports

before us, members that are not actually at committee are unable to do so.

So I'm looking to the government to modify their introduction of bills and calling of bills to allow for the very, very capable and able *Hansard* staff to provide the committee *Hansard* prior to the request by the government to consider at report stage amendments or to even debate third readings as well.

So, having discussed procedure, Madam Deputy Speaker, I will turn my comments regarding the legislation directly to the amendment that is before us.

* (15:10)

Without question, there was considerable discussion emanating from presentations heard by committee that there was a significant void in the legislation. With the absence of the Emergency Medical Services personnel being excluded from this legislation, and to recognize, as was provided for statistically, paramedics do incur a very high level of risk within the carrying out of their duties. I believe it is incumbent upon we, as legislators, to recognize the dedication and the incidence of risk that the paramedics, in the course of their duties in the service of all of us, should be recognized. That is why we are proposing—and I would like to congratulate and commend the honourable Member for Arthur-Virden (Mr. Maguire) for his introduction of this amendment that effectively will recognize paramedics within this legislation, and to provide a memorial foundation within the parameters of the legislation alongside peace officers and firefighters, as well as other workers.

Mr. Speaker in the Chair

I know the responsible minister did say that there were going to be amendments. The amendments that he proposed would provide for, effectively, an et al. clause that would allow any group or organization to apply and be granted foundation status, but I believe that we have to go one better than that. We have to amend this legislation and recognize the paramedics for the duties and responsibilities and ultimately, the risk inherent to their service of all of us here in the province of Manitoba and elsewhere, might I add, across the nation. As was mentioned, that many in the service under the category of the Emergency Medical Services, there has been loss of life, there has been a number of incidents, as was mentioned within the presentation.

So I thank you, very much, for the opportunity, Mr. Speaker, to address two considerations before us here. One was the actual calling for the report stage amendments prior to our receipt of committee *Hansard*, and the other being the most important suggestion coming out of the, or advice, coming out of the committee, and that being the addition of the paramedics to the legislation.

Thank you, very much, Mr. Speaker.

House Business

Mr. Kelvin Goertzen (Deputy Official Opposition House Leader): On House business, Mr. Speaker. I'd like to announce that the resolution to be considered next Thursday, will be the resolution by the Member for Morris (Mrs. Taillieu) entitled Privacy Protection in Manitoba.

Mr. Speaker: It's been announced for next Thursday, the resolution that we will be dealing with will be brought forward by the honourable Member for Morris which will be titled Privacy Protection in Manitoba.

Hon. Ron Lemieux (Minister of Infrastructure and Transportation): Mr. Speaker, I just want to put a couple of comments on the record with regard to a new amendment brought forward by the opposition and my critic in Infrastructure and Transportation.

Prior to that, let me preface my remarks by saying firefighters, peace officers, workers, paramedics that lose their life on the job in Manitoba deserve our recognition in more than just words, but in memorials. That's what this legislation is about. Allowing them, enabling the organizations to form their foundations in order to allow them to have boards of directors, allow them to fundraise, allow them to do what is necessary, so we can place memorials on the grounds or near the Legislature to recognize and properly recognize the loss of life.

We heard passionate presentations by the president of the firefighters, and we also heard a passionate presentation by the member who is also responsible for the paramedics and is their designated leader.

I just want to say briefly that this issue is an important one because I think it's been far too long that everyone talks about how important this is to recognize firefighters and paramedics and workers

and police officers and peace officers in this province. Yet I believe, until we started conversations in discussing what should be done to really recognize, in a substantial way, these men and women who have lost their lives on the job, that this has not taken place. Through those conversations, this was agreed the direction we should go. I am proud to say as this government that we are moving forward this piece of legislation.

In committee, there has been some debate or comments made about an MLA making comments with regard to who should be recognized. I believe—let's put this into context. That MLA was saying that all workers, indeed, need to be recognized. All workers need to be recognized for the fact that the duty that they were serving and serving the public, and they lost their lives as a result. So let's be clear. I don't want to have the opposition mince words and try to twist words. That MLA for Kirkfield Park (Ms. Blady) was making a comment that workers who have died on the job need to be recognized. Case in point, and that is essentially it. This legislation is talking about all workers of Manitoba, all workers who have lost their lives on the job. I guess I can't stress this enough, but I want to say, with regard to the amendment I brought forward the other night, that what it stated was that the Lieutenant-Governor in council, made by regulation, established one or more memorial foundations to promote the memory of paramedics and other specified groups of workers who have died in the workplace. Now this was section 14.1(1). Then it went on to go to corporate status and contents of regulations in other subsections after.

We have addressed exactly what the member opposite is talking about. We have included the paramedics. The paramedics are part and parcel, as well as all workers. By that I mean all workers, firefighters, police officers, peace officers and all other workers in the province that have died on the job.

So I just want again to say that, you know, we're unable to support those amendments that the member's bringing forward because we believe, well the proper word may be "redundant," but the point is it's already done. It is done. We've had agreement at committee. It has come forward to this particular stage in the legislative process. So I would state that, respectfully, to the member opposite, to my critic that we are not going to be supporting his amendments because, indeed, it is already included, Mr. Speaker.

Organizations who wish to come forward—now this is no easy task. We'll pass this legislation, Mr. Speaker, but it's a huge task for the firefighters, peace officers, paramedics, other workers who wish to be recognized to raise funds. They're going to have to raise funds and raise monies to be able to put up memorials. We, indeed, want to work closely. We're committed to working with organizations who want to come forward and who wish to have memorials. So we'd expanded the breadth of the act to include paramedics, and we will work with them to determine the most appropriate course of action. We're trying to be inclusive. I believe we are inclusive to all workers in the province.

* (15:20)

But, again, I just want to conclude by saying that we are not going to support these amendments, Mr. Speaker, by the opposition because, indeed, it is contained already in the legislation that we have. So this allows workers in the province to come forward, to have their foundations put in place, and to also then begin the process of fundraising and so on that needs to be done.

So, with that, Mr. Speaker, I just want to say that hopefully we've clarified what the Member for Kirkfield Park (Ms. Blady) was saying about all workers being included, indeed, the importance she was stressing on how important it is that the public needs to recognize that men and women who put their lives on the line for the rest of us, and indeed the discussion we had at committee was to address that. People are supportive of this initiative, and I thank the members opposite for also supporting that amendment that I made that evening.

So, again, thank you to Mr. Forrest and others who gave good presentations on this piece of legislation. We appreciate it. They were passionate presentations on their part, on the part of the firefighters and the paramedics. We appreciate it very much. So, with that, Mr. Speaker, I'll conclude my comments.

Mr. Goertzen: I listened with rapture as the minister backpedalled on behalf of his colleague for Kirkfield Park trying to fill in and get her out of a difficult situation, but the words are there in *Hansard*. I think they speak for themselves, and I know that he needs to, he feels, to try to cover for his colleague.

But I do want to say on behalf of those paramedics, firefighters and emergency workers in my own constituency that we appreciate the work

that the Member for Arthur-Virden (Mr. Maguire) has put into this particular bill and this particular amendment. He was successful in getting recognition for the EMS and the paramedic workers, which wasn't included in the original draft of the bill. I would consider that to have been an oversight by the government. They've moved partway in ensuring that there is, in fact, going to be recognition for those important men and women who are working in the emergency services field as well. We, of course, have never had and do not have opposition to the act in its substance and form of recognizing emergency workers and the firefighters, the good men and women who do great work here in the province of Manitoba, not just in the city of Winnipeg, but really throughout the province, whether they're full-time, part-time or volunteer firefighters.

But, as a relation to this particular amendment, I think the critical point is that it puts a time frame on the establishment of the paramedics foundation. The key reason for that, the necessity, is because we've seen this government delay and dither on a number of important initiatives. This morning we debated The Mandatory Testing for Pathogens Act, a bill, Mr. Speaker, for those who weren't able to participate in the debate, that will allow firefighters, police officers, EMS workers, victims of crime and Good Samaritans to have a blood or bodily substance tested that they come into contact with in the course of their work, their life-saving work, or just through no fault of their own by being a victim of crime.

That's the legislation that I brought forward with support of my colleagues about a year ago, and the government at that time said, well, we sort of are thinking of something like that, and nothing has happened. They made a promise prior to the election to move on that and nothing happened. Now, they're again promising to try to move on something like that, but it's not happening. They looked at our legislation; they originally said that they supported it. Now they've decided that they'd rather run up their own flag and try to bring in their own legislation, and all the time, all the time, police officers, paramedics, firefighters and others wait, and they don't have that protection because they haven't adhered to a reasonable time frame.

It was the Minister of Justice (Mr. Chomiak), the Government House Leader, who told me that he'd literally been working on a bill like that for years. For years, Mr. Speaker, and he hadn't been able to get it done. Now, of course, because the opposition brought in a bill calling for just that, suddenly it

becomes a priority for the government, but for years prior, it simply wasn't a priority. So I don't think that we relish having to put in mandatory time frames into this particular amendment. We don't do it because we think we'd want to do it. We do it because we think we have to do it, because this government has proven on issues, whether it comes to firefighters, paramedics or EMS workers on the pathogens bill, that they won't have a sense of urgency, that they won't do something unless they're forced to it. Of course, the driving force on this bill probably was the upcoming elections, and so we recognize that, but there isn't going to be another election possibly for three and a half, four years. So there is no driving force for this government to get it done.

The pathogens act is just one example of how they ignore the needs of firefighters, how they ignore the needs of paramedics, how they ignore the needs of police officers and the others. They wouldn't move forward on their own bill unless they're dragged into it, embarrassed into it. Unfortunately, this resolution, or this amendment is necessary to ensure that what the government has committed to in theory actually happens, because they've committed many other times in theory to support these brave men and women, and they haven't done it until there was a pressing and urgent need to do it. Unfortunately, they consider a pressing and urgent need to do it the fact that the opposition is going to do it if they don't.

It's an important amendment because this government will simply drag its feet and dither on the issue if it's not there. I hope that all members of this House will see fit to support the amendment and ensure that we get fair and equal recognition in a timely manner.

Mr. Ralph Eichler (Lakeside): I do want to put a few things on the records on the amendment that's been brought forward by the Member for Arthur-Virden (Mr. Maguire) and seconded by the Member for Portage la Prairie (Mr. Faurichou), and support the amendment that has been brought forward within that time frame to establish a paramedics memorial foundation one year after the act comes into force. We think this is very timely. We think that it's something that's needed, and we think that it's something that going to strengthen this bill that's going to make it better for all those that are going to be involved.

We do support the bill. We know that the intent of the bill is there with the police officers and the

firefighters and emergency service people that are so important to us on a day-to-day basis. We saw this morning exactly where the government stands when it comes to this side of the House bringing information forward, and we hope that they have learned from that mistake this morning, Mr. Speaker. It's disappointing that there are good ideas that come from all sides of the House. We feel that this information that's been brought forward is very important, that the Member for Arthur-Virden has brought forward. He's done a great job in researching this information. We feel the information is one that is going to make this bill that much stronger for our next generation and the generation to come.

When it comes to recognizing the various organizations and associations that are involved in this particular bill, we know the role they play. We know that each and every day they put their lives on the line for us. We do want to make sure that, in fact, these people are recognized in a way that's going to be remembered for the next generation to come.

We'll look forward to the support of the amendment that has been brought forward, and I know that the members opposite would maybe consider voting in favour of this amendment, Mr. Speaker.

Mr. Leonard Derkach (Russell): I rise on this amendment because it's one that I would look forward to the support from all members around the Legislature, Mr. Speaker. When one listened to the presentations made during the committee stage, one could not help but understand that this was important for the purpose of ensuring that firefighters were included in this legislation.

Now, Mr. Speaker, I'm aware that the government was lobbied very hard by the firefighters in order to be able to recognize their efforts in terms of the members that they may have lost in the line of duty, and we certainly support that part of it. I would also say that we would support the police association from their representations as well, in being included in the foundation and ability to set up a foundation to recognize members of the police force who have been lost in the line of duty.

Mr. Speaker, there was a glaring omission, and that was the absence of the paramedics being included in this legislation. The minister responsible for Infrastructure advised us at the time that this was a category that they would have included with the workers and labourers in the province. He was trying to make a case that this was going to be an all-

inclusive category that would include all workers and all sectors of the province where people may, in the line of duty, lose their lives. But it was at that point in time that the Member for Kirkfield Park (Ms. Blady) interjected, weighed into the debate and clearly indicated to the members of the committee that section 3 of the first part of the act that includes the names, the organizations that would be included in the legislation, said in her comments that the Workers' Memorial Foundation referred only to union workers.

* (15:30)

Well, Mr. Speaker, I have to ask the question. Who is right, here? Is it the Member for Kirkfield Park, or is it the minister? Because the minister made the point that this was an all-inclusive clause that would include all workers and labourers and all sectors that are not named specifically in this section 2 of the act. But, when another member from the government ranks corrects the minister and says, I'd like to clarify the issue, and then says, this only refers to union workers, one has to ask the question, who is right, here? Is it in fact the minister who is responsible for this legislation, or is it the Member for Kirkfield Park, who is also a member of the government and should have some knowledge as to whether or not this is the case?

We have not had that clarified to this point. Mr. Speaker, there was never a clarification offered as to who was right. I asked the question in the House; there was no clarification given in the House either. So perhaps today is a time when the government, or perhaps the Member for Kirkfield Park could rise in her place, correct the record. Or perhaps the minister who has responsibility for this legislation should rise in his place and correct the record. What is it that this section (c) refers to? The Workers' Memorial Foundation, does it refer to all workers and labourers in the province, regardless of whether they're unionized or not? Or does it just refer to union workers in the province?

I have no difficulty with it going either way, Mr. Speaker, but the government has to be clear as to what this really refers to, and then we could have an intelligent debate about it. Right now we're not sure. It's not clarified.

The other issue, Mr. Speaker, that I think is important, is the exclusion of the paramedics. Now, why would we exclude paramedics? The paramedics are the third line, if you like, of service that is

provided in a case of an emergency, in a case of a disaster, in a case of a fire, an accident, or whatever it may be. This is an essential service, an emergency service that is provided when we have a disaster, when we have a mishap in this province, whether it's a fire, an accident, whatever. When you call 911 and you've got a problem, 911 will dispatch the fire department; they'll dispatch the police, and they'll dispatch the ambulance people. And there have been people who are paramedics who have lost their lives in the line of duty. The president of the association pointed out at committee that, out of every hundred thousand people, there are about 16 police officers or firefighters that are lost and about 14 paramedics that are lost, who lose their lives.

So, across Canada, Mr. Speaker, there is a reason for us to recognize those people as well. For the life of me, I still cannot understand why there's such a reluctance to have a category established for paramedics. Now, in the regulations that were presented, an amendment to the regulations was quickly being drafted by the minister at the committee stage, and in the amendment to regulations it says that the government, by Order-in-Council through regulation, may allow for the establishment of a foundation by paramedics. But that still doesn't give them the right. They have to go cap-in-hand to government then, try to make their case, and then I guess allow the powers that be to decide whether or not they are going to have a recognition in terms of a foundation.

Why isn't the government just simply including them as a fourth category in section 2 of the act, and naming the Firefighters' Memorial Foundation, the Peace Officers' Memorial Foundation, the Paramedics' Memorial Foundation and the Workers' Memorial Foundation? Mr. Speaker, I think then we would see that this bill would be strengthened if it addressed the concerns that had been raised in the committee stage of the debate on this bill, and it would allow for a group that is feeling somewhat left out.

When we talked to the paramedics after the committee stage, and they were coming up to us, we, of course, were echoing their sentiments, and they thanked us for that. I said to them, this is not just merely a political stunt or a political position here; this is more of Manitobans in general, and we, as government and opposition here, legislators, have a responsibility to reflect what it is Manitobans out there want. I truly believe that Manitobans, if you were to poll Manitobans today, if you were to have a

survey on CJOB or any one of the stations that do surveys overnight, I'm sure you would find that an overwhelming majority of people would want paramedics added to the category.

I'll just digress for one minute. This takes nothing away from police, firefighters and workers. All it does is add another category to section 2 of this act. So I appeal to the members of the government in this House to indeed recognize this important omission and to include in the bill, through the amendment that has been proposed by my colleague, the Member for Arthur-Virden (Mr. Maguire), the inclusion of a fourth category in section 2 of the act which would be the paramedics memorial foundation as well.

That way, Mr. Speaker, I'm sure that paramedics across this province would say thank you to the government and to us as legislators for being inclusive, for allowing them to be included in that legislation, and for also being sensitive to the kinds of situations that they in fact run across from time to time, and from time to time unfortunately lose a member, whether it's an ambulance skidding off the road, whether it's another vehicle coming along and not being attentive to a situation, an accident situation and hitting a paramedic who's attending to a victim, whether it's a fire that occurs and paramedics are lost in a fire. Although in Manitoba we have been relatively fortunate in that only very few have lost their lives in that way, it still warrants us recognizing that these people put their lives on the line when they in fact do their work in their line of duty.

I see, once again, my light is flashing, Mr. Speaker, so, with those comments, I hope that the Legislature will consider this a positive and a worthy amendment.

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

An Honourable Member: Question.

Mr. Speaker: The question before the House is the amendment moved by the honourable Member for Arthur-Virden (Mr. Maguire).

Is it the pleasure of the House to adopt the amendment?

Some Honourable Members: No.

Some Honourable Members: Yes.

Voice Vote

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

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

This amendment has been lost.

* * *

Mr. Speaker: Now we'll move on to Amendment 7.

Mr. Maguire: Mr. Speaker, I'd like to move, seconded by the Member for Lakeside (Mr. Eichler),

THAT Bill 17 be amended in Clause 15 by adding "or April 1, 2008, whichever is earlier" after "proclamation".

Mr. Speaker: It's been moved by the honourable Member for Arthur-Virden, seconded by the honourable Member for Lakeside,

THAT Bill 17 be amended in Clause—dispense?

Some Honourable Members: Dispense.

Mr. Speaker: Dispense.

* (15:40)

Mr. Maguire: My intention in bringing this amendment forward is merely to provide an opportunity. The bill as it's read and coming into force is the part, of course, of a normal procedure perhaps, but most bills come into force on the day that they are proclaimed, fixed by proclamation or under Royal Assent. I felt that this bill, in order to move forward in regard to the memorial foundations and to put the funds in place or provide each of these organizations with the opportunity to put their funds in place, that the government needed to provide some time frame in which to begin this process. I felt that there was probably better to put a time on it, rather than leave it open-ended.

Mr. Speaker, I felt that April 1 of '08 was virtually five months away; it's an opportunity for the government to look at it. Of course, if they proclaim it earlier than that and move forward, then they could do so prior to April 1 of '08. This is more pertaining to the fact of the previous resolution or previous amendment that the government just defeated. The point of that whole area was that, within one year after the act comes into force, there would be an opportunity for the establishment of the paramedics memorial foundation underneath the amendment that

we agreed with the minister on the other night that they brought forward. Of course, there was some opportunity to do that, as I've already outlined. A good deal of the amendment that came forward in my presentation and speaking to the first amendment that I brought forward, basically, it was being referred to as the No. 6 amendment.

I think the point that was made by my colleague from Russell and many others in the Legislature today is that we never want to forget the importance of the firefighters, peace officers. We felt paramedics as well, and they will be included; we recognize that. My amendment was clearly only to provide a year of time frame in which to—that the government would have had to have spoken to the paramedics to see if they even were still able to come together with an association to found themselves a memorial, Mr. Speaker.

So we must always remember the essential services in regard to accidents that take place. Being firefighters, we included paramedics in that. We were adamant about that after the presentations the other evening in committee that they be included as a separate memorial, not combined with anyone else, but as a separate memorial, firefighters, paramedics, police officers and all other workers. So it provided a provision of having a fourth memorial. I believe, as the minister now has indicated, that there may be five, 10, 15 or more memorials come forward under the legislation that is there.

If there are others coming forward, Mr. Speaker, I believe that it would take care of the situation that the Member for Kirkfield Park (Ms. Blady) was referring to the fact that the bill only represented union-related groups the other evening in her presentation, and questioning the minister on his own bill. I think that we felt strongly enough about the three essential services of any accident that, I've said earlier, being firefighters, police officers and paramedics that come to an accident.

We've all experienced—we hear in the news of these tragedies that have happened. We hear them in our homes; we hear them here in the House, and we hear of them in the newspapers and on the radio each day. But it's the police officers, the firefighters and the paramedics who actually have to—ambulance attendants and others that will go along with them—that are actually there risking their lives on those scenes and in those burning buildings and situations across Manitoba that need to be recognized, that we all need to recognize. There are other workers

involved in various other segments of the important roles of making sure that our lives are saved, that we seem to be kept in a safe parameter when these kinds of disasters take place.

So it's my intent in bringing these amendments forward, merely to begin the process to move it forward as quickly as we can to provide for an opportunity, not to rush anybody, Mr. Speaker, but to provide an opportunity that, when this bill comes into force on a day to be fixed by proclamation, or April 1 of 2008, whichever is earlier, that we can begin to have a dialogue with those associations, put some definite time frames to it, allow them to know where they're at and going out then and raising funds that they will be able to proceed and a greater commitment to the whole bill, is our intent from this side of the House, and we would look for the government's support in regard to that.

I know that the minister was listening to us intently in the House the other evening in committee. Because of the presentations and the efforts by my colleagues I felt that the minister, while he held up his amendment for some short time after having seemingly introduced it earlier in the evening in his opening remarks on Bill 17, made a change, and he made a comment that, well, the holdup on the amendment was because he was having some translation issues dealt with. I respect that, but very clearly, when it came forward, his amendment was changed to include paramedics, Mr. Speaker, and we accept that. I will say that perhaps the minister and the government of the evening were listening to the presentations that had been made and to others, and also, I think, do include the fact that paramedics are a very important sector of the personnel that, as I've used the term "saving our lives" many times, are the essential services in those areas.

So I would say that with that, I would seek the government's support for a time frame. That's what this amendment does in regard to the whole issue around Bill 17, The Firefighters, Peace Officers and Workers Memorial Foundations Act, Mr. Speaker. And with that I would turn it over to any of the government members who wish to speak to this bill or any of my colleagues as well. But I would look forward to their support in moving this amendment forward.

Mr. Faurshou: Mr. Speaker, I was intently scanning the government's side of the House looking for participation in debate regarding these amendments. I would say that the paramedics in this

province deserve to be recognized within this legislation, and I will express my extraordinary disbelief and dismay that the government members of this Assembly, the New Democratic Party members, voted down this amendment to include the paramedics within the legislation and to recognize the inherent risk which is far greater than I will say of almost any other workers' association or organization.

I will quote the presentation that was made by Eric Glass, the chairman of the Paramedic Association of Manitoba. In his presentation he stated: "An American study presented in October of 2000, entitled *Occupational Fatalities in Emergency Medical Services: A Hidden Crisis*, reported an annual fatality rate of 12.7 deaths per 100,000 emergency medical services providers. This statistic . . . compared with 14.2 annual fatalities for police and 16.5 for firefighters. Occupations outside of these three emergency services roles had an estimated 5.0 deaths per 100,000 workers in a one-year period."

Mr. Speaker, this is truly significant. To recognize the level of risk as documented in this study and brought before committee and not to take under advisement the information brought forward at committee and to react to that with amendments to this legislation, I think is folly.

* (15:50)

I don't know why the government has chosen to ignore the paramedics in this legislation. They say that they will be included in an et al. clause provided for by regulation in amended legislation. Obviously, the government has gone a little way towards the paramedics by saying they can get in and will allow for it through regulation, but, my goodness, that is truly only a tokenism of support to the very vital role the paramedics provide to all Manitobans.

I would like to draw the example that the paramedics are just like any other workers' organization, workers' union, to quote the Member for Kirkfield Park (Ms. Blady), but if you're injured in an accident, I don't think that we would be calling for some tradesman to be coming to our aid. I think we'd be calling for a paramedic, and in the situation of an accident, it is a very volatile situation. It is not in control as would most workplaces be because of the nature of the work. Paramedics are exposed to risk and this risk is documented. To ignore the documented risk, as presented to committee, by

saying that the paramedics will be included in this et al. clause that we are amending the legislation to provide for, really, really sad that the government is treating the paramedics with such low regard for the risk that they take each and every day on behalf of all Manitobans, including honourable members of this Legislative Assembly.

So I want to once again commend the Member for Arthur-Virden (Mr. Maguire) for bringing forward this amendment and to acknowledge that we'd like to see a definite timing to which this government piece of legislation comes into force, and this amendment does just that. So I'm very curious that even if the government is not willing to recognize the value of contribution that paramedics make to this province, I would suggest that they at least recognize the firefighters, the peace officers and other workers with the commitment of a time line in which to have this legislation proclaimed, so that work can get started on the memorials that were spoken of by the minister. I understand space will be provided for within the legislative grounds, and appropriately so, because we are all beholden to the services that are provided to all Manitobans by the peace officers, the firefighters and the work of paramedics as well as the contribution of workers, regardless of profession, to our province.

So, with those words, I complete my debate of the proposed amendment. I look to the government side of the House to support this because I don't see why they would not want to be forthright with the peace officers and firefighters and other workers as to when they can get under way in raising dollars towards a memorial fund and to the creation of a memorial on the legislative grounds. Thank you very much, Mr. Speaker.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is the amendment moved by the honourable Member for Arthur-Virden.

Is it the pleasure of the House to adopt the amendment?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

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

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

The amendment has been lost

Mr. Maguire: On division.

Mr. Speaker: On division.

Mr. Maguire: Mr. Speaker, I have a number of other amendments that I was going to bring forward, but I would move that they be withdrawn at this time. I would ask for leave to withdraw the amendments that we have.

Mr. Speaker: Is it the will of the House for the honourable Member for Arthur-Virden to withdraw 1, 2, 3, 4, 5 amendments that he has? Is it the agreement of the House for him to withdraw those? *[Agreed]*

Those amendments are now withdrawn.

Bill 19—The Fair Registration Practices in Regulated Professions Act

Mr. Speaker: Okay, we will now move on to Bill 19, The Fair Registration Practices in Regulated Professions Act.

We'll deal with first the amendments by the honourable Member for Inkster.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I would move, seconded by the Member for Morris (Mrs. Taillieu),

THAT Bill 19 be amended by replacing Clause 11 with the following:

Appointment process

11(1) The President of the Executive Council must convene a meeting of a Standing Committee of the Assembly of Legislative Affairs if

(a) the position of fair registration practices commissioner is vacant; or

(b) the fair registration practices commissioner has resigned and the registration takes effect within 12 months.

Recommendations of committee

11(2) The Standing Committee of the Assembly on Legislative Affairs must consider candidates for the

position of fair registration practices commissioner and make recommendations to the President of the Executive Council.

Appointing fairness commissioner

11(3) On the recommendation of the Standing Committee of the Assembly of Legislative Affairs, the Lieutenant Governor in Council must appoint a person as the fair registration practices commissioner.

Mr. Speaker: It's been moved by the honourable Member for Inkster, seconded by the honourable Member for Morris,

THAT Bill 19 be amended—dispense?

An Honourable Member: Dispense.

Mr. Speaker: Dispense.

Mr. Lamoureux: Mr. Speaker, I do think that it's worthy of note that the other day, when we were in committee, many individuals saw the merits of how important it is to recognize immigration credentials and how that might be best done. The reason why I point that out at the very beginning is that I truly appreciate the Member for Morris being the seconder of this motion. Having said being the seconder, I know that she has a motion that would have, in fact, done the same thing of which I am proposing to do.

Ms. Bonnie Korzeniowski, Deputy Speaker, in the Chair

I think it's important to recognize that fact because, really, what we want to see is a fairness commissioner. It's just a question of how that fairness commissioner should be appointed. The government does have a choice. What we have seen is co-operation amongst the two opposition parties to the degree in which the Member for Morris will be asking to withdraw one of her amendments because it just happened by luck that my amendment appeared first. But the essence of the two amendments is the same.

* (16:00)

We see the value of recognizing how important it is to have a fairness commissioner being appointed through the Legislature as opposed to through the minister. I think that the government really needs to stand up and take note of that issue. We look to the minister responsible for Bill 19 and ask for her to explain why it is that this amendment should not pass. When you have parties, more than one political

party, that are coming on side in regard to an initiative such as this, I believe that the government has an obligation to at least give it serious consideration.

The Member for Morris (Mrs. Taillieu) raised the issue today in Question Period. The minister responded about bureaucracy and, I don't want to read too much into exactly what it is that she said, but suffice to say, Madam Deputy Speaker, is that I believe offices like the Ombudsman and the provincial auditor's office have done a wonderful job for the province of Manitoba. Yes, there is a certain amount of bureaucracy that is created by establishing these independent offices, but let there be no doubt, because these are independent officers that are appointed from within this Chamber, that they are perceived from a public perspective and in a very real way as truly independent.

So we have those offices. I could talk about the Child Advocate's office and how important our children are. We take at times these critically important issues, and we try to depoliticize them by saying that we want it to be independent, and it's worth—and that includes Elections Manitoba, as the Member for Minto (Mr. Swan) points out also. We see the value of having these independent offices, Madam Deputy Speaker. Yes, when you create an independent office, there is a bureaucracy that will follow suit, but, you know, for so many years I've stood inside this Chamber and I've heard how important it is that we try to break down some of those barriers, some of those systemic barriers that prevent individuals from being able to get the jobs that they had been educated for, quite often that they were into in their home lands prior to coming to our province.

I guess this is where we start to see a bit of a difference. I see both opposition parties have recognized the value of providing teeth and providing authority to this fairness commissioner. We are encouraging that. That's what this amendment is there for.

The appeal to the Premier (Mr. Doer) and members of the New Democratic caucus is to recognize the frustration that many immigrants have experienced for years. Many immigrants have never practised what it is that they were doing in their homelands because of barriers that have been put into their place.

Madam Deputy Speaker, I won't comment in terms of whether or not the government has done a good or a bad job on credentials and getting credentials recognized over the last six years. Rather, I want to stick to my comments in regard to the potential that this bill could have if the government was to come on side or join both the Conservatives and the Liberals in acknowledging that we could have a more effective fairness commissioner, if in fact that commissioner was appointed by the Chamber, not by the minister of the day.

We appeal to the minister, and because I know that she talks to many immigrants, many of the same people that I have talked to, I know that she has likely talked to, I'm sure she can understand the frustration that many of these immigrants have. You know, I appealed to other members of the New Democratic caucus that understand the benefits of having this fairness commissioner report to the Legislature as opposed to the minister. I'm not fearful of the fact that that might mean that you're going to have two or three or four other civil servants working for this independent commissioner. I'm not concerned about that, Madam Deputy Speaker, because I know a vast majority of my constituents would see the value of that office being independent.

In fact, in the Estimates process, I had posed the question about independence versus a minister appointment on four different occasions. On three of those occasions, individuals indicated that yes, it would be better if it was independent for different reasons, quite possibly. You know, like the Law Society: fairly significant organization. Fairly significant organization felt that, at the end, as it posed the question, that yes, it would be better if it was reporting to the Legislature, Chamber, as opposed to the minister of the day, Madam Deputy Speaker.

Law Society, for whatever reasons, had supported that. You know, the Association of Professional Engineers and Geoscientists of the province of Manitoba: excellent presentation, excellent presentation they made. I think that they have made huge strides in getting credentials recognized. When I posed the question, the presenter, Ms. Taylor, saw the benefits of it being answerable or appointed by the Legislature as opposed to the minister.

There was an individual that made presentation, Mr. Ka. Mr. Ka's presentation was very passionate. I

deciphered after listening to what he was talking about, and posed the question, what did he think? I believe he saw the merits of it being independent, Madam Deputy Speaker.

So I look to the Minister of Labour (Ms. Allan), and I ask the Minister of Labour to recognize that you have two political parties that have recognized the value of immigrant credentials and how very important it is to those people that are trying to get their credentials recognized to try to heighten the level of fairness in a very real way. The government has an opportunity, Madam Deputy Speaker, by passing this amendment, to make it better legislation.

I would appeal to the minister in seriously explaining why it is, why this amendment would take away from this fairness commissioner. If you're not going to vote for it, explain how it is going to damage immigrants from getting their credentials recognized.

Madam Deputy Speaker: Order please. The member's time has expired.

Some Honourable Members: Question.

Madam Deputy Speaker: Is it the pleasure of the House to adopt the amendment?

Some Honourable Members: No.

Mrs. Mavis Taillieu (Morris): Madam Deputy Speaker, I'm pleased to be able to speak to the proposed amendment that—the amendment that the Member for Inkster has brought forward is very, very similar to the one that I proposed. So it's significant, I think, that we're both—both opposition parties are thinking along the same line here, because we both believe in the spirit of this bill, and the spirit of a fairness commissioner that is independent of the government.

*(16:10)

The spirit of the bill: transparency, objectivity, impartiality, fairness; certainly, these are the kinds of things that you would expect of a person charged with being the fairness commissioner. But, again, a fairness commissioner, when you're speaking about fairness, also should be appointed in a way that is fair, objective, impartial and transparent. So I think the only way that you can do this, to appoint a person with these in mind, would be through a committee of the Legislature. That's the only way that you could have somebody that's appointed in a fair, impartial,

transparent and objective way, because, otherwise, when you have someone appointed by a minister of the government, then they bring to bear their ideas of what is fair, impartial, transparent and objective.

I think what we want to do is avoid the situation where one minister brings in a bill and brings in a person under her or him, and then the ministers change. The minister, then, may have a different idea of how they want the fairness commissioner to act. So I think, when you look at offices like the Ombudsman, the Children's Advocate, the Auditor General, they come in and they're appointed for a length of time through a consultation committee of the Legislature because we recognize that ministers change, governments change, and we want this person to remain in the position and have these principles to operate with consistency across the period of time that they serve as the fairness commissioner.

Mr. Speaker in the Chair

Now, I think what we did hear at committee, as the Member for Inkster (Mr. Lamoureux) brought forward, is that there were a lot of people that came and presented at the committee. They raised some concerns about how the legislation had been brought forward. When the concerns are raised about how the legislation itself is brought forward, it just raises the same concerns about how the fairness commissioner will be appointed. Is it going to be in an open, transparent, fair and objective way or is there a person waiting in the wings to step into this position? Certainly, we'd want to make sure that the position would be advertised in a fair, transparent, objective and impartial way.

Now, I think what we do when we propose amendments to a bill that we do support because we need the ability to have our new Manitobans come into our province and gain the employment in their chosen professions and have their credentials recognized. We know that because we do have a number of people coming in and it's just good for them. It's good for their families. It's good for the Manitoba economy if they can get into their chosen profession, Mr. Speaker.

So, having said that, we look at the bill, it goes through the process in the Legislature. It goes to committee. We hear what people in committee have to say. A number of people came forward and expressed some concerns. The minister listened to some of them and brought some amendments. There were other concerns, and we feel that it is our duty to

try and strengthen any piece of legislation that comes in by proposing amendments that we feel sprung from the public consultations and are good and valuable, and valid points to be raised here in the Legislature.

So, when we talk about the appointment of a fairness commissioner, by the very nature of the name, it implies that it should be somewhat independent. How do you be impartial if you are not independent? How do you be fair if you're not independent? It's kind of like having a referee in a game that's part of one team or another. Is that considered impartial? I wouldn't think so. I think that, if either team thought that the referee was with the other team, I think there'd be a lot of discussion about that. I don't think they'd be very happy.

I don't really see what it is in this amendment that the government would want to vote against. How could they vote against having an independent person be the fairness commissioner? That seems rather odd to propose a fairness commissioner and then when we say, yes, we agree with a fairness commissioner but we want that person to answer to the whole Legislature to be fair and impartial and transparent and objective, and we propose this as an amendment. I ask the question: How could you oppose that? How could you oppose having a fairness commissioner that is similar to the Ombudsman, to the Auditor General and to the Children's Advocate?

I guess if you oppose having the fairness commissioner as independent, then what does that tell us about what you think about the offices of the Children's Advocate, the Ombudsman and the Auditor General? Is the government or is the minister saying that those independent bodies should not be independent? That they should answer to the government? Because I think that the people in Manitoba would have a problem with that. I think that they recognize and value the offices of the Ombudsman, the Auditor General and the Children's Advocate as being independent, as being independent bodies, independent of government. They recognize the value in that because they're fair, impartial, transparent, and objective and those principles, which we totally agree with, should also apply to how the fairness commissioner operates in the province.

I'm certainly hoping that the minister will embrace the spirit of co-operation and think about supporting this amendment because we feel that it

strengthens a bill that we feel is a good bill in many ways. I know that there have been some amendments brought forward. I know that at committee there were a number of concerns through a number of presenters and some of them were in the same vein throughout. So there were some things in the bill that probably could have had a little bit more forethought before the bill was drafted, and it did raise concerns with many of the groups that presented.

It looks like my time is running out, Mr. Speaker, so with those few words, I look forward to the support for this amendment which is brought forward from the Member for Inkster (Mr. Lamoureux) and myself and would like to yield the floor to my colleagues. Thank you.

Hon. Nancy Allan (Minister of Labour and Immigration): Mr. Speaker, I certainly am pleased to have an opportunity to put some comments on the record and to clear up some confusion that there seems to be in regard to the hiring of the fairness commissioner, who is going to be a huge asset in the Department of Labour and Immigration in regard to continuing to work with all of the stakeholders in the regulatory bodies. Our existing staff people have done such an incredible job here in Manitoba in making our qualifications recognition strategy one of the best strategies of any jurisdiction in Canada.

First of all, Mr. Speaker, I need to clarify and clear up the misinterpretation or the—I'm not sure of the logic across the way. I've been trying desperately to figure it out because they seem to think that the fairness commissioner is going to be appointed by the minister. Well, the fairness commissioner, whoever that person is, will be hired by the Civil Service Commission, and the last time I checked, the Civil Service Commission is the independent and impartial body that is established by The Civil Service Act to oversee all hiring in government. They are responsible for leading activities related to human resource management other than activities related to labour relations and compensation.

* (16:20)

So, Mr. Speaker, I just really wanted to clear that up, because I think it's really, really important that people understand that this isn't some individual that is just going to appear out of nowhere and be hand-picked by the minister in the minister's office. This is somebody who is going to work with our very capable staff in the Department of Immigration and, certainly, is not going to work for the minister, is going to work for the Department of Immigration

and for the people of our province and for the newcomers in our province.

I want to go back to the logic across the way about how could this person possibly be fair and impartial and objective if they weren't totally independent from the minister's office? Well, you know, I think we appoint judges. Are you saying that our judges are not fair and impartial and objective? I think we appoint the members of the Manitoba Labour Board, which is an adjudicative tribunal. Are you suggesting that the decisions at the Labour Board that actually have been—the Conference Board of Canada has said that their decisions are some of the best decisions that come out of any jurisdiction in Canada, Mr. Speaker.

So I just want to remind members opposite, the MLA for Inkster and the MLA for Morris, that their logic really doesn't follow through here in regard to what they're trying to say in regard to the appointment.

I just want to remind members, as well, that the MLA for Morris, when she was in the House and she was speaking on this bill, she said: I think we don't want to build a bureaucracy here. We don't want to have a fairness commissioner that has a half-staff person and then has a full person and then has three people; I think we have to be very careful of that; we need to specifically know what this person will do.

So, on one hand, she wants to have a fairness commissioner that does not have even half a staffperson, no staff at all, right? But she wants that person to be totally independent of the minister's office, and I don't know, sit in some office somewhere. *[interjection]* Yeah, I guess in Kevin's office, and be all by themselves.

It's really unfortunate that the MLAs opposite are so misguided in regard to the fairness commissioner, because you know what, Mr. Speaker? We have done some phenomenal work this week, and I just want to say thanks to the Chamber of Commerce. I was at the first immigrant job fair on Tuesday. It's too bad my colleagues weren't there because the place was packed. They had to turn away employers. You know what Chuck Davidson said to me, from the Chamber of Commerce? He said, Nancy, this is the most incredible event. It is fantastic. It's employers and government working together, and, you know what, this event never would have happened if it wasn't for the people in

your department. They have been phenomenal to work with.

Then this morning, Mr. Speaker, the Deputy Premier (Ms. Wowchuk) and I, we were at the University of Manitoba, and we were announcing an incredible qualifications recognition program and met eight incredible students who have come from all over the world, Morocco. They have come from all over the world, and that qualifications recognition program with the agronomists came out of the discussions around Bill 19 with that statutory regulatory body. It was so neat to be there with the staff from my department, the regulatory body, the dean at the Faculty of Agriculture.

That is the kind of partnership that we believe is going to give our newcomers here in Manitoba, who are trained in their source countries, the opportunity to come to Manitoba and get their training and participate in our economy and live in our communities. Their children are going to go to our schools, and they're going to find opportunity in Manitoba. This is what is really exciting about Bill 19, Mr. Speaker. I want you to know that, when the head of the agronomists, the statutory body, when he got up this morning and spoke, he endorsed Bill 19. He endorsed our legislation. *[interjection]* Absolutely.

So I just want to say it's really unfortunate that members opposite are confused about what's really going on here because what we're going to do, Mr. Speaker, is we're going to move forward with Bill 19, and I just got a hunch. I just got a hunch, I'm not really sure, but I think it's going to be our tenth piece of unanimous labour legislation. Thank you very much.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is the amendment moved by the honourable Member for Inkster (Mr. Lamoureux).

Is it the pleasure of the House to adopt the amendment?

Some Honourable Members: Yes.

Some Honourable Members: No.

Voice Vote

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

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

The amendment has been lost.

* * *

Mr. Lamoureux: Mr. Speaker, I would look for leave of the House to withdraw my last two amendments because I understand that they are going to be brought up at a later time.

Mr. Speaker: Is there leave of the House for the honourable Member for Inkster to withdraw the amendment Nos. 2 and 3? *[Agreed]*

Okay, we'll now move on to the amendment of the honourable Member for Morris.

Mrs. Taillieu: I would like to ask for leave to proceed with the third amendment first.

Mr. Speaker: Is there leave of the House for the honourable Member for Morris to deal with the third amendment first. Agreed? *[Agreed]*

Mrs. Taillieu: I move, seconded by the Member for Inkster,

THAT Bill 19 be amended

(a) in Clause 13(1), by striking out "the minister" and substituting "the Speaker of the Assembly"; and

(b) in Clause 13(3), by striking out "minister" and substituting "Speaker".

Mr. Speaker: It's been moved by the honourable Member for Morris, seconded by the honourable Member for Inkster,

THAT Bill 19 be—dispense?

Some Honourable Members: Dispense.

Mrs. Taillieu: Well, in the spirit of co-operation with the Member for Inkster (Mr. Lamoureux), we did both bring amendments that were very similar, so we've decided to co-operate. So we've got a number of amendments here, and we're amalgamating them. *[interjection]* You know, there's nothing wrong with being co-operative, because we both agree that there is value to—when there's a good idea presented, we should support it, so, in this case, the opposition

parties have decided that the idea is good and sound, so we're going to support each other in this.

This basically follows on the idea, again, that the fairness commissioner should be an independent person reporting to the Legislature, and, therefore, would have the Speaker be the one that would speak to the Assembly in regard to any reports that the minister, or the fairness commissioner, would bring forward.

Again, I can't reiterate enough that the people of Manitoba will see fairness as a person that's independent from the Legislature. I know that if you go out on the street and you ask a person, is the Children's Advocate, is the Ombudsman, is the Auditor General, are they fair? Are they impartial? Are they transparent? Are they objective? I think the answer to that would be, yes. There's the idea that these people do not answer to the government, but they answer to the Assembly; therefore, they answer to everybody, Mr. Speaker.

* (16:30)

Just the whole thought of having a fairness commissioner appointed by the minister or subsequent ministers does not follow with those principles. So we do need to stress that very much here that we feel that we do not have a problem with a fairness commissioner, and we've said that. We've made some points that we don't want the minister to build up bureaucracy in her office, but—[interjection] well, we don't know that for sure. The minister says it's not going to be in her office, but we don't know that, and that's why we have to have it independent so that we can be assured that the person is independent of the minister's office. That's exactly—

An Honourable Member: That's silly. That's just silly.

Mrs. Taillieu: Well, the minister's saying that's just silly. I don't think it's silly to have a person appointed by a committee of the Legislature like the Children's Advocate, like the Ombudsman, and like the Auditor General. She's saying that the appointments of those particular offices are silly. Is that what she's saying to Manitobans? I think that that is shameful, shameful. That's what she said. She said from her seat that it was silly. It was silly to have a fairness commissioner appointed in a fair way by a body representing the whole Legislature.

That just is—it's shameful.

An Honourable Member: It is silly.

Mrs. Taillieu: Again, Mr. Speaker, they think that's silly. Here they think it's silly to be fair and appoint a fairness commissioner that's fair, objective, transparent and impartial. Now they think it's silly because they want to say: Oh, it's silly if we appoint somebody like the Ombudsman or it's silly to appoint someone like the Children's Advocate or it's silly to appoint someone like the Auditor General, but it's not silly if the minister can appoint someone in her office. Then they call that fair. They call that a fairness commissioner? I don't think so, and I don't think the people of Manitoba will see that as fair either. I think that they should be ashamed of saying that that's silly—

An Honourable Member: How many more times can you—

Mrs. Taillieu: Well, you know, I can talk about the silly Member for Thompson—

Some Honourable Members: Oh, oh.

Mrs. Taillieu: Okay, Mr. Speaker, I withdraw that. I withdraw that. We sometimes get passionate in debate, but I'm not afraid to withdraw a comment.

Anyway, Mr. Speaker, to get back to the business of the amendment to the bill, we recognize that a number of people came to the committee to present. Why did they come to that committee to present? Because they hadn't been thoroughly consulted before the bill was brought. Time and time, again, we asked the question: Were you consulted on this bill? Time and time, again, the answer was no; no. So, when there is inadequate consultation before a bill is presented, we feel that there may be inadequate preparation and consultation around this appointment of this fairness commissioner.

So we need to be sure that a fairness commissioner would be independent and would be chosen by a committee of the Legislature, Mr. Speaker. I just, again, would like to say I don't know how the members opposite could even think about opposing that because it just makes perfect sense that a fairness commissioner should be selected in a fair, transparent, objective and impartial way.

So, with that, Mr. Speaker, I would like to offer my colleagues some comments on this very important amendment.

Mr. Lamoureux: Mr. Speaker, it's a pleasure for me to be able to second the motion. As the Member for Morris has already pointed out there is a sense of co-

operation on these amendments because we understand what it is that the immigrant community really wants to see happen in regard to Bill 19.

Mr. Speaker, if we really wanted to we could make this bill that much better. The minister doesn't seem to really understand. The difference is what she is proposing is that the person, this fairness commissioner, on every other day is going to be walking in to the minister's office, and saying yes, minister, and reporting to the minister. We believe that this fairness individual is going to have much more independence as opposed to answering to the minister, whomever that minister happens to be, to be answering to the Legislature.

The amendments that are being proposed, Mr. Speaker, talk about where the report should go. I have far more faith in you being able to table the reports and the fairness commissioner providing those reports to you to provide for us, than I do for a department of government, in particular this particular Minister of Labour and Immigration (Ms. Allan). Labour and Immigration is more than just one individual.

This particular minister assumes, and she says, well, you know, once again we're going to see unanimous support for Bill 19. Well, this shouldn't be a shocker for the minister. All MLAs that I've heard have supported the principle of Bill 19. We've recognized that the bill itself is a good idea. Is it perfect? No, Mr. Speaker. It needs some amendments. Even the minister that never changes, the minister that goes forward and only forward, and only answers if the Leader of the New Democratic Party snaps his fingers. That's the only time I've ever seen her respond.

The other night, after being embarrassed and humiliated in committee, she then brings in a couple of amendments. I'd like to say that we as an opposition member might have had some credit for it. But I like to think that, maybe, it was the pressure of some of these groups kind of banging into the minister. You know it's funny watching the minister: oh, no, we met with you; we met with you. Oh, yes, we met with you, after everyone said, well, you didn't consult with us.

You know, they have the bill. They say, here's the bill, but they're not looking for consultation, Mr. Speaker. This minister wasn't looking for consultation. She told them what it was going to be. That was the reality of it. This minister was not able to build the type of consensus. She didn't say to

opposition members prior or ask prior. She'll say, well, I offered the Member for Inkster the opportunity to come and have a debriefing on the bill. Well, the bill, believe it or not, really isn't that complicated. You can understand it, and I didn't need the briefing. I know that the minister feels offended because I didn't accept her invitation for the debriefing. Well, if I had to give a briefing for everything for this minister that I have to deal with, well, I won't go there; I'll leave that.

Mr. Speaker, the point is I understand; I understand the bill. I understand the bill, and I understand that the bill could even be made better. All the Minister of Immigration and Labour has to do is acknowledge that, yes, it can be better. We can turn a small step into a much larger step by acknowledging the importance of immigrant credentials in the same way we acknowledge the importance of children in our province or the importance of the Ombudsman's office or the Auditor's office.

Why does the minister so adamantly oppose the idea that this commissioner not be appointed by the Legislature? Why is she so dead set against it? Well, Mr. Speaker, this government tends to respond to the media. If the media tend to go in a certain direction, sometimes you'll see a response coming from the government.

* (16:40)

I plan to talk to some of those newspapers that are out there and try to get the message out that the minister has dropped the ball on this. The minister could have accepted amendments that would have made this legislation that much better. The next time, when we see this report, what could have happened? Can you imagine the number of immigrants that are not going to get their skills recognized? I'm going to put a question mark and I'm going to say, Madam Minister, you've got to accept responsibility. This minister has got to accept responsibility when we have doctors that have come from the Philippines that are not getting their skills recognized because this minister didn't have the political courage to do the right thing on Bill 19 and have this body report to the Legislature, as opposed to her office. If she doesn't recognize the difference between reporting to her office and the Legislature and the whole concept of independence, well, that's just too bad. That's just too bad, and it's unfortunate for the province of Manitoba, because the person and the people that are going to lose out because the New Democratic

caucus is not talking to this minister and saying, we could do better; we can do better.

Why doesn't the minister do better? Why aren't we seeing New Democrats talking to the Minister of Labour and Immigration (Ms. Allan) and asking her to accept an amendment that will make the legislation stronger, that will give this fairness commissioner some real teeth, that's going to be there to protect the skill sets that are brought from abroad, that would provide more integrity to the system? Instead, she'll stand on her platform and she'll preach on how wonderful her government is doing in terms of recognition of immigrant credentials. But, in reality, there are far too many doctors, Mr. Speaker, that are not being doctors because their skills are not being recognized. There are far too many nurses, and it goes on.

When I talk, whether it's to my constituents or to other Manitobans, I am not going to forget about the opportunity that this NDP government had to establish an independent office to be able to deal with immigrant credentials. I'm not going to let this NDP government get away with the public not knowing that they didn't take a big step; they chose to take a baby step when it should have been a large step. I say shame on the New Democrats for not recognizing the value that immigrants have to offer to our province by not taking that large step so we would have more immigrants being recognized for the skills that they have and the contributions that they could be making to our province.

I'm passionate on this particular issue because I deal with it every other day. I would have thought that the Minister of Labour and Immigration (Ms. Allan) would have done likewise. I would have thought that she would have recognized the value of the motions that myself and the Member for Morris (Mrs. Taillieu) are bringing forward. There's a reason why you have two opposition parties that are saying yes to the same amendments. You know, check *Hansard*, Mr. Speaker. If the Minister of Labour was to think about it, look at *Hansard* and find out how many times you have seen two opposition parties support the same amendment to the degree in which one is a mover and a seconder. Tell me how many times. I can't think of any offhand, and there have been hundreds of amendments. Yet you would think that would say something to the government.

Well, Mr. Speaker, I will tell you one thing: It will say something to the voters. It will say something to the immigrant communities. The

Minister of Labour is not the only one that goes out to events and speaks to people. There are other members of this Chamber who do go out, and we do communicate with people. When I communicate with people on this issue, I'm going to say, yes, it's good to see that we have a fairness commissioner, but I'm disappointed that the New Democrats didn't take a big step and ensure that that fairness commissioner was in charge of an independent office that was accountable to this Legislature, and the reports were coming through the Speaker.

This government lost the opportunity. Well, it isn't completely lost. With leave of the Chamber tomorrow, the Minister of Labour could do the honourable thing and bring forward what it is that she is likely going to vote against now, and what she voted against earlier, but I won't hold my breath, because I believe that pride is in the way in doing the right thing on this bill. It is pride that is preventing these amendments from being able to pass.

I would ask that the Minister of Immigration, the Premier (Mr. Doer), reflect over this and put pride to the side and do what's right for the immigrant community and those that are fighting so passionately to get credentials recognized. Thank you, Mr. Speaker.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is the amendment that was brought forward by the honourable Member for Morris (Mrs. Taillieu).

Is it the pleasure of the House to adopt the amendment?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

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

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

The amendment has been lost.

Mr. Speaker: We'll now move on to amendment No. 1.

Mrs. Taillieu: I move, seconded by the Member for Inkster,

THAT Bill 19 be amended in the definition "registration" in Clause 2 by adding ", but does not include the renewal of a registration" at the end.

Mr. Speaker: It's been moved by the honourable Member for Morris, seconded by the honourable Member for Inkster,

THAT Bill 19—dispense?

An Honourable Member: Dispense.

Mr. Speaker: Dispense.

Mrs. Taillieu: I'm pleased to bring another amendment to this bill because I think that what we do when we bring amendments is we provide an opportunity for the government to look at ways to strengthen the legislation. That's what we're doing here, Mr. Speaker. Really, we went to committee. Well, first of all, when we had the briefing for the bill, we extended a letter to all of the regulated professions included in the bill to see whether they had been consulted, and to see what they had to say about the bill, because, really, it's what they have to say. We have to listen to what people bring to us.

So, after that, it became fairly clear that there were a number of concerns that were being raised. Fortunately, these people felt passionate enough to come to the committee and bring those concerns to the committee. That's the process, Mr. Speaker, where the public can come and say what they think is good about a bill or what concerns they have with the bill, and urge the government to adopt amendments.

Sometimes the government brings some amendments, and sometimes the opposition will bring amendments. I think that the government does not have the monopoly on ideas. As I said in speaking earlier today, when the government proposes some amendments, we look at the amendments and say those are reasonable amendments because those are what the people asked for. We're saying the same thing. We have reasonable amendments because those are what the people asked for. But the government is saying no, no, no, you don't have any idea of what should be done here. That's wrong because it's not us presenting the amendments. We're presenting the amendments on behalf of the

Manitobans, of people that came to committee and asked—

An Honourable Member: Who is our legislation for? It's for Manitobans.

Mrs. Taillieu: Well, the Minister of Agriculture is chirping from her seat saying that she consulted. But the fact is, if you had been at committee, the minister would have known that at committee there were a number of people that came and said, repeatedly, when they were asked the question, were you consulted, and the answer was no. Were you consulted? The answer was no. How many times did we hear that at committee? How many times? Five times, six times, 10 times, every time we asked were you consulted, the answer was, no. No.

The idea is to consult before the legislation so you know that you get it right. In this case, so many people came. There were 14 presenters. There were 15 on the list, but 14 showed up to present, which says to me there's a problem here because, if everything's going to go well, then consultation's done ahead of time. Then there would not have been the need for those people to come, but, obviously, they came because they felt they hadn't been consulted with, and, when asked if they'd been consulted with, the answer was no, Mr. Speaker.

* (16:50)

So it's our duty to bring forward amendments that reflect some of the wishes and some of the concerns of people that came to the committee. I think, Mr. Speaker, this bill is a good bill. We embrace the spirit of the bill. We recognize the fact that we want to embrace our new Manitobans and provide them the opportunity to be able to practise within their professions. We understand that. We think that it's a wonderful thing that we had an immigrant job fair. We think it's great. We're not opposed to that. What we're just trying to strengthen in this bill is the idea of fairness, impartiality, objectivity and—what was the other one? Transparency.

Those are adjectives that describe a person that is independent of the Legislature, independent of a particular government set of principles, independent of a particular minister's set of principles, and—we might have a Cabinet shuffle next month, who knows? We might have a new minister. So, you know, is that minister going to embrace the same fairness commissioner as this minister?

So, I think, Mr. Speaker, we're raising some legitimate amendments, and I think they warrant discussion.

An Honourable Member: You're fearmongering.

Mrs. Taillieu: Oh, the Minister of Agriculture (Ms. Wowchuk) says we're fearmongering. We're talking about being fair, impartial, transparent and objective, and she thinks that's fearmongering. The Minister of Agriculture believes that that's fearmongering. That's not the case at all, as Manitobans would know. Those adjectives describe people like the Children's Advocate, like the Ombudsman and like the Auditor General. So, if she's saying that we're fearmongering because we want to appoint a fairness commissioner by the same set of principles as the Ombudsman, the Auditor General and the Children's Advocate, I don't really think that that's right. I think that's quite shameful, actually.

Again, I want to speak specifically to this point of the amendment because a number of the regulated professions talked about—they did not want any added paperwork or added administrative inefficiencies added to their work by virtue of adopting this bill. So they brought a number of ideas that would have been able to prevent that, Mr. Speaker. I know that the minister did bring some amendments because I believe that she knew that there were going to be some negative responses to the bill at committee, so she was prepared with the amendments ahead of time. But there are still some concerns that were raised around, as I said, the administrative inefficiencies and unnecessary red tape that may result from this bill. That's what some of these professions were trying to impress upon the minister, is that they didn't want to have to add this red tape to their administration and their practices.

So the intent is to promote fairness, then, in the initial registrations and to remove any subsequent re-registrations. I'm hoping that this particular amendment will be supported by the minister.

I would like to give the floor to my colleague.

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

Some Honourable Members: Question.

Mr. Speaker: The question before—oh, the honourable Minister of Labour and Immigration.

Ms. Allan: Thank you, Mr. Speaker. I'd just like to put on the record and speak to the amendment that the opposition has brought forward. I'd just like to remind members that we were the party that made

amendments in committee. The opposition didn't. We made those amendments because of our dialogue and our consultation with the regulatory bodies. The proposed amendment to clause 2, opposition members have proposed an amendment such that the definition of registration be changed to explicitly exclude the renewal of a registration. The current definition of registration ensures that even renewals need to be processed in a reasonable time as per clause 6(b). But legal opinion has confirmed that existing processes such as the re-issuance of membership cards will be a sufficient written response.

Clause 6(c), which was amended at committee, already removes any administrative burden associated with providing reasons for decisions by excluding routine processes, such as renewals, which do not deny or add conditions to a registration decision. Thank you.

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

Some Honourable Members: Question.

Mr. Speaker: The question before the House is the amendment moved by the honourable Member for Morris.

Is it the pleasure of the House to adopt the amendment?

Some Honourable Members: Yes.

Some Honourable Members: No.

Voice Vote

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

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

The amendment has been lost.

* * *

Mrs. Taillieu: I would ask for leave not to proceed with the second amendment.

Mr. Speaker: Is there support of the House for the honourable member to withdraw her second amendment?

Some Honourable Members: Agreed.

Mr. Speaker: Has it been agreed to? Okay, it has been agreed to.

Now we'll move on to, as previously announced by the order—as previously announced, we'll now move on to Concurrence and Third Readings. Bill—oh, the honourable Official Opposition Deputy House Leader.

Mr. Kelvin Goertzen (Deputy Official Opposition House Leader): I wonder if you could canvass the House to see if it's the will of the House to call it 5 o'clock.

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

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, November 1, 2007

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