

**Fifth Session - Thirty-Ninth Legislature**  
**of the**  
**Legislative Assembly of Manitoba**  
**DEBATES**  
**and**  
**PROCEEDINGS**

**Official Report**  
**(Hansard)**

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

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
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ASHTON, Steve, Hon.	Thompson	N.D.P.
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<i>Vacant</i>	Lac du Bonnet	

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Monday, May 30, 2011**

*The House met at 1:30 p.m.*

**Mr. Speaker:** O Eternal and Almighty God, from Whom all power and wisdom come, we are assembled here before Thee to frame such laws as may tend to the welfare and prosperity of our province. Grant, O merciful God, we pray Thee, that we may desire only that which is in accordance with Thy will, that we may seek it with wisdom, know it with certainty and accomplish it perfectly for the glory and honour of Thy name and for the welfare of all our people. Amen.

**ROUTINE PROCEEDINGS**

**INTRODUCTION OF BILLS**

**Bill 33—The Pension Benefits Amendment Act**

**Hon. Jennifer Howard (Minister of Labour and Immigration):** I move, seconded by the Minister of Family Services and Consumer Affairs (Mr. Mackintosh), that The Pension Benefits Amendment Act; Loi modifiant la Loi sur les prestations de pension, be now read a first time.

*Motion presented.*

**Ms. Howard:** I'm very pleased to be able to introduce Bill 33, The Pension Benefits Amendment Act. It makes significant changes that will provide for stronger enforcement.

This bill will bring in administrative penalty provisions, providing for better overall enforcement of the act and put specific processes in place to ensure that funds can be collected from employers who have failed to make required contributions to their employees' pension plans.

In addition, the bill will pave the way for regulatory changes that will allow Manitoba to enter into a multilateral agreement with other Canadian jurisdictions that will clarify and formally establish how the laws of each jurisdiction apply to multi-jurisdictional pension plans.

Each of the amendments contained in Bill 33 are consensus recommendations of the Manitoba Pension Commission and have been reviewed and are supported by the Labour Management Review Committee consisting of representatives of employers and workers.

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

**PETITIONS**

**Convicted Auto Thieves—Denial of MPI Benefits**

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

The background to the petition—this petition is as follows:

In Manitoba, a car thief convicted of stealing a vehicle involved in a car accident is eligible to receive compensation and assistance for personal injury from the Manitoba Public Insurance.

Too many Manitoban families have had their lives tragically altered by motor vehicle accidents involving car thieves and stolen vehicles.

It is an injustice to victims, their families and law-abiding Manitobans that MPI premiums are used to benefit car thieves involved in these accidents.

We petition the Legislative Assembly as follows:

To request the Minister of Justice deny all MPI benefits to a person for injuries received in an accident if he or she is convicted of stealing a motor vehicle involved in an accident.

This petition is signed by T. Tonn, S. Shastro and C. Parenteau and many, many other fine Manitobans.

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

**Auto Theft—Court Order Breaches**

**Mr. Kelvin Goertzen (Steinbach):** Good afternoon, Mr. Speaker. I wish to present the following petition to the Legislative Assembly.

The background to the petition is as follows:

On December 11th, 2009, in Winnipeg, Zdzislaw Andrzejczak was killed when the car that he was driving collided with a stolen vehicle.

The death of Mr. Andrzejczak, a husband and a father, along with too many other deaths and injuries involving stolen vehicles, was a preventable tragedy.

Many of those accused in fatalities involving stolen vehicles were previously known to police and identified as chronic and high-risk car thieves who had court orders against them.

Chronic car thieves pose a risk to the safety of all Manitobans.

We petition the Legislative Assembly as follows:

To request the Minister of Justice to consider ensuring that all court orders for car thieves are vigorously monitored and enforced.

And to request the Minister of Justice to consider ensuring that all breaches of court orders on car thieves are reported to police and vigorously prosecuted.

Mr. Speaker, this petition is signed by G.M. Lowen, M. Derzko, S. McLeod and thousands of other concerned Manitobans.

### **Bipole III—Cost to Manitoba Families**

**Mr. Blaine Pedersen (Carman):** I wish to present the following petition to the Legislative Assembly.

The background to this petition is as follows:

Manitoba Hydro has been directed by the provincial government to construct its next high-voltage direct transmission line, Bipole III, down the west side of Manitoba.

This will cost each Manitoba family of four in Manitoba \$11,748 more than an east-side route which is also shorter and more reliable.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to build Bipole III transmission line on the shorter and more reliable east side of Lake Winnipeg in order to save each Manitoba family of four \$11,748.

This petition is signed by G. Gauthier, E. Rey, G. Le Heiget and many, many more fine Manitobans.

### **MINISTERIAL STATEMENTS**

#### **Flooding and Ice Jams Update**

**Hon. Steve Ashton (Minister responsible for Emergency Measures):** The Canadian Forces have finished their operation in Manitoba and we again

thank them for the important contribution to our flood fight. However, the Province, municipalities and many individual Manitobans were fighting the historic flood before the military arrived, and we will continue to fight it long after they are gone.

Strong winds are expected to hit Lake Manitoba, Lake Winnipeg, Lake Winnipegosis and many other Manitoba lakes for the next several days. These winds will present major difficulties for residents, cottage owners and producers around our already high lakes, many of which have not yet peaked.

\* (13:40)

Due to this year's major flood, Lake Manitoba is expected to reach the highest levels it's seen in 50 years. We have mobilized significant provincial resources to support municipalities and First Nations around the lake, including approximately one million sandbags, five sandbag machines, 3,260 flood tubes, 820 flood barriers, 350 super sandbags, 50 truckloads of sand, four large pumps and the EMO mobile command centre.

We have also sent significant human resources to the area, Mr. Speaker, including 100 troops for over a week, dozens of civil servant volunteers and approximately 30 Conservation staff who spent the weekend delivering sandbags to residents of the beaches in St. Laurent.

Many at-risk properties do have flood protection in place now, and we are continuing to assist the RMs and send resources as they are requested. However, we also recognize that in some cases temporary protection will not be enough and more permanent solutions are needed. That is why we have taken the unprecedented step of offering up to \$20,000 to assist with costs of moving or raising homes and cottages. We are also offering support for engineering advice and the cost of damages well beyond standard disaster financial assistance.

While the flood fight will continue for many difficult months on Lake Manitoba and elsewhere in the province, it is winding down in Brandon. The 1,400 evacuees were able to return to their homes over the weekend, ending a long and stressful time for many. As Brandon recovers from this one-in-300-year flood event, we will be working with them and other communities in Manitoba to build and improve protection for future floods. Thank you, Mr. Speaker.

**Mr. Stuart Briese (Ste. Rose):** I thank the minister for the latest update on the flood situation. It's indeed been a busy few days on the flood file.

In Brandon, approximately 1,400 evacuees are finally able to return to their homes, and businesses located in Brandon's evacuation zone are starting to reopen. Those affected in Brandon certainly appreciated the efforts of those who worked so diligently to protect their homes and businesses from the threat of flooding. We thank them as well for their work.

Elsewhere in Manitoba, the situation is far from business as usual. Hundreds of people are still unable to return to their homes. Today's rain and the threat of heavy winds is an unwelcome development for people trying to protect their properties around Lake Manitoba, be it at Sugar Point, the St. Laurent area, Hall's Beach, Crane River, Sandy Bay, Delta Beach area, among others.

We encourage the provincial government to continue to—working with those affected to ensure all steps are being taken to help protect those vulnerable Lake Manitoba properties as quickly as possible.

In addition, maintaining strong lines of communication will be essential as it could be some time before Manitoba levels begin to drop—Lake Manitoba levels begin to drop and the risk to property diminishes.

We look forward to continued updates on the flood situation. Thank you, Mr. Speaker.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I ask leave to speak to the minister's statement.

**Mr. Speaker:** Does the honourable member have leave? *[Agreed]*

**Mr. Gerrard:** Mr. Speaker, I want to join other members here in thanking the Canadian Forces for all the contribution they have made which has been enormously important.

I also want to recognize that things are improving in Brandon with the people who've been evacuated being able to go home. That's certainly a big plus.

The concern, and a big concern, exists at Lake Manitoba. Certainly with the high winds and with the extra rain expected in the next 24 to 48 hours, this is of considerable concern to places like Delta Beach and St. Laurent, and, certainly, from being on the ground in those locations as well as having flown

over with the minister himself, I think that the situation is of very significant concern in these communities.

Certainly I would say at Delta Beach I get ongoing concern that there could be more professional help from the Province in dealing with the very—well, unusual, extraordinary and difficult situations that they are having to deal with in their community. I am also hearing calls from places like Dauphin Lake and, of course, ongoing concerns at Lake St. Martin and Little Saskatchewan.

And, so, as this flood season continues—and it will continue for some time yet—I extend concern and sympathy to those affected, and certainly we want to hope that this doesn't cause ongoing flooding, but I do know that there are already a number of homes that have been flooded in Delta Beach and that this is a big concern, that there may be more flooded before this is over. Thank you.

#### 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 His Excellency Tomas Kunstelj, who is Ambassador of the Republic of Slovenia; and with him is Dr. Boris Jesih, Secretary for Slovenians Living Abroad; and Ms. Tina Romih who's a councillor.

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

#### ORAL QUESTIONS

##### Manitoba Hydro Report (2005) Bipole III West-Side Location Concerns

**Mr. Hugh McFadyen (Leader of the Official Opposition):** Last week, through a leaked Hydro report, Mr. Speaker, we saw the full extent—the full extent—of the damage that could be expected to be done to Manitoba Hydro as a result of this Premier's interference in major decisions at this prized Crown corporation.

In 2005, Hydro was trying to warn the board and the minister that forcing the longer, more wasteful and more expensive west-side power line would cause increased domestic rates, would put exports at risk, would have no environmental benefit, would put our existing bipole lines at risk and would actually hurt the regular day-to-day operation and emergency operation of our prized public Hydro asset.

I want to ask the Premier—this is what the report said, Mr. Speaker, and I want to ask the Premier who was then-minister responsible for Hydro, why did he ignore the experts?

**Hon. Greg Selinger (Premier):** Well, Mr. Speaker, we've received reports in 2005. We received reports in 2006. We received a report in 2007. We had an election in 2007 in which the government put forward the notion that it would put the bipole down the west side and protect the UNESCO World Heritage Site on the east side.

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

**Mr. Speaker:** Order. Let's have a little decorum here. There might not be agreements, but let's listen to the questions and the answers. Let's have a little decorum.

The honourable First Minister has the floor.

**Mr. Selinger:** And all of those reports were put in front of the Hydro board. They were considered.

The Farlinger report, the 2007 report, said that the issue of the location of the transmission line had public policy implications larger than the technical aspects of it and that government should be asked for their opinion on the broad public policy issues, particularly issues relating to protecting the reputation of Hydro as a clean, reliable product, and those views were carefully considered by the government and communicated to Manitoba Hydro's board who made a decision to move the bipole down the west side of Manitoba in order to provide greater reliability, to build converter stations and to protect the reputation of Manitoba Hydro as a clean, green—

**Mr. Speaker:** Order.

**Mr. McFadyen:** Well, Mr. Speaker, the interesting thing about that response is that the Premier now seems to be running away from the directive that he gave to that board in 2007. He's now trying to put the blame on the board of Hydro for this decision when, in fact, it was his directive to that board in September of 2007, his interference in Manitoba Hydro, his decision to ignore the advice of the Hydro experts, that led to the longer west-side route being selected.

And, Mr. Speaker, that report, which was released last week for the first time to the public—and I'm interested in the 2006 report that he now refers to that he's never released to the public, but the 2005 report says that there will be increased domestic rates, exports will be put at risk, it'll jeopardize the ability to further develop northern assets, there'll be

no environmental benefit, the existing bipole lines will be put at risk and that the decision would actually hurt the regular day-to-day and emergency operations of Manitoba Hydro's direct current system.

How could he ignore such serious warnings? How could he try to minimize them today by referring them—to them as technical matters when they go to the very heart of the operation of our Hydro system?

\*(13:50)

**Mr. Selinger:** Mr. Speaker, the issues raised are important issues that were addressed in subsequent reports as well as the report the member opposite refers to.

The Farlinger report, in particular, done by a very respected engineer in Manitoba, made the recommendation that because the issues involved very important questions of public policy, that Hydro should seek the views of government. The views of government were offered to Manitoba Hydro. At the time, in '07, when I was minister, I conveyed those views to Manitoba Hydro.

We are very comfortable with the views that we conveyed to Manitoba Hydro, that it's important—it's important to protect the reputation of Manitoba Hydro while seizing the opportunity for a UNESCO World Heritage Site which will bring abundant, durable and permanent economic benefits to the province. At the same time, it's important to have additional transmission as well as additional converter stations.

The '05 report that the member refers to is the one that did—only said only partial protection would be offered by the bipole down the east side because there were no converter stations. Nobody in Manitoba except the leader opposite now believes that we do not need additional converter stations.

**Mr. McFadyen:** Manitoba Hydro and the board of Hydro had recommended and taken the position that the east side was the only responsible way to proceed. The only reason they reversed that decision was because they got a directive from the then-minister of hydro in September of 2007 overriding the advice, overriding the input of experts and interfering in a very significant decision to be made by Manitoba Hydro.

Mr. Speaker, the issues that they give rise to are not mere technical issues. They say that it will result

in increased domestic rates, put exports at risk, have no environmental benefit and also compromise the day-to-day and emergency operations of the existing direct current lines, Bipole I and II.

Mr. Speaker, these are not small matters. This is a matter of the very existence of the transmission system for Manitoba Hydro. Why would this minister have ignored that advice? Why would he override it and put our best public asset at risk?

**Mr. Selinger:** Mr. Speaker, I know the member has a great deal of interest in the '05 report, but I think he would benefit as well by reading the '06 report, copies of which I will table right now, and as well the '07 report, commonly known as the Farlinger report, copies of which I will table now so that he can have a full menu of information to refer his comments on. And I know he's read the Farlinger report because we've discussed it in detail during Estimates.

The reality is this, Mr. Speaker. We've made a decision that will ensure that Manitoba Hydro has a good reputation, a \$4-billion sale announced last week in Manitoba, legislation currently in front of the assembly of Wisconsin that will classify Manitoba Hydro as a renewable clean energy source. If the member opposite thinks moving a bipole through a UNESCO World Heritage Site will help us secure a designation as a clean renewable energy source, he's sadly mistaken.

The reputation of Manitoba Hydro will give it a premium price. That's why we sold \$4 billion. We will get that premium price.

Only the member opposite would raise the rates—the market rates and privatize the corporation. We won't do that.

**Mr. Speaker:** The honourable Leader of the Official Opposition, on a new question.

**Mr. McFadyen:** The report, Mr. Speaker, that was released last week raises some very, very serious issues that this Premier has not yet addressed. That report says, and I quote: Bipole III far west routing would lead to serious degradation of the normal day-to-day and emergency operation of critically important Manitoba Hydro HVDC system and therefore cannot be advocated as technically viable.

In light of that warning, Mr. Speaker, I want to ask the Premier: Why would he think that he would know more than the experts and the engineers at Hydro? Why would he put at risk our DC system?

Why would he override the advice of the experts through his NDP political interference in Manitoba Hydro?

**Mr. Selinger:** Mr. Speaker, in order to keep the member moving in terms of the latest information, I want to table the additional letter from the president and CEO of Manitoba Hydro, Bob Brennan, and I'll table that letter.

**Mr. Speaker:** Next question?

**Mr. McFadyen:** And, again, to quote from the CEO of Hydro, when asked whether he would recommend building a line through the Red River Valley which floods on a regular basis, he said, and I quote: I would never recommend building a transmission line through a flood zone. That's the CEO of Manitoba Hydro, Bob Brennan.

And I know the Premier has not dealt with the very serious issues that have been raised as a result of the serious degradation of the normal day-to-day and emergency operation of critically important Manitoba Hydro system.

I want to ask the Premier, who just didn't do his homework on this issue, Mr. Speaker, why he wouldn't take the advice of the Hydro engineers and why he's so determined to do to Manitoba Hydro what he did to Crocus.

**Mr. Selinger:** Mr. Speaker, I know the member likes to be a revisionist historian. He knows very well that the information that we operated on included the reports of '06, included the Farlinger Report of '07, and it balanced out the various public policy issues that have to be addressed.

Let's remember, when the member opposite was in office in '96 and we almost lost the entire transmission of Bipoles I and II through the Interlake and Hydro recommended additional reliability, instead of the members focusing on improving the reliability of Manitoba Hydro, they were off privatizing the Manitoba Telephone System. They did nothing about improving the reliability of Manitoba Hydro.

We now are moving on increasing the reliability of Manitoba Hydro. The—Manitoba Hydro has been judged to be beneficial if we put that additional reliability down the west side. The letter from the president and CEO confirms that. The report of 2007 confirms that. The report of 2006 confirms that, and now we're at a stage, Mr. Speaker, with our additional \$4 billion of sales this year, \$3 billion of

sales last year, we have to build it so that we can have those export revenues to keep the rates in Manitoba low.

Only the member opposite would raise rates to the market level and privatize the Hydro. We will build it; he will mothball it.

**Mr. McFadyen:** I want to thank the Premier for that response, Mr. Speaker, and just point out that the response still fails to deal with very significant issues that have been raised by the experts at Manitoba Hydro.

Mr. Speaker, the report says, and I quote: Bipole III far line–far west routing would lead to serious degradation of the normal day-to-day–the normal day-to-day–and the emergency operations of critically important Manitoba Hydro systems and therefore cannot be advocated as technically viable.

I want to ask the Premier who didn't do his homework before the stadium deal, didn't do his homework on Crocus, why is he so determined to do to Manitoba Hydro what he did to Crocus and what he did on the bungled stadium deal?

**Mr. Selinger:** Mr. Speaker, not only do we—not only since we've been in office do we have to solve the problems ignored by the member opposite with Manitoba Hydro, not only did we have to clean up the Crocus Fund, but if the member likes the '05 report as much as he does, I would refer him to page 5, where it says, the east-side route with no converters, the position advocated by the Leader of the Opposition, would only be a partial solution to Dorsey vulnerability.

Mr. Speaker, 75 per cent of our power goes through the existing set of converter stations. If that power was to be knocked out in the Dorsey converter stations, it could cost the Manitoba economy up to \$30 billion of lost revenue. It could take up to two to three years to repair.

Only the member opposite is reckless enough to say he won't build those converter stations. Only the member opposite is reckless enough to say he will not provide the additional protection that Manitoba Hydro needs. He didn't pay attention to it while he was in office. He's not paying attention to it while he's the Leader of the Opposition. We will pay attention to it, and we will build it, Mr. Speaker.

\* (14:00)

**Mr. Speaker:** The honourable leader of the Official Opposition, on a new question.

**Mr. McFadyen:** Mr. Speaker, the report that was leaked last week, from 2005, goes on to say, and I quote: Additional rate increases would be experienced as a result of requirements to implement a much costlier western routing.

Mr. Speaker, we now know that Hydro and this NDP government are before the PUB asking for rate increases on Manitoba families. Clearly the Premier ignored the warnings about pending rate increases. Why, through his political interference, was he so determined to appease whatever groups he wanted to appease that he completely forgot about the Manitoba Hydro ratepayers, the families of Manitoba, who are going to pay more for his political interference?

**Mr. Selinger:** Mr. Speaker, the very report he refers to said that his proposed solution—the only person advocating it anymore—a route down the east side with no converters, would only be a partial solution to Dorsey vulnerability. That is not good enough.

We need a complete solution to the vulnerability of Dorsey when 75 per cent of our power is going through there right now. We need converter stations. We need additional transmission. We need it to look after our domestic economy, which could suffer a \$30-billion hit and leave power unavailable to Manitobans for up to three years. We need it to serve our export markets where we have \$7 billion of new contracts. We need it to deal with the future of Manitoba Hydro, which is best positioned as a premium clean, green product.

The member's solution would degrade the reputation of Hydro, would only be a partial solution for reliability, and would not get built because of all the litigation that would proceed on that side. He may wish to go that route. We wish to go the route of building Manitoba Hydro for export and better protection for Manitobans.

**Mr. McFadyen:** Nothing in that rant, Mr. Speaker, addressed the issue of rising rates on Manitoba families, the people who deserve to be protected, the people who can't afford to pay more for the mistakes of this Premier. Hydro is currently before the PUB asking for rate increases. Rate increases were warned about in the 2005 report.

I want to ask this Premier: Whose side is he on? Is he on the side of the ratepayers of Manitoba who are going to pay more or is he on the side, Mr. Speaker, of other friends from other provinces who

may not share the interests of regular Manitoba families?

**Mr. Selinger:** It's only because we're on the side of Manitobans, to keep the rates the lowest in North America, that we have proceeded with \$7 billion of export sales in the last two years. Those \$7 billion of export sales the member opposite would cancel and slow down because he would not build converter stations. He would tie Manitoba Hydro up in litigation on the UNESCO World Heritage Site.

The Premier of Newfoundland tried to put a transmission line through their UNESCO World Heritage Site. He was stopped dead in his tracks. The government of British Columbia tried to put transmission lines through their forest. They were stopped by the courts. The government of Alberta tried to put transmission lines through Banff National Park. They were stopped dead in their tracks. Only the member opposite doesn't want to learn by the experience of others.

We will build it responsibly. We will not privatize it. We will keep the lowest rates in North America and we will proceed to meet those commitments to \$7 billion of export sales. The member opposite would cancel it and tie us up in red tape.

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

**Mr. McFadyen:** And they can hoop and holler all they like, Mr. Speaker, but it doesn't change the fact that the experts are saying that they would degrade the reliability of the system. Rates are going to go up on Manitoba Hydro ratepayers. They are going to do more environmental damage on the west side, and all of that hollering would be convincing if he wasn't driving a highway through the heart of the boreal forest.

Mr. Speaker, the news gets even worse. The 2006 report that the Premier just tabled says, and I quote: that the new DC transmission line routed on the east side of Lake Winnipeg was recommended by Manitoba Hydro as a means to enhance the reliability of the system.

Subsequently, the board was required to look at alternatives. They go on to say that the longer western route complicates the line fault protection and degrades restart performance. It then goes on to say any concept of full paralleling with the existing bipoles would require a new line to be eastern routed.

That's what the report says that he just tabled. That is the report that he just tabled: 2005, 2006. It doesn't matter when the reports come out, they all say one thing, he's wrong. Will he admit it today?

**Mr. Selinger:** Mr. Speaker, I have just tabled for the Leader of the Opposition and the members of his caucus the letter dated the 30th of May, 2011, signed by the president and CEO of Manitoba Hydro. And I want to read into—

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

**Mr. Speaker:** Order. We need to hear the questions and the answers, please.

**Mr. Selinger:** I want to read into the record his penultimate paragraph.

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

**Mr. Speaker:** Order. I hadn't even sat down and it started up again. Order. I'm asking the co-operation of all honourable members here. We need to hear the questions and the answers, please.

The honourable First Minister has the floor.

**Mr. Selinger:** Thank you, Mr. Speaker. I'd like to read in the last—second last paragraph from the president and CEO. I would also like to emphasize that reference made to the east side offering more reliability is erroneous. Since the original east-side proposal did not contemplate the construction of a south terminus converter station, it did nothing—and I emphasize nothing—to protect against the catastrophic outage to the Dorsey Converter Station. Hence, the west-side proposal provides significantly more improvement to the reliability of electricity supplied to Manitobans than the original east-side proposal.

Mr. Speaker, the west-side route is more reliable. It's more effective in protecting Manitoba domestic and industrial consumers. It protects the reputation of Manitoba Hydro. It allows us to proceed with the UNESCO World Heritage designation. It builds it now. It lets us provide \$7 billion of energy to our customers.

Only the member opposite would raise rates to market rates, tie us up in litigation and then privatize the utility—

**Mr. Speaker:** Order.

**Maternal and Neonatal Care  
Stillbirth and Neonatal Deaths Increase**

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, in 2007, a maternal child report that had been done in 2005 was leaked to us by nurses who felt that the NDP government was ignoring a crisis in maternal newborn care in Manitoba. That report sat on a shelf for two years gathering dust, which upset doctors, nurses and midwives. The numbers were alarming then and the numbers are even more alarming now.

So can the Minister of Health tell us why, under her watch, those numbers are getting worse?

**Hon. Theresa Oswald (Minister of Health):** Well, yes, and, you know, I'll seek some clarification from the member concerning the numbers that she's speaking of. I'm not sure, specifically, what she's referring to. We do know that we have plans on the way to build a brand new women's hospital at Health Sciences Centre after the largest consultation on a health facility ever conducted in Manitoba's history.

We're going to provide a new birth centre, the first of its kind ever, Mr. Speaker, in Manitoba history, run by midwives. We've expanded the maternity ward at St. Boniface Hospital which is, of course, set to open imminently. We are expanding options for moms and babies. We're bringing more specialists to Manitoba. We're bringing more nurses to the bedside, Mr. Speaker, and a net increase of 405 more doctors to provide that care for moms and babies.

**Mrs. Driedger:** We get this same rhetoric from this minister year after year, and yet the numbers are getting worse under her watch. We have raised this issue many times in this House. The minister keeps giving the same answers, and nothing's changing. She's been saying she's fixing the problems, but all we're hearing from this minister is a lot of talk.

Can she tell us why the number of stillbirths and the number of neonatal deaths keep going up under her watch?

\* (14:10)

**Ms. Oswald:** Yes, and, again, I can say to the member, we know that last week she was making reference to pediatric specialists. She neglected to mention, during that time, of course, that we've recruited many, many pediatric specialists to Manitoba: Dr. Klassen and Dr. Gilmore, pediatric emergency doctors; Dr. Soni, Dr. Sekera,

Dr. Pepelassis, pediatric cardiologists; Dr. Pitt, Dr. Simons, pediatric allergists; Dr. Narvey, a neonatologist; Dr. Persinsky and Dr. Perokis, pediatric ICU doctors. I'm not going to have time to finish the list.

These doctors are working at the bedside, Mr. Speaker, in concert with our doctors to provide the best possible outcomes for moms and babies in Manitoba. We're going to continue to bring new doctors and nurses to Manitoba. Their record was decidedly opposite.

**Mrs. Driedger:** Mr. Speaker, all we're getting from this Minister of Health is all talk, no action.

The numbers speak for themselves and I'd like her to focus on the question. When that maternal newborn report was done six years ago, Manitoba had the highest stillborn rate in Canada with 104 stillborn babies. Now there are 137 babies that are stillborn.

Six years ago, Manitoba had the second-highest rate of neonatal deaths in Canada when 65 babies died. The latest numbers show 82 babies have died.

So I'd like to ask this Minister of Health: Can she tell us, why is it she can find over \$140 million for administrative costs in health care, why she can find \$30,000 for a patio at the WRHA, why she can double the political staff in her office, but she can't find a solution to the number of babies that are dying stillborn or neonatal deaths in this province? Where is her priorities?

**Ms. Oswald:** And just to correct the record, we publicly released the maternal child health task force report in '08 at the same time that we announced—*[interjection]* The lady doth protest too much, methinks.

But we also invested at that time a million dollars to create the recommendation from the maternal-child health care task force, that it included everything, Mr. Speaker, from intensive work on vitamins, intensive work with doctors and nurses for appropriate neonatal care, for intensive work with moms and babies, which stands in pretty stark contrast to the Conservative Party decision during their reign to completely eliminate the Child Health secretariat under their watch. It really boggles the mind when the member asks questions like that while they're quietly cancelling Child Health secretariat under their watch.

### **Riverdale Health Centre Emergency Room Closure**

**Mrs. Leanne Rowat (Minnedosa):** On March 23rd, 2011, at approximately 9 p.m., Mr. Gill of Rivers came across a single vehicle accident on Highway 25 just outside the community of Rivers. A woman and her two children were involved in the accident. They were terrified; they were bleeding; there was no cell service in the area, so Mr. Gill made the decision to transport them to the nearest health centre in Rivers.

Upon arrival at the Riverdale Health Centre, Mr. Gill and the family were told by medical personnel not to enter the facility as the ER was closed. They were also told that the ambulance would be at least a half hour as it was coming back from Brandon—the icy roads.

Mr. Speaker, can the Minister of Health explain why this terrified mother and her two frightened children had to follow her NDP government's policy by remaining in Mr. Gill's truck for an agonizing long time waiting for an ambulance in winter conditions when medical care was just within reach on the other side of the health facility door?

**Hon. Theresa Oswald (Minister of Health):** Again, I will endeavour to get some specific details from the member concerning this case.

What I can say to the member, Mr. Speaker, is that we have worked very hard to build our complement of emergency medical services across Manitoba, including replacing the entire ambulance fleet, including increasing our complement of paramedics and, indeed, most recently our negotiations that are ongoing regarding a medical helicopter ambulance that has worked in very similar situations and will work going forward.

Again, I'm committed to get some more details from the member concerning this issue. We know that any person that is in a situation, particularly in the case of very impassable roads, we want to provide the best possible care, and so I'm committed to get that information from the member.

**Mrs. Rowat:** Mr. Speaker, under this government's watch, there have been 18 ERs temporarily or fully closed within this government—under this government's watch.

Mr. Gill begged for help to assist the terrified family at which point a reluctant health-care professional came outside and did a visual

assessment of the family from the running board of Mr. Gill's truck. Mr. Gill was told at that time that he should've stayed at the site of the accident and waited for an ambulance there.

Mr. Speaker, there was no cell service waiting for them at that site, and it was in the middle of winter—

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

**Mr. Speaker:** Order. The honourable member has the floor.

**Mrs. Rowat:** Thank you, Mr. Speaker.

On May 5th in this Chamber, the member for Kildonan (Mr. Chomiak), former NDP Minister of Health, said, and I quote: There has only been one hospital ever closed in the history of this—of Manitoba, Mr. Speaker. I beg to differ and so does this family.

Well, Mr. Speaker, will this NDP government then explain to the traumatized family why they were refused emergency care in Rivers when they needed it most?

**Ms. Oswald:** Yes, again, Mr. Speaker, again, I will endeavour to get more specifics from the member on this case. I can't speak to any more that—about this.

What I can say, Mr. Speaker, is that there is plenty of work that is being done to build our complement of paramedics and EMS vehicles. There's lots of work being done to improve emergency care. There is no question, in any jurisdiction in Canada, recruiting to rural environments is more challenging than not. The Assiniboine Regional Health Authority is working hard to recruit more doctors to those centres.

Again, I will find out more specific information. There's been work done like the expansion of 911 for a variety of situations, but we know we want to build our emergency services, Mr. Speaker, not the opposite. That's why we continue to talk about investing in it, not turning our attention to other things.

**Mrs. Rowat:** Well, this government turned its back on this family when it needed it most.

Mr. Speaker, Mr. Gill and the family sat in their truck for over a half an hour while they waited for an ambulance to come back from Brandon. One child had a broken arm and the entire family was traumatized by the accident and should not have had to wait in a cold truck to get emergency care.

Mr. Speaker, the Minister of Health said on May 3rd of this year, and I quote: "The only thing in this dialogue that's acceptable is ensuring that people get the emergency care when they need it from professionals." Well, I'm sure that most members in this House would agree that this medical situation was unacceptable.

Does this Minister of Health not think that this family deserves to know why they could not receive emergency care in the Riverdale Health Centre instead of from a running board of a truck, Mr. Speaker? Where's the policy that is keeping people out of health-care facilities when they need care the most?

**Ms. Oswald:** Well, and, again, I'll say for the third time I will commit to the member to look into the specifics of this case. I haven't any doubt, Mr. Speaker, that the member has already sent me correspondence about this. I will get it from my office immediately following question period, so that I can review the facts of this case.

I do want to say to the member, of course, that issues of triage and medical care are left to our health professionals. We know that, indeed, in that particular situation that if there was a reason for that decision, I will endeavour to find that out.

We want to have more medical professionals at the bedside. We want to have more EMS providers providing swift and excellent pre-hospital care. We know that in situations where roads have dangerous conditions that there have to be alternate plans made, and that's why the Medical Transportation Co-ordination Centre was created in Brandon, for that very reason.

Again, I will say to the member I will commit to her to look into this case. I have no doubt, due to its severity, that she has sent me correspondence already, and I will indeed review it.

\* (14:20)

### **Manitoba Hydro Report (2006) Bipole III West-Side Location Concerns**

**Mr. Hugh McFadyen (Leader of the Official Opposition):** The October 2006 Hydro report just tabled by the Premier arrives at three different conclusions. Number 1, they say, and I quote: To address catastrophic Bipole I and II corridor outages, an eastern-routed HVDC transmission line is confirmed as a preferred option by Manitoba Hydro

from an economic, technical and reliability perspective.

Mr. Speaker, how could anybody in their right mind think that a report like this substantiates his political interference in Manitoba Hydro?

**Hon. Greg Selinger (Premier):** The member will note in the report—and I'm glad he's taken the opportunity to look at it. I refer him to page 4—

**Mr. Speaker:** Order. Can't hear what you're saying. A question was asked and the member has the right to hear, so let's have some co-operation here.

**Mr. Selinger:** The member will note on page 4 that a western-routed HVDC line is acceptable in the near term from a load-serving reliability viewpoint.

They looked at the broad issues. They recognized that a western route would provide the reliability necessary, and that is the point that needs to be made here today because, Mr. Speaker, there's only one government committed to increasing reliability for Manitoba Hydro in a timely fashion as we follow through on those \$7 billion of energy sales into the United States, and that's us.

The member opposite would proceed down the eastern side, which would only provide a partial solution to the outage at Dorsey because he refuses to build converter stations.

Mr. Speaker, a partial solution isn't good enough, and a partial solution delayed for many years is totally unacceptable and not viable. We'll build it; they'll privatize it.

**Mr. McFadyen:** Mr. Speaker, the report tabled in 2007 also says that in order to construct Gull and Conawapa, that eastern corridors will be required. Without them, they cannot go ahead with Gull and Conawapa.

In addition, the 2006 report just tabled by the Premier concludes, and I quote: that the longer west-side route results in higher exposure to outages since the line would be about 50 per cent longer than an eastern line. And that is why they conclude that they remain committed to recommending the eastern route.

I want to ask the Premier: When he was warned that his interference would result in higher exposure to outages for the people of Manitoba, why would he go ahead with such a foolish decision, Mr. Speaker?

**Mr. Selinger:** Mr. Speaker, I think it's time the Leader of the Opposition accepted responsibility for

his reckless approach to dealing with Manitoba Hydro. The president and CEO, in a letter that I tabled today, has said the original east-side proposal did not contemplate the construction of a south terminus converter station. It did nothing to protect against a catastrophic outage to Dorsey Converter Station. Hence, the west-side proposal provides significantly more improvement to the reliability of electricity supplied to Manitobans than the original east-side proposal.

West-side proposal's better; east-side proposal doesn't do the job. It can't get built, destroys the reputation of Hydro, makes it impossible to have a UNESCO World Heritage site. The member should get up and apologize for putting the history and all the reliability of Manitoba Hydro at risk. He wants to run it down so he can privatize it.

**Mr. McFadyen:** Mr. Speaker, the only elected official in Manitoba who's going around and getting all of the international opponents of Manitoba Hydro organized is this NDP Premier, and what we need in this province is somebody who'll stand up for Hydro, who believes in Manitoba Hydro, who will build Manitoba Hydro, who isn't running around using the tax dollars of Manitobans to organize international opposition to Manitoba Hydro.

Will he today acknowledge that the party that cuts through dikes at hoops and holler has nothing on the party that built the floodway, that built Hydro and is going to continue to build Hydro into the future? Will he acknowledge he's wrong?

**Mr. Selinger:** Mr. Speaker, I wonder if the member now wants to add to his long list of reckless decisions. He's now made it clear that he would never build converter stations to protect the Dorsey outage, 75 per cent of the power; that's reckless.

He's made it clear he wouldn't build water treatment capacity in Manitoba, sewage treatment capacity to protect Lake Manitoba.

He's now made it clear—and his votes have confirmed that—that he did not want to improve the capacity of the Manitoba floodway to one-in-700-year capacity.

All of these things have been done to increase the quality of life for Manitobans. If the member wants to cancel \$7 billion of export sales and destroy the opportunity for our UNESCO World Heritage Site, we know who will do that: the members opposite.

We'll build it. We'll keep Manitoba Hydro rates the lowest in North America and we'll build it so that it's a clean, reliable energy source that attracts a premium price from our customers.

That's what he will do: He will delay it in red tape. It will never get built under him.

### **Manitoba Housing Resources for Immigrants**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, NDP housing policies have been overcrowding new Canadians in Manitoba in almost unheard-of numbers province-wide. New Canadians continue to share their stories with me about having difficulty finding housing and having to live in crowded conditions in small apartments with up to five, six, seven or even as many as 15 people, other people. Well over 13,000 new Canadians come to—now come to Manitoba every year, but the NDP can only be bothered to build 300 affordable housing units a year.

Mr. Speaker, can the Minister of Labour and Immigration (Ms. Howard) answer why it is her policy to keep new Canadians in overcrowded conditions?

**Hon. Greg Selinger (Premier):** We are taking a number of measures to increase the housing supply of Manitoba.

First of all, the private sector has built a record number of units in this province including rental units, including housing units, in the last five years. Secondly, we've made a commitment to build at least 300 units of social housing a year. We've exceeded that. We're well over 707 units in the last two years. Thirdly, we have brought—and we're the only province in Canada that has done this—into play the tax increment financing instrument, which allows money to be invested upfront for new housing alternatives, which also provide for housing to be affordable and even below market cost in certain circumstances. That has generated over 1,300 additional units downtown.

Yes, Manitoba is a growing province with newcomers coming to it. Yes, we are building more housing. Yes, we have the lowest unemployment rate in Manitoba, and we will continue on a policy that expands housing opportunities, job opportunities—

**Mr. Speaker:** Order.

**Mr. Gerrard:** Mr. Speaker, and the overcrowding continues because even at 300 or 350 units a year, it's

still a long way from trying to house more than 13,000 new Canadians who arrive in Manitoba every year.

New Canadians make wonderful contributions to our communities, but the NDP doesn't care enough about making sure that there's good housing for these record numbers of new Manitobans. Overcrowding has adverse effects on health for new Canadians.

I ask, Mr. Speaker: Why does the NDP not care more about the health of new Canadians by keeping them in overcrowded housing?

**Mr. Selinger:** Mr. Speaker, we certainly do want to make sure that people have adequate and affordable housing. Seventy-five per cent of newcomers are homeowners within five years of arriving in the province. That is a remarkable achievement. Eighty per cent of newcomers have employment within six months.

And the Manitoba economy is a growing economy. It's grown by over 50 per cent over the last decade. People's disposable income is higher than it's ever been. When they have money in their pockets, they're able to rent good quality housing, they're able to buy good quality housing and they're able to build good quality housing and they're able to renovate and convert housing into better uses for their families.

When I go into the neighbourhoods around Winnipeg, I see newcomers in houses. Some of them are new, some of them are renovated, some of them are in the process of being fixed up, some of them are looking after multi-generations within those housing, the parents, the children, sometimes in the case, grandchildren.

And we're working with them through our Neighbourhoods Alive! program to improve housing in their neighbourhoods as well as recreation facilities. We are working with them by having the first Housing and Community Development Department in the history of the province, and we will continue to work with them to expand housing and employment opportunities in Manitoba.

\* (14:30)

**Mr. Gerrard:** And the overcrowding of new immigrants continues. Mr. Speaker, it is typical because this year, for example, the Manitoba Housing and Renewal Corporation budget for housing development was cut by \$16 million compared with last year.

I ask the Premier: Is he not ashamed at this cutback when there is such a big need for improved housing and decreasing crowding for new immigrants coming to Manitoba? The changes that are happening are having an adverse effect on new Canadians' chances here, the new Canadians having a good opportunity to be other than poor, and after 12 years of this sort of window-dressing announcement, does the Minister for Housing and the Premier not feel shame that they can't do better for new immigrants coming to Manitoba?

**Mr. Selinger:** When the great recession came, this province advocated that housing be part of the infrastructure program, the stimulus program, and that was accepted and endorsed by all provinces, and we received quite a bit of resources to increase our housing supply in Manitoba.

The reduction the member refers to is the withdrawal of federal money from the budget. Our own source money has increased within the budget. Our own source money has increased dramatically, and we are building more units and renovating and converting more units than we've ever, ever done in the history of this province, and we will continue to do that.

And the announcement today of \$10 million for 150 units was an invitation for people all around Manitoba, whether they're private developers, non-profit developers, social service groups, not-for-profit groups, life-lease groups, private individuals, to come forward with their best ideas to increase the supply of senior housing.

And we put a round table together with all the stakeholders from the seniors community to come up with more ideas. We are committed to expanding housing supply in Manitoba. We have been expanding it at a record amount, and we're very pleased that newcomers coming to Manitoba are able to get jobs in six months and are able to own a home within five years. Nowhere else in the country has that record of achievement for newcomers, Mr. Speaker.

**Mr. Speaker:** Time for oral questions has expired.

## MEMBERS' STATEMENTS

### Trinity United Church Community Garden

**Ms. Marilyn Brick (St. Norbert):** Mr. Speaker, over the years, the Fort Richmond area of my

constituency has welcomed many newcomers. I am very pleased to inform the House of a wonderful community garden initiative at Trinity United Church that helps newcomers feel a part of the larger community.

It all began in January 2010, when a small group of interested members from the outreach community got together to explore the possibilities of converting a large plot of land adjacent to the church into a community garden. Working with members of Knox United Church, and a soil scientist from the University of Manitoba, the group soon set about converting the land into usable garden plots. The Trinity garden group held its first meeting in May 2010, and were able to prepare a small strip of land last year. They were also able to make contact with many generous residents who donated seeds and rain barrels. They managed to plant and harvest a crop of carrots, potatoes, beets, squash and onions last year, and were helped in their harvesting efforts by students from the Fort Richmond Collegiate eco group. In all, their first year yielded 1,130 pounds of produce, which was then donated to Winnipeg Harvest.

This year their goal is to add 30 garden plots. Donations from the church members have also been very helpful in preparing the garden for this season.

The primary goal of the garden community is to provide garden plots for low-income families and newcomers to Canada, while also promoting healthy and active living. The project was also very fortunate to have a great deal of support from a diverse group of community agencies, who all helped to promote healthy choices. In particular, the association has been very proud of the volunteer efforts of the students in the eco group at Fort Richmond Collegiate. They've been very encouraged by the prospect of so many young people becoming involved and interested in learning more about gardening and its benefits.

Although this group is still in its early stages of development, they hope to provide mentorship to new gardeners, as well as to provide tools to new gardeners through donations. In the end, the ultimate goal is to have the garden become a happy, active place where families can gather, meet their neighbours and share their experiences.

It is a community-driven initiative like these that make me so proud to represent the constituency of St. Norbert over the years. It is my hope that the

Trinity United garden group will see their harvest and efforts grow with each passing garden season.

Thank you, Mr. Speaker.

### **Rudy Friesen**

**Mrs. Mavis Taillieu (Morris):** Mr. Speaker, I stand today to recognize another one of my exceptional constituents.

Rudy Friesen is from the town of St. François Xavier and for the past 29 years he has worked diligently to preserve the history of our community through the St. François Xavier Historical Society, as well as through his own accord.

Mr. Friesen played a key role in converting a book on St. François Xavier's history into digital form. He was very instrumental in the production of the St. François Xavier's veterans' honour roll and helped to put up a veterans' memorial in front of the local municipal office. As well, he has organized and judged numerous history essay contests at the elementary school.

His pursuits have not limited him to the realm of history. Rudy Friesen has been active in the Mennonite Central Committee for which he has attended numerous Mennonite World conferences, and has spent three years distributing relief supplies to refugees in India. He's also done mission work in Nepal.

Because of his tremendous efforts, Mr. Friesen was one of the five recipients of the Lieutenant-Governor's Historical Preservation and Promotion awards. This is the first year the award was presented.

Manitoba's Lieutenant-Governor Philip Lee presented Rudy Friesen with this honour on May 17th in a special ceremony at Government House.

Members of the St. François Xavier's Historical Society nominated Rudy Friesen for this award, and they are very proud of all his accomplishments and grateful for the opportunity to work alongside of him in the community.

Mr. Speaker, I would like to thank Rudy Friesen for his contributions to preserving the history of the St. François Xavier region and for his continued efforts to people in the community here at home and abroad.

Thank you, Mr. Speaker.

### **Interlake Flooding—Government Response**

**Mr. Tom Nevakshonoff (Interlake):** Mr. Speaker, this spring's floods have challenged many First Nations communities, ranchers, municipalities and cottagers in the hard-hit Interlake region.

First Nations communities, in particular those living around Lake St. Martin, have been deeply impacted by rising water levels. In an effort to help them, we are arranging suitable temporary housing for displaced families and will help them to raise their dikes. We will also fund a two-phase study to determine if the current location of Lake St. Martin First Nation is indeed feasible in the long term. An apprenticeship training program in the housing trades will also be set up. Road access to Dauphin River First Nation will be restored, and lost income of commercial fishers will be given due consideration.

Ranchers have also faced a great deal of adversity, having lost hay and pasture because of high-water levels. To help them deal with the effects of this year's flooding, producers will be offered financial assistance to help them with the costs of renting alternative pastures and the transport of feed and livestock. Livestock damage to pastures and damage to livestock infrastructure will be covered, as will damage and lost yield on tame forage and annual crop fields. Cash advances will be available under each of these programs.

Municipalities will also be supported through the Building and Recovery Action Plan to help them cover repair costs. In addition, families with rented or owned year-round homes, and those with cottages that are not a primary residence, will also receive some financial assistance to help them repair damages caused by high water levels on Lake Manitoba.

This year's unprecedented flooding has caused hardship to thousands of residents in the Interlake. It has also brought out the best in all of us as we have pulled together to help our neighbours and communities deal with the stresses and challenges it has brought. The work is ongoing as water levels on lakes will continue to rise over the course of the summer.

I want to thank everyone involved for their extraordinary efforts in this battle.

Thank you, Mr. Speaker.

### **Garnet Kyle**

**Mr. Cliff Graydon (Emerson):** Mr. Speaker, I would like to take this time today to recognize a giant of southeastern Manitoba.

Some have described Garnet Kyle as a person who was ahead of his time. I see him as a poor dirt farmer who just wanted to give back to his community, and that's what he did.

Garnet Kyle was a lifelong resident of Dominion City where he farmed grain. He was a long-time councillor in the RM of Franklin, and a school board trustee in the Boundary School Division.

Mr. Kyle was very committed to the political process and the Progressive Conservative Party, serving as a campaign manager, vice-president of our provincial party, and he ultimately ran as a candidate in the 1973 provincial election.

But, beyond all of this, he was extremely committed to the youth in our community. Garnet Kyle generously built a nine-hole golf course in Dominion City that is free to the youth in this area. With his commitment to young people, it's no surprise that Mr. Kyle donated \$500,000 from his estate to the University of Winnipeg.

\* (14:40)

The University of Winnipeg is now offering \$1-million scholarship fund called the Garnet Kyle Scholarship to support rural students from Dominion City area. It is the largest scholarship offered to a Canadian student at the university.

The scholarship will be achievement-based, with priority given to students who are currently attending Roseau Valley School in Dominion City, followed by students within the Border Land School Division and the Hanover School Division.

Mr. Kyle recognized the importance and the need to provide support to rural students who wish to obtain a post-secondary education in Manitoba. Garnet Kyle was a great member of the Manitoba community and is greatly missed.

Thank you, Mr. Speaker.

### **Cam Wilson**

**Hon. Erin Selby (Minister of Advanced Education and Literacy):** Mr. Speaker, Cam Wilson is a retired railway worker with a passion for working with his

hands. For over 20 years, he's been using that enthusiasm to mentor elementary school kids by teaching them the craft of birdhouse making.

Cam Wilson, nicknamed the Bird Man of Island Lakes, estimates that he's helped build about 3,000 birdhouses with children. He goes into grade 2 classrooms all around the city with birdhouse kits, each one with a pre-cut piece of wood, nails and hammer. He then instructs the children with patience and confidence that they will not be overwhelmed by the challenge. The seven- and eight-year-olds build the birdhouses themselves while teachers and parents only supervise. Cam has said the most important thing is that the children understand how things are made and that they take pride in seeing the project through to the end.

Cam started out as a journeyman carpenter who returned to woodworking after his retirement in 1987. His trademark jean coveralls, he bridges the generational gap as kids learn a new skill from a senior outside their family. Schools usually cover the costs of the materials, around \$10 per birdhouse kit, and Cam donates his time. Along with school programs, Cam has also taught evening courses at- for seniors at Glenlawn college and has brought his birdhouse kits to patients at Riverview Health Centre.

Cam, now 84, is not sure how much longer he will continue volunteering in the school program. However, the memories he's created will last, as children are reminded of the concrete rewards of their efforts. Cam Wilson has been a steady mentor to many different people, and we wish him all the best as he discovers new projects to work on.

## ORDERS OF THE DAY

### GOVERNMENT BUSINESS

#### House Business

**Hon. Jennifer Howard (Government House Leader):** Mr. Speaker, on House business.

**Mr. Speaker:** House business.

**Ms. Howard:** I'd like to announce the Standing Committee on Crown Corporations will meet this evening at 6 p.m. to consider the annual reports of the Manitoba Hydro-Electric Board for the fiscal years ending March 31st, 2008; March 31st, 2009; and March 31st, 2010.

**Mr. Speaker:** It's been announced that the Standing Committee on Crown Corporations will meet

tonight, this evening, on Monday, May 30th, 2011, at 6 p.m., to consider the annual reports of the Manitoba Hydro-Electric Board for the fiscal years ending March 31st, 2008; March 31st, 2009; and March 31st, 2010.

The honourable Government House Leader, on further House business.

**Ms. Howard:** Yes, Mr. Speaker, on further House business.

We would like to proceed with second reading of bills, beginning with bills 16, 18, 19, 25, 31 and 37.

**Mr. Speaker:** Okay, on House business for this afternoon, we will be doing second readings on bills 16, 18, 19, 25, 31 and 37.

## SECOND READINGS

### Bill 16—The Safer Communities and Neighbourhoods Amendment and Criminal Property Forfeiture Amendment Act

**Mr. Speaker:** So I'm going to call second reading of Bill 16, The Safer Communities and Neighbourhoods Amendment and Criminal Property Forfeiture Amendment Act.

**Hon. Andrew Swan (Minister of Justice and Attorney General):** Mr. Speaker, I move, seconded by the Minister of Labour and Immigration (Ms. Howard), that Bill 16, The Safer Communities and Neighbourhoods Amendment and Criminal Property Forfeiture Amendment Act; Loi modifiant la Loi visant à accroître la sécurité des collectivités et des quartiers et la Loi sur la confiscation de biens obtenus ou utilisés criminellement, be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Mr. Swan:** Mr. Speaker, I'm pleased to speak today to amendments that would expand and strengthen two of the most innovative and effective public safety statutes passed by this Legislature.

Manitoba's Safer Communities and Neighbourhoods Act, also referred to as SCAN, came into force in 2002. It established a national precedent for the protection of neighbourhoods and communities from the adverse effects caused by drugs, prostitution, sexual exploitation, solvent abuse and other specified uses. It allows Manitobans to make confidential complaints which are investigated and acted upon by the Public Safety Investigation

Unit, a provincial unit which works closely with the police. And success has been recognized across Canada and has led Alberta, Saskatchewan, Nova Scotia, New Brunswick, Newfoundland and Labrador and the Yukon territory to adopt this legislation to help protect their own communities from these threats.

Mr. Speaker, SCAN has been used to shut down nearly 500 unlawful drug operations, prostitution and related activities, solvent abuse and other specified uses which threaten the peaceful enjoyment of communities. Until shut down under SCAN, these operations directly threatened the safety and security of area families, children and seniors, various schools, child-care centres and community clubs, and took away from businesses' investments in neighbourhoods. Since SCAN was proclaimed, we've heard from Manitobans whose safety and communities were enhanced because of this groundbreaking law and the hard work of the investigators in the Public Safety Investigation Unit that enforces this unique civil law.

We've also enacted civil forfeiture legislation to take the profit out of crime to ensure that crime does not pay. This legislation has been used to seize houses used for marijuana grow operations and other instruments of crime and proceeds of crime. At present, the forfeiture unit has filed claims collectively valued at more than \$9 million, and I understand there are more to follow.

Mr. Speaker, I'll have the chance to discuss this bill in greater detail at the committee stage, but I would like to highlight for the honourable members some of the key elements of this legislation. The bill amends The Safer Communities and Neighbourhoods Act by expanding the list of specified uses to include property that's been used to commit a criminal organization offence. The bill incorporates the Criminal Code definition of criminal organizations and criminal organization offences that include (1) commission of a criminal organization offence, (2) instructing someone to commit a criminal organization offence, and (3) participation in a criminal organization.

The bill clarifies the role of investigators who conduct investigations into complaints under this act. It confirms they are peace officers and identifies their duties under the act.

The bill also provides that a notice will be filed in the Land Titles Office when a community safety order is issued against a property. This notice will

ensure that prospective buyers are aware of the existence of an order and its conditions that have been issued against the property.

The bill also creates a link between these two successful acts by amending The Criminal Property Forfeiture Act. It creates a presumption that a property was used to engage in unlawful activity if a community safety order under The Safer Communities and Neighbourhoods Act had previously been issued against the property. This linkage will be of value in forfeiture proceedings and will aid the work of the forfeiture director in establishing that a property is an instrument of crime.

Manitoba is a national leader in SCAN legislation and civil measures to respond to public safety threats and to help prevent serious and organized crime. This bill builds on these twin successes and will benefit both communities and the department in dealing with properties where unlawful acts occur and where those properties are the actual instruments of crime.

As I've indicated, we'll have the opportunity to discuss this bill in more detail at the community stage, and I will therefore conclude my remarks at this point. I look forward to the support of the House to pass this bill so that its provisions can further enhance public safety in this province.

**Mr. Kelvin Goertzen (Steinbach):** I move, seconded by the member for Morris (Mrs. Taillieu), that debate now be adjourned.

*Motion agreed to.*

#### **Bill 18—The Highway Traffic Amendment Act**

**Hon. Andrew Swan (Minister of Justice and Attorney General):** I move, seconded by the Minister for Labour and Immigration (Ms. Howard), that Bill 18, The Highway Traffic Amendment Act; Loi modifiant le Code de la route, be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Mr. Swan:** I'm very pleased to have an opportunity to speak to this bill in the Legislature. I know we'll have the opportunity to discuss the bill in detail at the committee stage, but there are some important points I'd like to bring to the attention of honourable members.

\* (14:50)

On November 18, 2010, as part of Bill S-9, the Parliament of Canada passed legislation to create new Criminal Code motor vehicle theft offences that came into force on April 29, 2011. Bill S-9 creates four new Criminal Code motor vehicle theft offences. Those new offences are motor vehicle theft, tampering with vehicle identification numbers, trafficking in property obtained by crime, and possession of property obtained by crime for the purpose of trafficking.

The government of Manitoba is taking action to amend The Highway Traffic Act to recognize the new Criminal Code motor vehicle theft offences and ensure that its automatic driver's licence suspensions that apply to persons convicted of Criminal Code motor vehicle and driving offences will also apply to those persons convicted of those new offences introduced by the Government of Canada as part of Bill S-9.

As with all new Criminal Code driving and motor vehicle related offences, the post-conviction driver's licence suspensions under The Highway Traffic Act will not apply to persons convicted of the new offences unless and until The Highway Traffic Act is amended to specifically add them to the list of offences that give rise to a suspension.

Mr. Speaker, as I've indicated, we'll be able to discuss the bill in more detail at the committee stage, so I will conclude my remarks at this point. I look forward to the support of this House in having the bill passed. Thank you.

**Mr. Kelvin Goertzen (Steinbach):** I would like to put some words on the record regarding this particular piece of legislation, and we recognize that, to a large extent, it brings together and it matches up properly some pieces of legislation that exist in Manitoba with the evolving Criminal Code, and we know that there is a great number of changes that are happening and have happened with the Criminal Code in Ottawa in no small part because of the Conservative government there that recognizes that people are looking for consequences for crime.

We know that there hasn't really been in my memory and I think looking at the historical record a government that has been tougher on crime in a shorter period of time than the federal Conservative government in Ottawa, even though they were dealing with a minority government for a number of years, opposed by the members of the minority parties. The NDP, in particular, often oppose a

number of provisions in Ottawa to get tough on crime and to get tough on criminals.

And I know that that was a great disappointment to many of my friends in Ottawa who wanted to see legislation pass, but, more importantly, it was a great disappointment to many Canadians who were looking for tougher pieces of legislation.

*Mr. Mohinder Saran, Acting Speaker, in the Chair*

I want to highlight just a few, Mr. Acting Speaker, for the record. We know that the federal Conservative government has moved to reduce where conditional sentences—essentially house-arrest sentences—can be used. For far too long, we've seen conditional sentences being issued in the province of Manitoba and other jurisdictions in Canada for crimes that would warrant a more serious repercussion, for crimes that would warrant a more serious signal to those who have committed those crimes against individuals, and we've seen the federal Conservative government act on the request of Canadians to get tougher on those conditional sentences.

Here in Manitoba it took some time. We know this NDP government was reluctant to not rely so heavily on conditional sentences. There were many times where there were conditional sentences recommended for crimes that the public was shocked at, and they were surprised that this soft-on-crime NDP government was looking for a conditional sentence on some very, very serious offences.

And so I'm glad to see that the federal Conservative government has moved, despite the opposition of perhaps their federal colleagues who they campaign for on a regular basis, have moved to ratchet down and to limit where conditional sentences can be applied.

It brings to mind, though, something of a hypocrisy, I might say, Mr. Acting Speaker, where federal members of the NDP are supported by their provincial counterparts here in the province of Manitoba. These members of the provincial NDP, members opposite, who are a part of the government now go door to door and support their federal colleagues, and then those same federal colleagues which they helped to elect, and I admit it's a diminishing number that they are helping to elect these days in the province of Manitoba, but they are still helping to elect some, then go to Ottawa and try to water down justice legislation brought forward by the Conservatives, and then these same provincial

NDP MLAs turn around in this House and say, well, we need to rely on Ottawa to make changes.

You can see, Mr. Acting Speaker, the paradox of those comments when, on one hand, the provincial NDP says we should go to Ottawa and look for changes; on their other hand, they support their colleagues who then go to Ottawa and water down and diminish those very same changes.

But we know where their heart is, Mr. Acting Speaker. Their heart isn't with ensuring that tougher laws are brought into place. Their heart isn't with ensuring that there are more severe consequences. We only have to look, and I acknowledge, you know, the Criminal Code brought forward and administered and changed by the federal government, but it applies equally to all jurisdictions in Canada. The Criminal Code is a national piece of legislation that impacts every province in Canada equally, and yet we do worse when it comes to crime statistics than other jurisdictions in the entire country.

*Mr. Speaker in the Chair*

And so, when you compare apples to apples, Mr. Speaker, we don't do as well. We have a higher violent crime rate. Last year's police report for the city of Winnipeg indicated that that violent crime was going up. Statistics Canada showed last year that we were the violent crime capital of Canada. And so, those are legitimate concerns.

We've seen the federal government take other actions in terms of looking at mandatory minimum sentences for certain kinds of crime, and we applaud that to ensure that there is a floor, if you would, Mr. Speaker, that there must be at least a particular sentence for particular crimes so that those who are committing crimes will know that there's a consequence to the extent that it diminishes or that it dissuades those from committing those kind of crimes. That's important, but more so that there is a fitting punishment when somebody does commit a crime, also things that the NDP counterparts in Ottawa, and presumably supported by their provincial colleagues here in Manitoba through their electoral actions, didn't support. They didn't support getting tough on criminals on the Criminal Code, and yet they come here and try to say that in this particular House.

We know that this government doesn't take crime seriously, even though the vast majority of issues around crime are under the purview of the provincial government. Whether it's prosecutions,

whether it's police, whether it's the courts, whether it's probation, all of those things are under the purview of the provincial government.

There are so many things that could be done to get tough on criminals that aren't being done by this soft-on-crime NDP government. They would rather deflect blame, try to say that there are outside factors that they have no control over or try to look at other jurisdictions and say, well, it's happening there as well. But they fail on all accords, Mr. Speaker, because they aren't taking action. They don't truly believe in getting tough on criminals, and compared to the rest of Canada, we see the results; we're not doing as well as other jurisdictions which are seeing their violent crime rates go down.

So, on this particular piece of legislation, Mr. Speaker, we know it essentially takes things that already exist in Manitoba law and aligns it with the changes in the Criminal Code, such as the new provision on auto theft, so that it's a stand-alone provision.

So we look forward to seeing this bill go to committee at some point and we can have further discussion on it then.

Thank you very much, Mr. Speaker.

**Mrs. Mavis Taillieu (Morris):** Yes, Mr. Speaker, I move, seconded by the member for Charleswood (Mrs. Driedger), that debate be now adjourned.

*Motion agreed to.*

#### **Bill 19—The Provincial Court Amendment Act (Senior Judges)**

**Hon. Andrew Swan (Minister of Justice and Attorney General):** I move, seconded by the Minister of Finance (Ms. Wowchuk), that Bill 19, The Provincial Court Amendment Act (Senior Judges), *Loi modifiant la Loi sur la Cour provinciale (juges aînés)*, be now read a second time and be referred to a committee of this House.

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

**Mr. Speaker:** It's been moved by the honourable Attorney General, seconded by the honourable Minister of Finance, that Bill 19, The Provincial Court Amendment Act (Senior Judges), be now read a second time and be referred to a committee of this House.

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

\* (15:00)

**Mr. Swan:** This bill will allow the Provincial Court to draw on retired judges, described in the bill as senior judges, when, in the opinion of the chief judge, additional judicial resources are needed to conduct the business of the court. The ability to use retired judges comes at the request of the chief judge and provides the court with flexibility to address a variety of circumstances that affect the availability of judicial resources, such as times when a sitting judge is on an extended leave such as a maternity or sick leave.

Senior judges will assist the court in ensuring timely disposition of cases when there is a strain on the judicial resources of the court. They could also assist the court in carrying out enhancements to its services, such as a weekend bail sitting with judges.

Senior judges will be retired judges who have indicated to the chief judge that they are available for judicial service. The chief judge would call upon senior judges when he or she is of the opinion that the services of a senior judge or judges is required to carry out the work in court. Senior judges would be paid a per diem amount for their service and would also be entitled to be reimbursed for expenses related to their service as senior judges.

A senior judge would be subject to the authority of the chief judge and would have the same powers, authority and jurisdiction of a judge of the Provincial Court. Similarly, senior judges would be subject to provisions contained in The Provincial Court Act that apply to judges of the court, such as the taking of their oath or affirmation of office prior to commencing their duties as senior judges, the judicial complaints process and exemption from liability.

As Attorney General, I'm mindful of the importance of access to justice and the need to ensure public confidence in our justice system. An important component of that is timely and efficient court service. The Provincial Court of Manitoba determines the bulk of criminal cases in Manitoba and is a very busy court.

These amendments will address the judicial resource needs of our province's main criminal trial court and, in turn, contribute to enhance court service for all Manitobans. We look forward to continuing to work with the court to develop and implement initiatives with the goal of making the services of the

court more accessible and timely. Mr. Speaker, I'm confident that a senior judge program will provide significant support to the court. I look forward to the support of this House in having this bill pass.

Thank you, Mr. Speaker.

**Mr. Kelvin Goertzen (Steinbach):** Mr. Speaker, a pleasure to speak to this particular bill. I'm certainly in support of the legislation. It's a bill and an idea that we've been advocating for many years. I believe for the last five or six years we've been speaking about the need for a senior judge, a supernumerary judge or a part-time judge program, whatever terminology you want to use.

Mr. Speaker, I remember the first time I raised this. I believe it was with the member for St. Johns (Mr. Mackintosh), the former former attorney general, and he said it was an important thing and we should be looking at it. And they were going to act on it, and then nothing happened. And so I raised it in Estimates a few times with the former attorney general, the member for Kildonan (Mr. Chomiak), who said it was an important initiative, something that should happen. They were going to act on it, and then for several years nothing happened. I raised it with this current Attorney General before, and he said it was an important thing, and there was some time delay, but finally, on the eve of an election, we see this bill come forward.

And, while I'm disappointed that it took us so long to get this ship into dock or to get near the docking point, Mr. Speaker, I'm glad that we've finally seen it sail, because it took a long time. And I know there are many, including the—those in the Manitoba Law Society and the Bar Association, who often wondered why it was that this initiative wasn't moving forward. And I would have discussions with them and I would sort of throw my hands up and say, I'm at a loss. I don't know why it is that this particular initiative isn't going forward. Almost every other province, if not every province, every other province, has this sort of initiative in place and have had so for a long time.

But, Mr. Speaker, for whatever reason, there was reluctance on behalf of the former former attorney general, the former attorney general and, to some extent, this current Attorney General, to bring this senior judge program forward. We think it will be important for the court. We think it will give some degree of flexibility. That's one of the reasons why we advocated for it for many years. We think it will

ensure that there is a little bit more flexibility to move things quicker through the system.

We know there are many unacceptable delays in our provincial court system. It's one of the reasons, I think, Mr. Speaker, that crime is at the sorry state that it is in the province of Manitoba, because there's a long time between an individual getting charged by the police and there actually being a repercussion coming as a resolution from the court. And that long delay—we know by evidence, by research that that's one of the contributing factors when it comes to crime—that the longer it is between an action and a consequence, the less likely that consequence, to the extent there is any, is going to be a deterrent for an offender.

And so we've been a long-term advocates of this particular piece of legislation, this initiative. We're glad we were finally able to drag the government with us almost to the finish line, and we're happy to drag them the rest of the way and we look forward to the bill having a positive impact in our provincial courts.

**Mrs. Mavis Taillieu (Morris):** I move, seconded by the member for Springfield (Mr. Schuler), that debate now be adjourned.

*Motion agreed to.*

#### **Bill 25—The Inter-jurisdictional Support Orders Amendment Act**

**Hon. Andrew Swan (Minister of Justice and Attorney General):** I move, seconded by the Minister of Health (Ms. Oswald), that Bill 25, The Inter-jurisdictional Support Orders Amendment Act; Loi modifiant la Loi sur l'établissement et l'exécution réciproque des ordonnances alimentaires, be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Mr. Swan:** Mr. Speaker, I'm pleased to introduce this bill to the House for second reading.

We live in an increasingly changing and mobile society. It's not uncommon after separation for a parent to live in a different province, or even country, than that where their spouse or children live. It is critically important that our legislation evolve to facilitate better access to justice for Manitoba families who are dealing with interjurisdictional support orders to ensure they receive the financial support they need and are entitled to. Mr. Speaker,

I'm pleased to introduce amendments that will do just that.

The Inter-jurisdictional Support Orders Act, or ISO, is based on a model statute that works together with comparable legislation in other jurisdictions. These statutes allow parties residing in different jurisdictions to obtain and vary support orders through a streamlined application process, and sets out a framework for support orders from one jurisdiction to be enforced in another.

The amendments proposed in this bill will assist parents involved in interjurisdictional support cases by enhancing the procedures to obtain, vary and registered support orders for enforcement by increasing accessibility, simplifying certain aspects of the court process, clarifying certain provisions and reducing time limits, so applications can be concluded without unnecessary delay.

For example, the proposed amendments confirm that whether the debtor or payer lives in or outside of Manitoba, he or she will be notified that a foreign support order registered in Manitoba is enforceable in the same way as a Manitoba support order. This will clarify that income or assets in Manitoba can be accessed to satisfy those unpaid support obligations, even when the debtor does not reside here.

Amendments will also clarify that support orders recalculated by Manitoba's child support recalculation service, or similar services in other Canadian and foreign jurisdictions, can be recognized and can be enforced in interjurisdictional cases. Child support recalculation services provide an effective means for child support orders to be updated, based on the paying parent's current income information.

Further amendments will assist parties, the Maintenance Enforcement Program, and Manitoba courts by clarifying the often confusing issue of what law applies to an interjurisdictional case by specifying three things: First, a Manitoba court order is presumed to be made under Manitoba law until the order specifies otherwise; two, the duration of a support obligation granted in another jurisdiction is governed by the law under which the support order was made; and three, when the Manitoba court is deciding on a support application, the court must first apply Manitoba law and will only be required to consider foreign law if a support or variation order cannot be made under Manitoba law.

Finally, Mr. Speaker, this bill will expand the requirement for applicants seeking to vary support orders in certain cases to give notice to the designated authority. This amendment will enable Manitoba Justice counsel to participate in these court proceedings and provide important information to the court where appropriate.

The amendments in this bill will improve the process by which interjurisdictional support orders are obtained, varied and recognized. In doing so, it will also speed up the ability to collect support payments across borders which is of critical importance to children and families. Although some aspects of the bill may seem very technical, the operational efficiencies that will flow from the bill for parties in interjurisdictional support cases will make a significant difference to the lives of many Manitoba children and their families.

I'm pleased to commend Bill 25 to the Legislature today.

Thank you, Mr. Speaker.

**Mr. Kelvin Goertzen (Steinbach):** Mr. Speaker, I move, seconded by the member for Turtle Mountain (Mr. Cullen), that debate now be adjourned.

*Motion agreed to.*

\* (15:10)

**Mr. Speaker:** I'm now going to call Bill 31, The Manitoba Public Insurance Corporation Amendment Act.

### House Business

**Hon. Jennifer Howard (Government House Leader):** Mr. Speaker, I wonder if we could perhaps instead just take a moment and proceed to Bill—let's proceed to Bill 20 and then come back to Bill 31 if we could.

**Mr. Speaker:** Change of order. We're going to deal with Bill 20 and then we'll—once we complete that, we'll revert to Bill 31.

### Bill 20—The Defibrillator Public Access Act

**Hon. Theresa Oswald (Minister of Health):** Mr. Speaker, I move, seconded by the Attorney General (Mr. Swan), that The Defibrillator Public Access Act; Loi sur l'accès du public aux défibrillateurs, be now read a second time and be referred to a committee of this House.

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

**Mr. Speaker:** Moved by the honourable Minister for Health, seconded by the honourable Attorney General, that Bill 20, The Defibrillator Public Access Act, be now read a second time and referred to a committee of this House.

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

**Ms. Oswald:** It's really a privilege to stand today to put some comments on the record concerning Bill 20, The Defibrillator Public Access Act.

We know, Mr. Speaker, that when someone experiences a cardiac arrest, rapid treatment can, you know, very frankly, mean the difference between life and death. This is why, of course, the experts often say that time is muscle.

Cardiac arrest can strike quickly and without warning. Most of the time this occurs outside of a health facility. We know that often this can occur in public places like airports, arenas, gyms and recreation centres. Mr. Speaker, as many as 85 per cent of all cardiac arrests happen outside of a hospital. Up to 45,000 cardiac arrests occur each year in Canada.

We know that defibrillators can make that life-and-death difference in much the same way, in other emergency situations, as a fire extinguisher can make a significant difference between life and death. They're portable, easy to use, and, indeed, the most modern technology with defibrillators come with voice-prompt instructions and require virtually no training whatsoever. Combined with CPR, Mr. Speaker, the use of a defibrillator can increase the likelihood of saving a person's life by 75 per cent or more over CPR alone.

The defibrillator assesses the heart of a person in cardiac arrest for a shockable rhythm. If such a rhythm is detected, the defibrillator requests a shock or a series of shocks to the victim's heart. If no shockable rhythm is detected, no shock can be given. We know that, in discussions across different jurisdictions, when it comes to the installation of defibrillators that this question about the safety and the efficacy of defibrillators has been raised, and we have learned through our experts in the field and around the province that, in fact, the technology is now so advanced that elementary school children can be equipped with the skills that they need simply through reading and writing and listening to, in fact,

be able to successfully administer that which needs to be administered by using the modern defibrillators.

Over the last several months, Mr. Speaker, we've been working closely with the Heart and Stroke Foundation and with local paramedics and fire paramedics on how to improve access to defibrillators across Manitoba, and Bill 20, The Defibrillator Public Access Act, is indeed the culmination of that work. I want to thank our health professionals, our paramedics, fire paramedics, emergency responders, as well as those at the Heart and Stroke Foundation for their advocacy and for their very good advice.

We know that similar legislation exists in many states south of the border, Mr. Speaker. Manitoba will be the first in Canada to introduce and pass legislation, we hope, to increase the number of defibrillators and support public access to these devices, which could save the lives of many Manitobans.

Bill 20, The Defibrillator access—Public Access Act, will require that defibrillators be installed and maintained in public places such as high-traffic public schools, airports, recreation centres designated by regulation.

We're going to work with the medical experts in our community, the Heart and Stroke Foundation of Manitoba and others to identify those public places where people are most at risk for cardiac arrest and would benefit from having a defibrillator on site. This will include reviewing the level of risk of the activities carried out on the premises and the number of people who visit the site. Based on the findings of the review, regulations will be developed to guide the installation of defibrillators, which will occur in phases, beginning with the facilities most at risk and where a defibrillator is most like to make a difference and save a life. Additional facilities will be designated in subsequent phases.

Deadlines for the installation of defibrillators in designated public places will take into account the need for facility owners to incorporate these costs into their financial planning. Schools and community recreation centres will also be able to access provincial government funding through existing capital and grant funding programs.

In addition, Mr. Speaker, to requiring defibrillators in public places, Bill 20 will support public access to defibrillators by requiring signs to

be posted to identify the location of the defibrillator and requiring that the equipment be registered so 911 dispatchers can assist a bystander with finding a defibrillator and using it while, indeed, an ambulance is on its way.

Possibly the best articulation of the importance of these two points, Mr. Speaker, is the fact that here in our own Manitoba Legislature, we already have a defibrillator. I'm sure that you were aware of that. Many in this Chamber may, in fact, not have been aware of that. And the point of this is that we need to have signage posted around the building to alert people to the fact that, should they be on a tour or visiting friends in the building and cardiac arrest were to occur, that, in fact, they would know that there was a defibrillator on site that they could access.

Equally as importantly, Mr. Speaker, would be that the defibrillator here at the Legislature and other places were part of the existing voluntary registry, so that once an ambulance was called, those 911 operators could direct that individual that placed that call to say, go to the central security, there's a defibrillator there, get it, use it now. And I think that this really does articulate for us the fact that we need to have not only a defibrillator but information available to the public about that defibrillator and how to use it and where to get it.

I understand that the Heart and Stroke Foundation, which has been, of course, a leader in this area, does maintain this voluntary registry now, and it's grown from only 80 defibrillators in '08 to over 600 registered today. And we welcome and embrace their offer to continue maintaining what will become the mandatory registry going forward. The act will enhance the protection from liability provided under The Good Samaritan Act, Mr. Speaker, to provide explicit protection to good Samaritans using a defibrillator in an emergency situation. We know by many, many examples and much research that defibrillators save lives.

I had the privilege of meeting an individual, Mr. Perry Batchelor, the day we introduced this legislation. Mr. Batchelor not only advocated for a defibrillator to be installed at the local arena in Altona, but soon afterwards he regrettably suffered a cardiac arrest, and that very defibrillator was used to save his life. Because of his advocacy and because a defibrillator was in place when he needed it, paramedics were able to take him to the hospital

where he received treatment and has, indeed, now made a full and splendid recovery.

\* (15:20)

We know that it made the difference for Mr. Batchelor and we know it can make a difference for many Manitobans every year, and that is why, with the good advice from many Manitobans, medical professionals, ordinary citizens, people who love their parents and their grandparents, all of that good advice has assisted us in bringing forward this comprehensive bill, and we look very forward to its speedy passage. Thank you.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, just a few words. I certainly support the general thrust of this legislation and think that it is very important that we have these defibrillators widely available, strategically available in areas where there are higher potentials or high potential for heart attacks or for changes in the heart rhythm which lead to arrest, the stopping or altered rhythm of the heart, so that the defibrillator would be needed.

I think that it is worthwhile looking at the act and I'm sure we will have some input from areas—individuals, companies, organizations in terms of the optimum way to carry through the end goal which is to make sure that the defibrillators are widely available in Manitoba, that there are people who are comfortable in being able to use them and that they can be found rapidly when somebody has a heart attack.

I think that in spite of the fact that these defibrillators are very easy to use, that, nevertheless, it is important that there be some ongoing training to build up the capacity of people who not only are able to use these, but feel comfortable using it and knowing that they're using them appropriately and in the right circumstances. So I think that needs to be an important part of what happens.

I also think that the locations of these defibrillators could certainly—and the registry could be available through 911 so that if somebody calls up 911, that the operator can immediately point to the fact that there is a defibrillator nearby or in the building or wherever it may be, and that by linking the emergency services we can make sure that we have a system in Manitoba which is optimal for the occasions where this might be used.

So, Mr. Speaker, I look forward to this bill moving on to committee and to being passed in due course. Thank you.

**Mrs. Leanne Rowat (Minnedosa):** I move, seconded by the member for Charleswood (Mrs. Driedger), that we adjourn debate on Bill 20. Thank you.

*Motion agreed to.*

### House Business

**Mr. Speaker:** We will now—the honourable Government House Leader.

**Hon. Jennifer Howard (Government House Leader):** Yes, could we proceed, Mr. Speaker, with Bill 21 and then Bill 38 and then back to 31 and 37.

**Mr. Speaker:** The order of business will be—we'll deal with Bill 21, 38, and then 31. Okay.

### Bill 21—The Organ and Tissue Donation Awareness Day Act

**Hon. Theresa Oswald (Minister of Health):** I move, seconded by the Minister of Finance (Ms. Wowchuk), that Bill 21, The Organ and Tissue Donation Awareness Day Act; Loi sur la Journée de sensibilisation aux dons d'organes et de tissus, be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Ms. Oswald:** Mr. Speaker, it is indeed a privilege to stand in the House today to speak to this bill.

We do know, Mr. Speaker, that National Organ and Tissue Donation Awareness Week in Canada is the last full week in April. Bill 21, The Organ and Tissue Donation Awareness Day Act, will designate the Tuesday of the last week of April as Organ and Tissue Donation Awareness Day right here in Manitoba.

The Manitoba Organ and Tissue Donation Awareness Day recognizes the selfless gift of organ and tissue donation by Manitobans. It will also serve to promote awareness, education and discussion about becoming a donor. We know from our experts, Mr. Speaker, that all of the protocols in the world can be in place for organ donation but if the discussion has not occurred among family members and loved ones, that, indeed, this conserve is a very serious barrier to having an organ donation wish come to fruition. So we really want to work to do as much as we can to evoke this discussion among Manitobans with their loved ones.

There are currently over 4,000 Canadians waiting for an organ donation. In 2009, over

200 Canadians sadly died while waiting for transplants. Indeed, more than 300 of them come off of wait lists in Canada because they become just too ill to receive a transplant.

Mr. Speaker, only 1 or 2 per cent of the population are able to be organ donors, due to timing or health reasons, so increasing the number of potential donors is critically important. One person's decision to become an organ and tissue donor can benefit up to 50 people. I was quite startled when I first learned of this number but it is, in fact, true. Fifty people can be beneficiaries to a single person's decision to become an organ and tissue donor.

Living donors can donate a kidney or a partial liver. Diseased donors—deceased donors contribute kidney, liver, heart, lungs, pancreas, intestine, parts of eyes and many types of tissues. Kidney transplants can improve a patient's quality of life and can extend the life of renal patients by as much as 15 to 20 years, Mr. Speaker. In Manitoba, over the last five years, the increase in the number of kidney transplants has saved Manitoba Health approximately \$6 million in hemodialysis costs.

This, of course, doesn't, in any way, measure that which is priceless, and that is the quality of life that is improved for individuals that no longer have to receive that hemodialysis and that can return to living what they might define as a much more normal life.

We want to encourage Manitobans to pledge to organ and tissue donation and ensure that we can work together to have the health system honour their wishes.

It is true that Manitoba—that in Manitoba, the gift of life is one of the most emblematic means by which we can see what it means to be a Manitoban. We know that there—we're among the most generous people in the world; statistically, we see that financial contributions to charities for Manitoba always rank among the highest. We also know that, when it comes to volunteering their time to worthy causes, Manitobans rank near the top again and again. We, of course, have seen this in Manitoba, most recently with all of the effort that they have put forward in helping their friends and their neighbours and their loved ones during the unprecedented flooding.

\* (15:30)

And, in fact, the gift of life, and the generosity that Manitobans put forward concerning organ

donation, is no exception. Manitoba currently ranks second in Canada for organ and tissue donation with 15.4 deceased donors per million people. But there is more work to do, Mr. Speaker, and we remain committed to increasing organ and tissue donation here in Manitoba.

Recently, we have invested \$4.6 million to increase donations over the past five years to improve our ability to honour the wishes of organ donors. Transplant Manitoba reports that when comparing the periods between 2000 and 2005 against 2006 to 2010, Manitoba has seen a 76 per cent increase in kidney transplants, a 94 per cent increase in lung transplants and a 106 per cent increase in liver transplants and a 25 per cent increase in heart transplants.

Our Transplant Manitoba team looked around the world at the countries with the highest organ donation rates to identify the best things that we could do here in Manitoba to increase our rates, and they identified three leading practices, Mr. Speaker.

They recommended that we introduce a 24-7 team of organ donation specialists to work with health professionals and patients and families to help honour more patients' wishes to donate. Manitoba was, in fact, the first province in the nation to introduce such a team last year.

The second recommendation was to implement an electronic registry, which we announced with a \$100,000 investment earlier this year. Right now, we know that health professionals rely on organ donor cards and patients' families to identify the wishes of potential donors. While these process will remain very important over the transition, an organ donation registry will help health professionals identify patients' wishes even faster and more definitively to ensure that opportunities to honour their wishes to give that gift of life aren't missed.

We know that we need to continue our focus on public education and awareness to support Manitobans in making a decision about organ donation and to make those wishes known. Transplant Manitoba leads these efforts every single year.

We do know, Mr. Speaker, that many of us encounter organ donors practically every day. It's not something that people speak about or, indeed, brag about. It's a very personal decision that an individual has made for very definite wishes of their own.

Mr. Speaker, I had the privilege just this past weekend in attending a walk/run for cystic fibrosis and spoke with a woman that I had never met before whose daughter had succumbed to the illness at 24 years of age. But she herself had become a living donor for her own daughter that, in her words, gave her an additional two and a half years of life that she otherwise would never have had. It wasn't difficult to stand and look in the eyes of a mom and realize that this was probably the easiest decision that she could have ever made in her life. And, indeed, attending a fundraising effort for cystic fibrosis when her own daughter was gone, I thought was courageous in the highest order. And that she and her family continue to fight the good fight even after their own daughter had succumbed to the illness was really the embodiment of what I think so many Manitobans are about. And part of her crusade now is to educate people about organ donation, talk to them about what you can do as a living donor and, should tragedy occur, what kinds of gifts you might be able to give to families that have at some point only their prayers to hang on to.

I was moved by this experience, Mr. Speaker, as anyone would be. I am not special in that regard, this is true, but it made me feel even stronger about the importance of putting this bill forward, of having all of us in the Manitoba Legislature serve as ambassadors, like this mom that I met on the weekend, to make that decision, to sign the donor card, to become part of the electronic registry in the months ahead when it's ready to go and, indeed, to have that conversation with our loved ones, the most important part of the process, and let your wishes be known that you want to give that gift to possibly 50 other people whose lives will be transformed forever because you made that choice. And it's a choice that you can make today.

Bill 21 is going to support public education, but, more importantly, it'll serve as an annual reminder that all of us, in our own way, can make a profound difference in the lives of people we may never know. And it doesn't matter that we don't know them; what matters is that you made the choice. It was your choice and that at the right time, everybody knew what your choice was.

Thank you, Mr. Speaker.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I'd like to put a few comments on the record on Bill 21, The Organ and Tissue Donation Awareness Day Act.

I rise to support this bill. Clearly, there is a major need for organs for individuals who need—whether it's a kidney, whether it's a piece of tissue—one of the many tissues or organs that can be contributed. And what I think is, you know, particularly important is that there is not only increased awareness but that we get increasingly better at dealing with situations where somebody has died suddenly, where the loved ones are left behind but need to be treated with great—the situation needs to be treated with great sensitivity, and I think subsequently there is probably more room than we do at the moment for follow-up in terms of personalized thank you from those who benefited to those family members of the people who have donated organs. And I think that personalized follow-up, which may be possible in a more meaningful way, will also then encourage others as the message spreads, because I think that the satisfaction and the positive feelings that come out of helping somebody else and saving a life, making a difference to other people, can be a positive force in circumstances like these where somebody loses a life and makes a donation as a result.

That being said, I think that there are, of course, many other areas which we need to be looking at in terms of preventing kidney problems and other medical diseases and sicknesses in the first place so that we don't need as many organs and tissues to be donated. But certainly for the foreseeable future and for some time to come, we are going to need these donations and they are going to make a big difference in the lives of many people, and we certainly need this organ and tissue donation awareness day to help us build that awareness, sensitivity and improved communications and procedures around donations under these circumstances. Thank you.

**Mrs. Myrna Driedger (Charleswood):** I move, seconded by the member for River East (Mrs. Mitchelson), that debate be now adjourned.

*Motion agreed to.*

**Bill 38—The Regional Health Authorities  
Amendment Act (Accountability and  
Transparency)**

**Mr. Speaker:** Call Bill 38, The Regional Health Authorities Amendment Act (Accountability and Transparency).

**Hon. Theresa Oswald (Minister of Health):** I move, seconded by the Minister of Innovation,

Energy and Mines (Mr. Chomiak), that Bill 38, The Regional Health Authorities Amendment Act (Accountability and Transparency); Loi modifiant la Loi sur les offices régionaux de la santé (responsabilisation et transparence), be now read a second time and be referred to a committee of this House.

***Motion presented.***

**Ms. Oswald:** Mr. Speaker, it is my privilege to rise today in the House to put some comments on the record concerning Bill 38. We know that The Regional Health Authorities Amendment Act (Accountability and Transparency) will assist to make our regional health authorities even more open and accountable to the patients and the communities they serve, while, of course, continuing to put a direct and concerted focus on bringing resources to front-line care.

\* (15:40)

We know that at the time that regionalization came to Manitoba, 13 regional health authorities were established, including two in Winnipeg. And we know that during our time in government we have been able to reduce the number of regional health authorities, Mr. Speaker, down to 11 and eliminate waste in senior management and redirect resources to front-line care, including ensuring that we have seen a net increase of over 3,000 nurses in Manitoba, since—3,026—since 1999, and, of course, seeing a net increase, of 405 doctors to provide exceptional front-line care.

We know that Manitobans expect government to eliminate waste and inefficiencies in health care, indeed, across any system, and direct their funding to front-line care. And this is exactly what we've been focusing on since 1999.

As I said before, Mr. Speaker, we reduced the number of regional health authorities from 13 to 11, worked on streamlining the system and making it more efficient, and have reinvested these savings to help us add these health-care professionals and, indeed, to rebuild, renovate or build new over 100 facilities across Manitoba.

Bill 38 will cap and limit corporate spending in regional health authorities to ensure that maximum resources are, indeed, directed to front-line care where we know that they are needed the most.

The Winnipeg Regional Health Authority's corporate costs will be capped at 2.99 per cent or less

of their total spending. We know that this does, in fact, appear to be lower than the somewhat arbitrary 3 per cent cap that we heard opposition members speak of during the last election. And I can also report, Mr. Speaker, that the WRHA is, indeed, currently meeting this cap, with corporate spending accounting for 2.98 of their total budget.

Rural and northern regional health authorities will have their corporate cost caps set in regulation to reflect the differences between, you know, large major urban centres and large geographical expanses or, indeed, very, very small regions, such as the case in Churchill, Mr. Speaker. We want to make sure that the uniqueness of these environments is not set aside, and so that work will be done and will be set out in regulation.

We want to ensure that regional health authorities have the appropriate controls in place to support front-line care delivery and ensure fiscal responsibility and accountability for all of its citizenry.

Corporate costs, Mr. Speaker, will be defined in regulation, based on what is currently reported. This will continue to use national coding standards, developed by the Canadian Institute for Health Information, and first implemented in Manitoba when regional health authorities were introduced in the 1990s.

Bill 38 also takes a number of steps to continue to make regional health authorities more accountable, while continuing to support quality and patient safety. All regional health authorities will be required to consult with the patients and families in their region to develop a declaration of patient values, Mr. Speaker, to guide service delivery and to report, annually, on the activities undertaken to promote and support these values.

This will be a very important conversation, Mr. Speaker, that regional health authorities will have with patients and families and citizens in the region. We know that when we speak to community groups, and to individuals, one concern that we hear raised regarding regional health authorities is that citizens feel quite separated from regional health authorities, and they want to have more of a say and more of a voice. We know that, when regional health authorities were created, the existence of district health action committees were implemented, but these do not seem to be working at the level of function that we need them to work.

Some years ago, when an external review on regional health authorities was done, a common theme that came forward, Mr. Speaker, was a desire for local citizens to have a voice in their health care and have a say. And the external reviewers recommended to the regions and to Manitoba Health to try to find new ways to engage the citizenry and to hear their advice about how to improve health care even further in the region. And we believe that the dialogue within regions concerning a declaration of patient values will be a very important part of re-engaging citizens in making it very clear about what their expectations are of the professionals that serve them.

Mr. Speaker, all regional health authorities will be required to ensure that a process is in place to resolve patients'—patient concerns. We know that most regional health authorities, if not all, have a mechanism in place now that may or may not be as clear as it needs to be and may or may not be as swift in its responsiveness as it needs to be. This legislation will set out requirements to ensure that these processes are accessible and provide timely responses to concerns raised by citizens.

Regional health authorities will be mandated to be externally accredited to support quality improvement. We know that all RHAs are currently accredited, Mr. Speaker, but facilities and agencies funded by RHAs will be required to be separately accredited or to participate in the RHA accreditation process in accordance with guidelines approved by the minister.

All regional health authorities will be required by regulation to develop and publish quality and patient safety indicators about their facilities and about their services, Mr. Speaker. These kinds of elements of reporting will not only provide information for citizens, but will also provide context. There have been occasions in the past where information has been provided to the public well out of context and, indeed, has created impressions or concerns by the public that may need not have existed in the first place.

The legislation will go on to improve transparency by requiring all regional health authorities to post online, Mr. Speaker, their annual report with audited financial statements, corporate costs and activities undertaken to promote and support the declaration of patient values. They will be required to post online their strategic plan.

They will be required to post online their community health assessment report, a critically important exercise in the gathering of information about the people in the region and their health status. We know that not all regions in Manitoba are the same. We know that their health needs, whether it speaks to acute care or to issues of prevention and promotion, can indeed be very, very different. And we want the public to be very engaged in the outcomes of the health assessment and, very importantly, Mr. Speaker, in the actions that people can take together in partnership with the regional health authority to take action to improve health status and to improve access to activities that can help us maintain our health and sustain our well-being.

Mr. Speaker, the regional health authorities will also be required to post online their accreditation reports. As more and more education happens about health care and about the level of excellence that we can achieve in health care, more and more people become well versed in details of accreditation reports, and we believe that these reports should, therefore, be posted online. They will also be required to post online the quality of health services and patient activities.

In addition, Mr. Speaker, regional health authorities will be required to publish CEO expenses online. We know that this is a movement that is happening across governments. MLAs, members of Parliament are making more and more of that information available, and we believe that our regional health authorities and the CEOs can be no different in that regard, in providing information to the public concerning their expenses.

\*(15:50)

Now, Mr. Speaker, we know that most if not all regional health authorities meet many of the provisions in Bill 38 already. All regional health authorities do already participate in external accreditation, and this proposed legislation will make this a requirement and provide more consistency and will ensure that all facilities run by or funded by the regional health authority participate in this accreditation. At least three regional health authorities already post online their accreditation reports, and the legislation will, as I said earlier, make this a requirement for all regional health authorities.

All regional health authorities already post online their annual reports with audited financial

statements and corporate costs alone with their strategic plans and community health assessments. Some RHAs post quality and safety indicators online such as the issue of superbugs. The WRHA already posts information concerning superbugs online.

The proposed legislation will develop a standard set of indicators and will ensure that all regional health authorities post this information to help patients and families better understand the care at their local facilities while, of course, health officials can continue to work on improving quality and safety. Many RHAs have a patient concerns resolution process in place. This legislation will mandate that all RHAs have this and that indeed timely responses are made to the public.

All of the proposed amendments, Mr. Speaker, in Bill 38 will build on our efforts over the last several years to improve accountability and transparency of RHAs and ensure resources are being directed to front-line care.

In addition to administrative streamlining and reducing the number of RHAs, these efforts have also seen a very strong focus on bulk purchasing and improved procurement policies and innovation including the use of lean management and process improvement. Last year alone these efforts saved an estimated \$50 million which was reinvested into front-line care.

Mr. Speaker, it's our belief that comprehensive changes such as these that are helping us to bring more nurses and more doctors to the front lines every year are critically important even when we face challenging economic times. We know that investing in front-line care for Manitoba families is a No. 1 priority, and that is why it is our priority as well. We look forward to the debate on this bill and, of course, to its speedy passage because we know that those that are working in our regional health authorities are very, very keen to provide the best possible care that they can.

I think it's worthwhile to mention, Mr. Speaker, that as we occasionally engage in the thrust and parry in this House, we speak about regional health authorities as an abstract entity, and sometimes it's my view that we forget that there are people working on the front line in our regional health authorities that wake up every single morning to do the very best that they can for the patients that they serve. They need not be vilified as useless bureaucrats as sometimes happens.

I think we need to recognize that while a focus on putting care on the front line must always be paramount, that these are real, living, breathing, working Manitobans, Manitobans with families, with husbands and wives and partners and sons and daughters for whom they want to feel proud every day for the work that they do to provide care for Manitobans, and I hope that as we go forward in debating issues concerning regional health authorities and the people that work therein, that we don't lose sight of this fact, and that there are people that have committed their entire careers now to working to help Manitobans, and that kind of commitment ought not be trifled with, Mr. Speaker. Thank you very much.

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, I move, seconded by the member for River East (Mrs. Mitchelson), that debate be now adjourned.

*Motion agreed to.*

#### House Business

**Mr. Speaker:** Now I'm going to call bill—yes, Government House Leader, on House business.

**Hon. Jennifer Howard (Government House Leader):** Yes, Mr. Speaker, would you call Bill 26, followed by Bill 28.

#### Bill 26—The Université de Saint-Boniface Act

**Mr. Speaker:** Okay, I'm going to call Bill 26, The Université de Saint-Boniface Act.

**Hon. Erin Selby (Minister of Advanced Education and Literacy):** I move, seconded by the Minister for Local Government (Mr. Lemieux), that Bill 26, The Université de Saint-Boniface Act; Loi sur l'Université de Saint-Boniface, be now read for a second time and referred to a committee of this House.

*Motion presented.*

**Ms. Selby:** I am truly very proud to be able to bring this bill into the Legislature because I know, and I've already heard from many of my constituents and constituents in the francophone community around Manitoba, how important this bill is to them and what a great sense of pride it does bring to the community at large.

This bill, of course, will reaffirm the position of the université as a full-fledged university and does more than just change the name of the university, it also changes some of the feeling and some of the

sense of what this university stands for, and, of course, as I said, there is so much pride in the community for this university.

For people who don't know, it's actually our oldest university in the province, Mr. Speaker. And I have to say, we have to get out of the habit of calling it "le collège" because, of course, it will become the Université de Saint-Boniface. Nickname in the community, and at large, of course, is the collège, and we're going to have to get used to calling it the université, which I should practice doing today.

It is the oldest university in western Canada, was incorporated in 1871, back when the province of Manitoba was born. But its origins, of course, can be traced back to 1818, when Bishop Norbert Provencher first opened a school for boys in the Red River Colony.

In 1877, the Collège de Saint-Boniface, along with the Manitoba College and St. John's College, founded the University of Manitoba. So, that just goes to show you how long the relationship between the collège and University of Manitoba goes back. And I must assure members of the House here that that relationship will continue, despite some of the changes that will look a little bit different.

During the first 150 years, the collège was managed by the Catholic clergy, most notably, the Jesuit Fathers from 1885 to 1967, and the community still has a very large and important role in the university in the community as well.

It's been in the same location, in the heart of St. Boniface. If anybody's ever taken a drive around there, the trees just attest to how old the campus is, beautiful large trees and canopy of shade. It's really a beautiful building, right in the centre of St. Boniface, and has been there since 1922.

Of course, since 1922, we've seen a lot of changes go on in the campus and this is just one of them. But in terms of growing and expanding the campus, that's been going on, and continues as well today.

As we see that CUSB is celebrating its 190th year, we are really proud to see that it continues its historic and important role as a promoter of, not just the French language, Mr. Speaker, but also the French culture within Manitoba and right across Canada.

And I can tell you that when you walk around the campus of the CUSB today, you do hear students,

of course, speaking French with very different dialects, whether it's a rural Manitoba French that they're speaking or maybe they've grown up in St. Boniface. We get students from across Canada, Québec as well, and more and more we see students coming in from French-speaking African countries, which really adds an interesting and rich cultural diversity to the campus of both the CUSB and to Winnipeg and Manitoba as well.

We know that it's a really important service that the CUSB provides to students in Manitoba who want to continue with their French language education. I have three daughters right now who are in French immersion and a little too soon right now to be figuring out where they're going to go to university, but because they're going to be graduating and are already bilingual, this is going to give them just one more option of where they may want to go and continue in their French language studies. And it's a wonderful opportunity for people who want to continue in either their first language or a new language to them and not have to leave the province to do that. But, even more so, with this name change, it will encourage even more students to be coming to Manitoba to study in the French language.

\*(16:00)

One of the reasons that we looking—we're looking at and having the language—the name change is because the designation "collège" has a different meaning in the French community than it does when you hear—it sounds like it would translate directly to "college" and that would make sense because, of course, the université does offer college and university courses, but the problem being that collège in French language can also mean high school, and that can be a little bit confusing when people are trying to promote the université outside of Manitoba borders. Certainly, most of us in Manitoba are aware that it is a university and has some college programming as well—another thing that makes it unique—but being that it's so close to Collège Louis-Riel and Collège Béliveau and a number of other collèges which are actually high schools, it can be a bit problematic and a little bit confusing in terms of recruitment. So, certainly, making this name change will help with that. We certainly have a lot of students already coming in from other provinces and other countries, as I mentioned, but this will make it even clearer to people that it isn't, in fact, a high school, that it is a university and also provides some college training.

We can say that, as I was saying, we know that students are coming in from many different countries. If you look around at the student population, it's represented by more than 20 different countries, really a vast and diverse cultural population making up the université. And it does have a reputation internationally for its academic excellence, and you can see that, judging by all the people who've decided to come to Manitoba to study here. And, of course, we hope that once they get here and get a taste of the life in Manitoba that many of those students will choose to stay here as well. And, of course, we know that when they do, it's not just the students that benefit, but it's all of us in terms of prospering and growing and keeping this becoming such a rich and diverse province that it is and continues to go that way.

The change in the legislation will give the Université de Saint-Boniface the tools that it needs to meet the needs of students today and in the future by adopting an organizational structure and a set of rules that will allow it to develop a full complement of post-secondary programs for students wanting to study in French. Although, I think it's interesting, Mr. Speaker, we talk a lot about the fact that this is a université that provides programming for people who want to study in French, but, of course, that's not the only draw to going to study at the CUSB—which, again, I guess we'll have to get used to calling it the USB should this legislation continue to move forward. It's also an important thing to recognize that the programs are excellent programs, and whether you're coming because you want to study in French or you just want to get an excellent education, that it's a good choice for both reasons.

I mentioned earlier that there are a lot of people in the community who are excited about this, and I have to say that even after first reading, as soon as this was introduced in the House, my emails lit up with people in the community telling me how excited they were to see this legislation coming forward. I heard from folks at the Société franco-manitobaine. I know, as well, that the Archdiocese of Saint-Boniface has been consulted and are excited and, of course, have a history with this school as well. The CUSB Faculty Association and the student association, the CUSB employees were all consulted before this was brought in, and I have met with them as well. And I have to tell you we had a wonderful meeting, soon after first reading, and talking about the fact that this legislation looks like it's moving ahead and quite—feeling quite positive about support

on both sides of the House with this legislation. And I have to say the meeting was more a celebration, maybe a little bit too early, but I can assure you, Mr. Speaker, there will be a celebration when we get forward with this because people are feeling quite excited about it.

I mentioned a little earlier about the relationship with the University of Manitoba. Of course, CUSB is one of the co-founders of the university and has held a very important affiliation and will continue to do so. This legislation will not impact the agreement of the university with Manitoba. That agreement was renewed in 2008 and again will be scheduled to be reviewed in 2023, but the legislation actually remains—the affiliation remains enshrined in the new legislation because, of course, it is an important relationship not just for the université, but also for the University of Manitoba.

It means, though, that the Université de Saint-Boniface will have the power to enter into agreements or to affiliate with other post-secondary institutions which, of course, benefits all of us. It will allow the Saint-Boniface to diversify its programs and to better respond to its students needs. It will allow it to explore different relationships with other universités, French-speaking universities outside of Manitoba. And, of course, this will benefit both the student body and Manitoba as a whole.

Currently, right now, the university programs and benefits that are provided to the CUSB students, through the current agreement with the University of Manitoba, will remain the same. Certainly know that it has been a strong relationship, it has been a positive relationship on both sides, and this new act will continue that and enshrine those same agreements. It will give the université the tools to implement a wide—wider offering of programs to its students, and that can only be a good thing.

I've talked about it a few times, but I think it's worth repeating, of how this new name will install a new sense of pride and confidence among the students, the faculty and the community at large. And St. Boniface receives the same recognition and tools, of course, that are consistent with the other post-secondary institutions in Manitoba.

Under the current agreement, university graduates from the Université de Saint-Boniface, and with the new legislation, they will continue to receive a diploma from the University of Manitoba. This was upon the recommendation of the Université de Saint-Boniface. Graduates from the community

college sector, the École technique et professionnelle will be awarded diplomas, however, from the Université de Saint-Boniface and that, of course, was on the recommendation of the École technique et professionnelle.

One thing that does set St. Boniface université apart is the fact that it offers both university and college programs, and that is unique. We know that this institution is unique on many fronts, in terms of the language that it offers, some of the cultural specifications within the university and also the fact that you can attend college and/or university on the same location.

Now I'm sure, as I said, that I've got to get in the habit of calling it the université and not say the CUSB; we'll have to get in the habit of the USB. And it will take a while, I suppose, for everyone to stop calling it the collège, although maybe that will remain a nickname for some time.

And, of course, along with this it's an opportunity, as the name changes, for the university to, although it is our oldest university in the province, is to rebrand itself and to take a look at how it will bring that new name into the forefront and get all of us out of that habit of the collège and move it into that. So we will see that, as well, as the university rebrands itself when this legislation—should this legislation continue to move forward.

Should the legislation pass, of course, the name change would happen officially upon royal assent, but in order to avoid confusion, and to make it a little bit clearer for people, I think we'll end up calling it the collège for a little bit longer, until the university has a transition period where we're all get in the habit. But I have sworn and promised that I will try to get in that habit of calling it the université long before that time.

This legislation will also include—will allow the Université de Saint-Boniface to have certain powers that other Manitoba universities already have, such as degree granting and the ability to enter into agreements or affiliate with any other post-secondary university. But other than that, there are a lot of things that will remain the same, as well, Mr. Speaker. The number of members on the board will remain the same, and government will continue to appoint a third of the members, and the board will have the same powers as it does within the other universities of Manitoba.

The senate, as well, will be duly constituted and consistent with other post-secondary institutions in Manitoba. It will follow the same sort of set up as the other universities, that is consistent here in the province as well.

And, of course, one of the important things is that the French language will, of course, be recognized as the official language of the institution. And as I said, we know that students going to the université are looking to continue their studies in the French language—made that their first mother tongue or be that one of the other languages that they have acquired. And it does play an important role, in terms of preserving language and culture. And this legislation will also speak to that in terms of that French language will, of course, be the official language of the institution, including the language of the exams, obviously, within the context of when that makes common sense. If you're taking a Spanish course, you can't take that course in—you can't take the exam in French; you would be taking that in Spanish. But, otherwise, again, a really important point for the community.

Also, you know, this is sort of the, otherwise, the same sort of provisions that we see at all the other universities across Manitoba.

\* (16:10)

So, Mr. Speaker, with that, let me just say again that I am very proud that I've been able to introduce this bill and quite confident that it will have the support of everyone in this House. And I know that the community is really looking forward to this legislation moving forward and being passed. And being that this is our oldest institution, it is wonderful to see that, although it may be our oldest institution, it's not that old saying of you can't teach a dog—old dog new tricks, because this university, université, is growing and progressing and moving forward as it always continues to do.

Thank you, Mr. Speaker.

**Mrs. Mavis Taillieu (Morris):** I move, seconded by the member for Minnedosa (Mrs. Rowat), that debate now be adjourned.

*Motion agreed to.*

**Bill 28—The Public Schools Amendment Act  
(Reporting Bullying and Other Harm)**

**Mr. Speaker:** I'm going to call Bill 28, The Public Schools Amendment Act (Reporting Bullying and Other Harm).

**Hon. Nancy Allan (Minister of Education):** Mr. Speaker, I move, seconded by the Minister of Advanced Education (Ms. Selby), that Bill 28, The Public Schools Amendment Act (Reporting Bullying and Other Harm); Loi modifiant la Loi sur les écoles publiques (obligation de faire rapport des cas d'intimidation et des préjudices subis), be now read a second time and be referred to a committee of this House.

***Motion presented.***

**Ms. Allan:** I have to admit I am introducing this bill with a little bit of sadness. I would like to think that someday, throughout our lifetime, that we would be able to eliminate bullying in our society. But, unfortunately, as probably many members in this Legislature know, that bullying is still something that happens in our society and in our schools, and we have to ensure that we are vigilant in regards to saying that this is unacceptable. Regardless of what the circumstances are that are around these kinds of incidences, it is absolutely unacceptable, and this is one reason why we are bringing this bill forward, Bill 28, reporting bullying and other harm.

I—unfortunately, it's all too common in our society for people to have either experienced bullying themselves or have a child, perhaps a close friend or relative, who has experienced bullying, and we know how devastating that can be to a child, to a family. It can cause an incredible amount of emotional trauma to family members and to individuals who go through that kind of experience, and we believe that no child or parent should have to endure this kind of experience and we are hoping that this bill will help with that.

We want our schools, obviously, they're our learning institutions here in the province of Manitoba, and we want them to be safe and respectful environments where our children get the quality education that they deserve, and I'd just like to recognize the teachers, the parents and the educators who work hard every day to keep our schools safe.

As a government, we are working with them to support their efforts to provide our children with safe learning environments. Early intervention strategies are an essential element to fostering a positive and safe learning environment, and in order to effectively provide early intervention, bullying incidents must be reported and they must be acted upon. Identifying and clarifying expectations surrounding reporting responsibilities and follow-up actions in schools is a

strategy that it will help facilitate and expand opportunities for schools to effectively intervene in situations when required.

Bill 28, reporting bullying and other harm, will further define at the school level the statutory responsibility of school boards to ensure that each student is provided with a safe and caring school environment that fosters and maintains respectful and responsible behaviour. The proposed amendment requires all employees of a school board as well as persons who have care and charge of students during a prescribed school-approved activity to report unacceptable student conduct to the principal as soon as is reasonably possible.

This—these provisions are consistent with existing provisions of The Public Schools Act. Unacceptable conduct is defined as abusing another student physically, sexually, or psychologically, orally, in writing or otherwise, or bullying, including cyber-bullying of another student.

When conduct of this nature is reported to a school principal and the principal believes a student has been harmed, the principal would then be required to notify the parent or legal guardian of the student. The information the principal provides to the parent would include what the unacceptable conduct was, the nature of the harm to the student and what steps have been taken to protect the pupil's safety, including the nature of any disciplinary measures taken in response to the unacceptable conduct.

Suspected cases of abuse will continue to be reported to Child and Family Services and criminal activities will be reported to police as required by law.

Bill 28 builds on the exceptional work that is already being done at the grassroots level in many school divisions across this province. Teachers participate in that, the principals participate in that, volunteers, parent volunteers, participate in that, and this piece of legislation is meant to support and complement the efforts of so many people that we have working in our school division, our educators and parents in regards to providing a safe and caring environment for so many of the students that we have attending school all across our province.

Bill 28 builds on the foundation of student safety that was created with the introduction of the Safe Schools Charter which has made it the duty of all school divisions to provide a safe and respectful school environment.

We have previously taken steps to make our schools safer by requiring all schools to have emergency response plans in place to deal with a variety of possible situations, including bomb threats, chemical spills and fires.

Safe Schools Manitoba works with schools and school divisions to help them address bullying and safety needs at the grassroots level.

Since 2008, we have required school divisions to develop plans and codes of conduct to prevent and to respond to cyber-bullying. We have delivered our cyber-stalking awareness campaign to all 470 high schools in the province.

In terms of crime prevention in schools, we have prohibited the wearing of gang colours in Manitoba schools. Our Police in Schools initiative has resulted in school suspensions being down 40 per cent and incidence of graffiti dramatically reduced along with loitering, vandalism, bullying and violent acts.

Our Turnabout program is the only initiative of its kind in Canada. It provides help and consequences for youth who are in conflict with the law but are too young to be subject to the Youth Criminal Justice Act.

Budget 2011 adds five new Lighthouses for a total of 71, providing youth with a safe, fun place to go at night, and many times these Lighthouse programs are the only place that some students have to go and connect with adults, with young people. There's an opportunity for them to get online and do some work at the computers. They sometimes have a homework club. They sometimes have meals available for young people, and they have safe and fun activities for young people so that there's a place for them to congregate where they know that they can be in a supportive environment. And we, you know, we understand fully that there is nothing better in regards to prevention than a safe and supportive environment for young people.

Spotlight, which we introduced in 2006, works with the highest risk gang youth and their families by providing supervision and services to help youth deal with substance abuse, stay in school or find a job, and this is a program that works with young people that have perhaps maybe fallen into difficult circumstances. And we want to provide them with a way forward so that they can get into a supportive environment, so that we can get them help and keep them in school, because if we can get them their

diploma and their credits in school, that—they can find a path to a new future and find a job.

\* (16:20)

Bill 28 makes a further contribution to improving student safety by building upon the existing practice in many schools. And once again, I'd like to thank our educators and our partners for their work in our schools for making them safe. They—and they also do such an incredible job of supporting a culture of awareness which enables schools to identify students early on who are engaged in unacceptable conduct of a serious nature and support those students as well who have been harmed by this behaviour. So I really do want to thank our educators because, in many ways, they do much more than just the work in their classrooms. They go above and beyond every day in providing a supportive and nurturing environment for our young people to learn in.

We are pleased to be working with our education partners to ensure that we have the supports in place to provide sustainable funding to our school divisions and our schools all across this province, and we want to continue to look at best practices in regards to how we can continue to have one of the best public education systems in the world right here in Manitoba.

I'd like to thank the education partners that I've had the privilege of working with over the last year and a half. I'd like to thank the Manitoba Teachers' Society, of course, the Manitoba Association of School Superintendents, the Manitoba School Boards Association and the Manitoba Association of Parent Councils. They, as always, provide me with valuable feedback in regards to the direction that our public education system is taking here in the province of Manitoba. And we had an opportunity to consult with them on Bill 28, and their input in regards to this legislation was invaluable. And I would particularly like to thank Judith Cameron and the Manitoba Association of Parent Councils for endorsing this legislation.

We will continue to consult with all of our education partners as we go forward with this legislation and future measures to ensure that our schools are safe and respectful learning environments, because that's what we need to do, Mr. Speaker, in regards to ensuring that our young people achieve academic success in our schools. And not just academic success: we want to ensure, you know, that they have good positive relationships and

feel good about themselves in regards to their learning and what's happening in schools all across this province.

So I'd like to thank you, Mr. Speaker, for the opportunity to speak to this very important piece of legislation. Thank you.

**Mrs. Mavis Taillieu (Morris):** Mr. Speaker, I move, seconded by the member for Tuxedo (Mrs. Stefanson), that debate now be adjourned.

*Motion agreed to.*

### House Business

**Mr. Speaker:** The honourable Government House Leader, on further House business.

**Hon. Jennifer Howard (Government House Leader):** Yes, Mr. Speaker, we're prepared to move to Bill 31 and Bill 37 and then Bill 17, 30, 43 and 39.

**Mr. Speaker:** Call Bill 37?

**An Honourable Member:** 31.

### Bill 31—The Manitoba Public Insurance Corporation Amendment Act

**Mr. Speaker:** 31—Bill 31, The Manitoba Public Insurance Corporation Amendment Act.

**Hon. Andrew Swan (Minister of Justice and Attorney General):** Mr. Speaker, I move, seconded by the Minister of Labour and Immigration (Ms. Howard), that Bill 31, The Manitoba Public Insurance Corporation Amendment Act; Loi modifiant la Loi sur la Société d'assurance publique du Manitoba, be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Mr. Swan:** Mr. Speaker, and I'm pleased to speak to this bill which would make further changes to the Personal Injury Protection Plan, PIPP, by eliminating PIPP for persons convicted of certain criminal code offences.

Before I begin, I think it's important to speak a little bit about the history of this legislation. PIPP is a statutory scheme which entitles those individuals injured in a motor vehicle accident to prescribed benefits under The Manitoba Public Insurance Corporation Act on a no-fault basis. The PIPP provisions were enacted in 1994 as we moved towards a no-fault system in Manitoba. And, at the time, it was described as a social contract to provide universal, comprehensive compensation for bodily

injury sustained as a result of a motor vehicle accident and ensure that individuals are not left destitute, and that an at-fault person will not suffer financial ruin.

And that certainly was the nature of the plan for several years. However, in 2004 this government made some changes to those provisions. Those provisions in 2004 set out that certain convictions of Criminal Code offences would cause a reduction in PIPP benefits subject to a degree of liability for the accident.

So, again, in 2004 changes were made. These will be further changes that would revise the circumstances under which persons convicted of certain offences would not receive any PIPP benefits at all. And the offences which are included in this bill would be auto theft, street racing and flight from a police officer. Anyone convicted of any of those offences and injured in an accident arising out of the circumstances would then not receive PIPP benefits in connection with that accident. As I say, currently, persons convicted of those offences receive reduced PIPP benefits.

Amendments are also required to allow for the recovery of PIPP benefits paid prior to conviction. As I believe members of this House are aware, Manitoba Public Insurance is quite aggressive at going after those who cause loss and damage through stolen vehicles to recover the cost of the damage that's been done. We would also provide for the recovery of any PIPP benefits paid to individuals who are subsequently convicted.

Currently, a person convicted of those crimes—auto theft, street racing or flight from a police officer—receives a reduction in compensation for income replacement, permanent impairment and death payments. The reduction in compensation is affected by the person's degree of fault in the motor vehicle accident. That determination of fault in the current bill—or in the current act as it's now drafted does not allow for reduction in compensation to passengers convicted of these offences, as the determination is made against the driver only.

Bill 31 will change all that, Mr. Speaker, and these amendments will eliminate every PIPP benefit for individuals convicted of the following Criminal Code of Canada offences in connection with that motor vehicle accident. And I will set out all five of the offences which are being affected, because I think it is important for this House to know exactly what steps are being taken.

First of all, there will be no PIPP benefits payable to anyone who's convicted under section 249.1 of the Criminal Code. That is flight from a police officer. Unfortunately, there was a situation in Winnipeg just the other day where a police officer who came over to stop someone had that person try to get away from them. The police officer acted quite heroically, was actually carried along, through the window of the car was able to get in and subdue the person. Had that person been involved in an accident, I think every member of the House could agree that we wouldn't want that individual, if convicted, to be receiving benefits.

There are three provisions of the Criminal Code dealing with street racing, sections 249.2, 249.3 and 249.4. These are provisions dealing with street racing, which became a problem in Manitoba and other provinces. Manitoba, through the leadership of my predecessors the member for St. Johns (Mr. Mackintosh) and the member for Kildonan (Mr. Chomiak), called upon the federal government to make these changes and we're glad the federal government listened. And now we're taking the further step to provide that anybody injured while—after being convicted for street racing will no longer receive PIPP benefits.

Of course, through section 334, which was the old section of the Criminal Code dealing with theft of motor vehicle, of course, there was no single provision dealing with motor vehicles; it's simply theft. And there are still some existing cases out there where individual who's stolen cars are being prosecuted under section 334. We do want to make sure that anybody convicted of that section does not receive benefits.

It's important to note that there is a new section of the Criminal Code, subsection 333.1(1), which, for the first time in Canadian history, creates a new offence of motor vehicle theft. And I stood with Minister Toews and with Chief McCaskill just a couple of months ago as we talked about this new provision coming into force and the benefits that we think it'll have across Canada. I think it's very important to note that Bill 31 will include this new theft provision to provide that those individuals who are convicted of theft will not receive benefits.

As well, there's a subsection—or section 335(1) of the Criminal Code called take motor vehicle without consent, which is akin to auto theft, and, again, if convicted, as with the other sections, PIPP

benefits will be eliminated for those involved in those offences, whether as a driver or a passenger.

\* (16:30)

These provisions, Mr. Speaker, are really part of a larger strategy that this government has to combat auto theft. It's important to note there's been a reduction of some 80 per cent in auto theft since 2004 and, indeed, the rate of auto theft in Manitoba is now the lowest in nearly two decades.

This hasn't been accomplished by any one organization or any one party. It's been through the assistance of the Winnipeg Police Service, of Manitoba Justice, of Probation Services, who together have done a great job of WATSS, the Winnipeg Auto Theft Suppression Strategy. It's through the immobilizer program, which has made sure that at-risk vehicles receive immobilizers. This is because of the hard work of the police, and I can't say enough about the work they do and, as well, our partners, such as CAA, who use their role as an organization which hundreds of thousands of Manitoba drivers belong to, to make people more aware of the risks of leaving vehicles running, of leaving keys where they can be stolen.

So this is part of an overall strategy. We know that we've done a great job of reducing auto theft but any vehicle being stolen in the city of Winnipeg or anywhere in the province of Manitoba is one vehicle too much, and we'll continue to work with all of our partners to make sure that auto theft is truly something that we see in our rear-view mirror.

So I look forward to this bill going forward and being passed, and I'm looking forward to making it clear to individuals who may choose to steal cars, to those who may be consenting to being passengers, that this is a dangerous activity, that it's a foolish activity. It can have horrible consequences for those involved and, as well, for innocent Manitobans. And we do look forward to this bill being passed very quickly.

Thank you, Mr. Speaker.

**Mrs. Mavis Taillieu (Morris):** I move, seconded by the member for Carman (Mr. Pedersen), that debate now be adjourned.

*Motion agreed to.*

**Bill 37—The Highway Traffic Amendment Act  
(Accident Reporting Requirements)**

**Hon. Andrew Swan (Minister of Justice and Attorney General):** I move, seconded by the Minister for Advanced Education (Ms. Selby), that Bill 37, The Highway Traffic Amendment Act (Accident Reporting Requirements); Loi modifiant le Code de la route (exigences en matière de rapports d'accident), be now read a second time and be referred to a committee of this House.

***Motion presented.***

**Mr. Swan:** Mr. Speaker, these proposed amendments to The Highway Traffic Act will result in motorists no longer being required to report collisions involving property damage only to the police. Of course, at the present time, the way The Highway Traffic Act is worded, if there is an accident which involves more than a thousand dollars in physical damage, it is a requirement to report that accident to the police.

We understand from the police that this is actually taking up a great deal of time for our police officers, and individuals, of course, then take their police claim and go directly to Manitoba Public Insurance to report their accident in order to get their vehicle repaired. The police made it clear that they think that police time could be better used in other ways, and frankly, Mr. Speaker, we agree. We want our brave police officers here in the province of Manitoba to be used for the highest purposes for which they're trained, being out in our communities preventing crime, working with young people. We also want our officers to be out there, involved in investigating crime and apprehending those who are involved in activities that affect the economic and the physical security of Manitoba citizens.

So, with all that in mind, Manitoba drivers, through this new bill, would now only be required to report an accident to police if the collision involves one of a number of factors: Firstly, of course, for those most severe accidents which involve a fatality; for those accidents which involve serious injury, which normally would require an admission to hospital; thirdly, for those collisions which may involve an unlicensed driver or vehicle, in which case we want the police to become involved; fourthly, for those collisions involving unidentified vehicles, such as hit and runs or failure to exchange particulars; and, finally, those collisions involving the suspected use of drugs or alcohol. And, of course, in all those situations, we do believe it's

appropriate the police become involved to try and to deal with the situation.

I understand that this change could take effect relatively quickly. Again, it was the result of the Manitoba Association of Police Chiefs, or MACP, approaching government looking for assistance in streamlining a process that can better use the resources. Of course, our government has been very active in terms of adding resources for police, not just in Winnipeg and not just for Brandon but for RCMP police communities across Manitoba, and now with the allocation of federal money, the many communities, large and small, in every part of the province of Manitoba. And, again, this will allow officers to do what they do best and spend less time in the police station filling out accident reports.

As I've indicated, Mr. Speaker, at the present time, The Highway Traffic Act requires that a traffic accident must be reported to the police if it results in bodily injury, death or combined property damage exceeding \$1,000. In most minor property damage, property-damage-only collisions, it is unnecessary for police to attend the accident scene, which means, as I've said, drivers have to visit a police station to make the report. The amendments will now result in motorists only having to make police reports for these serious collisions or these collisions where Highway Traffic Act or Criminal Code violations are suspected.

I do want to make it clear, Mr. Speaker, that police will still attend collision scenes whenever required. In no way is this a reduction in traffic enforcement at collision scenes. We also, of course, will ensure there's no loss of data collected from collisions which can be very useful as we work to build a safer Manitoba, both in terms of how our streets are policed but also in terms of how our streets and our highways are constructed and improved.

In order to assist its customers to comply with the new police reporting requirements, Manitoba Public Insurance staff will inform customers if they are required to file a police report during the claims reporting process.

This amendment is yet another example of the strong, proactive partnerships which work co-operatively towards a common goal. It's also good for Manitobans who will no longer have to make two visits, one to the police and the second to Manitoba Public Insurance.

And it also represents a number of different ways in which we're working with our police forces to make them more efficient, to help to make sure that officers can actually work for the highest things for which they've been trained, and it is one of the suite of things that we've done as a government to try to make our police more efficient.

I had the honour just a couple of months ago at the last federal-provincial-territorial meetings to speak to an item brought forward by Manitoba which involved some changes to the Criminal Code which would make it less necessary for officers to spend time tied up in court having to give evidence on fairly routine or mundane matters. We'd much rather have our police out on the streets than collecting slivers on the benches at the Law Courts building or other law courts across the province of Manitoba.

As well, we know that under The Mental Health Act our officers do spend time transporting and waiting with individuals who may be experiencing mental health emergencies. We are working with the police to make sure that we can minimize the amount of time that those officers are tied up in those tasks.

And another great example of how our government has supported increased efficiency for policing is the success of the Winnipeg Police Service cadet program. I'm very proud that Manitoba has partnered with the City of Winnipeg to institute the program. In the past year, there've been 30 police cadets which have been trained and they're now out there doing traffic control, other matters to improve the safety of Winnipeggers, and I'm very pleased that we're partnering with the City to increase the number of cadets to 50. This cadet program was the work of the Police Service and the Police Association. We are very pleased they were able to come to us with some ideas on how we can enhance policing, and I'm pleased every time I go by and see the cadets out there on our streets keeping people safe.

And, in fact, just yesterday I was running the Air Force Run, Half Marathon, and, indeed, there were cadets along the route, and I was quite happy. I perhaps was less articulate and a bit more breathless than I'd like to be in thanking the cadets for the work that they're doing, but they do a great job. And I also understand that many of those cadets are now interested in seeking a position with the regular Winnipeg Police Service, and it will be very exciting to see how those young people are moving forward with their careers in law enforcement.

So there's many ways to partner with police. There's many ways we do partner with police and support police in the province of Manitoba. I'm very pleased that we could work with the Manitoba Association of Chiefs of Police to bring forward this legislation, again to allow our police officers to do the things for which they've been trained.

So I look forward to this matter moving quickly to committee and to be passed, so we can get the most out of the brave women and men who keep us safe as police officers in the province of Manitoba.

Thank you, Mr. Speaker.

\* (16:40)

**Mr. Kelvin Goertzen (Steinbach):** Mr. Speaker, I move, seconded by the member for Tuxedo (Mrs. Stefanson), that debate now be adjourned.

*Motion agreed to.*

#### **Bill 17—The Cooperatives Amendment Act**

**Hon. Gord Mackintosh (Minister of Family Services and Consumer Affairs):** I move, seconded by the Attorney General (Mr. Swan), that Bill 17, The Cooperatives Amendment Act, be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Mr. Mackintosh:** I'm pleased to speak to this bill, Mr. Speaker. The proposed amendments introduce a new business model called the multi-stakeholder co-operative. I had some difficulty with using that terminology here in Manitoba hoping that we had something that was more explanatory, but I understand that the multi-stakeholder co-operative is a term well-known in other jurisdictions like Québec and in Europe. But what it is it's a hybrid model that allows new and existing co-ops to combine the resources of different community members and gain access to new sources of capital, and I'll explain further.

Mr. Speaker, the United Nations declared 2012 as the International Year of Cooperatives in recognition of the sector's impact on, among other things, employment generation. It's fitting that our government is working with the co-op sector to implement a co-operative strategy. This legislation is part of that strategy. The strategy and this bill fit with the government's plan to create opportunities and grow our economy as set out in the Speech from the Throne and the budget.

Manitobans understand the benefits of co-ops and credit union membership and the impact of these businesses to the well-being of their local economy. In some areas the local credit union and local co-op gas bar or retail co-op provide essential services that help the area's economy run. We are also seeing new start-ups emerge to take on innovative business projects such as Peg City Car Co-op, a car-sharing business that is planning to serve a new market in Winnipeg.

Personally, I'm proud of the neighbours, the citizens in my community who pooled their resources through a co-op to take over Pollock's Hardware. The store at Main and Atlantic opened in 1922, and as some of you recall it closed its doors, most unfortunately, in 2007, leaving a very serious gap in services for the neighbourhood. But the community—North End residents and people from much greater distances and long-time customers of Pollock's Hardware decided there had to be a better way. They launched a consumer co-op and developed a business plan to raise equity capital through investment shares from interested community residents and former customers.

I think of the work of Louise Thiessen and John Loxley in addition to many, many others who were instrumental in achieving this new co-op for our neighbourhood. Memberships were sold to raise working capital and a credit union agreed to provide financing, and today I'm happy to report that Pollock's Hardware, I understand, is turning a profit and, indeed, is turning a profit sooner than was expected or would reasonably be expected in all the circumstances. I urge members to not only go and shop at Pollock's but become members. It is a fascinating store and one that provides great service.

Mr. Speaker, the new hybrid model introduced in this bill will help organizers like those who put together Pollock's Hardware or Peg City Co-op access to much needed capital. Currently, under The Cooperatives Act, co-ops seeking to raise capital through the sale of shares must sell to members who share a common interest whether they be workers or producers or, in the case of Pollock's, consumers.

With the hybrid model, a co-op can have multiple classes of members. The bill sets out the basic rights attached to those memberships. Groups that would normally form separate co-ops, such as consumers and producers of goods, could combine their resources to create a new co-op serving both groups. In Pollock's or Peg City's cases they could

use the model to create distinct worker or investment member groups or any other type of consumer group who could invest and participate in the co-op's operations. In short, the bill gives co-ops flexibility to structure their business according to their needs.

The hybrid model can also be used to give our 56 housing co-ops access to additional capital and resources. For example, a 55-plus housing co-op needing capital investment or more expertise on the board can use the hybrid model to add a new class of supporting members. Family and community members could invest in the co-op and join its board to help seniors manage the property.

I was pleased to have the Minister of Housing and Community Development (Ms. Irvin-Ross) second the motion to have the bill introduced. The minister and our government are working in partnership with the co-op sector on a strategy to support co-ops in Manitoba.

In 2008, the Province introduced the \$1.25-million Co-operative Development Assistance Program. Through this program, the Province has invested significantly in tools, resources and a strategy to help strengthen and grow the co-op sector, including a first-of-its-kind Co-op Development Tax Credit. We'll also be releasing a new promotional strategy in partnership with the sector later this year.

Mr. Speaker, during our consultation process, our co-op sector identified a number of other provisions in the act that needed modernizing. We responded with this bill that, number one, updates rules on electronic meetings; two, reforms provisions on access to membership lists; and three, enables our vibrant worker co-op sector to use more flexible business models.

The proposed amendments give co-ops the option to hold electronic member meetings and votes. Last year, when we introduced Bill 22 amending The Credit Unions and Caisses Populaires Act, the member from Portage la Prairie suggested similar amendments for credit union member meetings. The addition of electronic member meetings was well received by the credit union sector and is a measure that is supported by our co-ops. It'll be particularly useful to large co-ops with diverse membership.

Measures in the bill dealing with access to membership lists are also supported by the sector. The member—or the amendments give a co-op the

ability to scrutinize requests for member lists. The act will now ensure that a co-op can prevent the misuse of lists. However, we have struck a balance between member privacy and the democratic rights within the co-op. Members who want to influence the affairs of the co-operative can still gather information and garner the votes needed to petition for change. These rules are relevant to larger co-ops where individuals may not know how to get in touch with other members.

The bill updates provisions dealing with worker co-ops, as I said earlier. More specifically, Manitoba has an active sector with the second highest number of worker co-ops among the provinces. These unique co-ops are owned and controlled by the individuals who work for them. Right now, 80 per cent of their members must be employees and they are restricted to the business of providing employment to their members.

But the proposed amendments will not tie worker co-ops to this narrow model and will remove the restrictions on business activity. Worker co-ops will be able to count volunteers and contract workers as members. At the end of the day, it will be the worker co-ops' members, not the government, deciding how to structure their business.

Finally, Mr. Speaker, and yet importantly, this bill contains reforms to the special tribunal that hears appeals from members of co-op—of housing co-ops facing eviction or termination of their membership. Members in those circumstance will have enhanced procedural protections with a specialized and better-trained panel hearing the process. These amendments will come into force separately by proclamation to enable further consultations with the housing co-op community during the development of related regulations.

Mr. Speaker, the amendments in this bill are largely enabling and will give existing and new co-ops greater flexibility to structure their affairs. Our government is pleased to support this vibrant and successful sector of the economy.

I also want to recognize that the improvements to the housing co-ops and the appeal mechanisms came from an experience that was brought to my attention by a constituent. We know that we can always look for improvements based on the real-life experiences, of course, of people in our own neighbourhoods, and that's one example, and it reminds me of how important it is to have that healthy communication with our own constituents.

Thank you, Mr. Speaker.

**Mr. Blaine Pedersen (Carman):** I move, seconded by the member for Minnedosa (Mrs. Rowat), that debate on Bill 17 now be adjourned.

*Motion agreed to.*

\* (16:50)

### **Bill 30—The Change of Name Amendment Act**

**Mr. Speaker:** Now I will call Bill 30, The Change of Name Amendment Act.

**Hon. Gord Mackintosh (Minister of Family Services and Consumer Affairs):** I move, seconded by the Attorney General (Mr. Swan), that Bill 30, The Change of Name Amendment Act, be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Mr. Mackintosh:** This bill amends the act to require persons who are seeking to change their names under the legal process set out in the statute, to have—to be fingerprinted.

The fingerprints will be provided to the Royal Canadian Mounted Police to enable law enforcement officials to link a person's current and proposed name, if that person has a criminal history.

The bill will provide police with greater certainty about persons with a criminal history, to better protect all Manitobans and those beyond our borders. It will reduce the risk of criminals changing their names and appearing to have a clean criminal record. The intent is to prevent criminals from hiding behind a legal name change.

Criminals hoping to elude detection through name changes will come to the attention of law enforcement when the bill is implemented. The ability to quickly and accurately identify persons who have criminal records is crucially important to law enforcement agencies, and as they expressed, when we announced the legislation.

The bill requires name change applicants to submit fingerprints at designated law enforcement agencies which will forward the fingerprints and name change information to the RCMP for analysis and potential matching. If there is a match, the new name will be linked to the person's criminal record. If there is no match, the fingerprints will be destroyed.

BC and Alberta already have a fingerprint requirement as part of their legal name change process and the rest of the Canadian jurisdictions are currently examining this issue. Unlike current processes in BC and Alberta, neither name change applicants nor Vital Statistics staff will handle applicants' fingerprints in Manitoba. This will both protect applicants' privacy and prevent any potential tampering. Vital Statistics will also not learn any details about applicants' histories.

Similar to BC and Alberta, the new fingerprint requirement does not apply to name changes resulting from marriages or divorces. Some additional name change applicants may be exempted from the fingerprint requirement by regulation. For example, the amendments include youth, but we have asked for recommendations from senior Justice officials on how they should apply to a youth seeking a name change.

The fingerprint requirement could also be waived in exceptional circumstances—for example, to ensure confidentiality for victims of domestic violence or stalking.

I would like to commend and thank those stakeholders who have worked so hard and co-operatively with Vital Statistics staff to craft this bill. More work is required ahead, of course, to determine and set out the details of the fingerprinting process, including balancing the bill's objectives with robust privacy and security protections. Vital Statistics intends to develop those procedures in consultation with Manitoba Justice, police, including, of course, the RCMP, that will handle applicants' fingerprints, privacy counsel and the Manitoba Ombudsman.

This bill also makes some minor housekeeping amendments to allow the director of Vital Statistics to approve the forms used, under The Change of Name Act, rather than have the forms prescribed in regulation.

In conclusion, I would like to thank the Canadian Centre for Child Protection that brought this issue to our attention and I commend them for their reference.

In conclusion, I look forward to the discussion on this bill as it proceeds through the House, Mr. Speaker.

**Mr. Blaine Pedersen (Carman):** I move, seconded by the member for Morris (Mrs. Taillieu), that bill—that debate on Bill 30 now be adjourned.

*Motion agreed to.*

#### **Bill 43—The Real Property Amendment Act**

**Hon. Gord Mackintosh (Minister of Family Services and Consumer Affairs):** I move, seconded by the Attorney General (Mr. Swan), that Bill 43, The Real Property Amendment Act, be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Mr. Mackintosh:** Amendments in this bill will provide for better protection for consumers who have been victimized in fraudulent, wrongful real estate transactions and, as well, provide some prevention approaches.

Other proposed amendments will make Manitoba more attractive for economic development through the reduction of red tape in the creation of development schemes.

Provisions related to easements for public purposes will be modernized and will create greater certainty in these types of land interest.

The protection of consumers is one of our government's keys priorities in the Let's Make a Better Deal strategy, our five-year plan for stronger consumer protection.

Real estate fraud is an issue of growing concern across the country. This bill takes proactive steps to protect consumers from identify theft and scam artists. It is the result of considerable review and analysis of best practices in other jurisdictions, as well as recommendations by authorities in real property law. Consideration was also given to a report of the Manitoba Law Reform Commission and the contents of model land titles legislation created by a joint committee of land titles officials from across western Canada.

Mr. Speaker, when a person is deprived of their ownership of land by a fraudster or a scam artist, it is important that they have ownership returned in the most timely fashion and with the least possible expense. This bill will create a new streamlined application process to allow the innocent landowner to make an application to the Registrar General of the property registry for a hearing to determine the facts relevant to the situation. Where there is a finding that the innocent deprived landowner lost their land by reason of a fraudulent or wrongful

transaction, the Registrar General will make a report to the Court of Queen's Bench. The court will examine the report, request any additional evidence deemed appropriate and issue an order. This order may confirm the findings of the Registrar General or the court may issue such other order as is just in the circumstances.

This bill will establish the principle that an innocent deprived landowner who has lost their land through a fraudulent or wrongful transaction will be entitled to receive that land back. This will apply even where the land has been sold by the wrongdoer to an innocent third party who has paid for the property. Current law is not clear on which of the two innocent people, the original deprived landowner or the innocent purchaser for value, is entitled to title on the land. This bill also provides the innocent purchaser with the opportunity to make an application to the court for a determination that, in the circumstances, it would be more just for the innocent purchaser to receive the land.

In either case, the innocent party who does not receive the land will be entitled to compensation from the Land Titles Assurance Fund. The assurance fund is a fund created under The Real Property Act to compensate persons who have a lost an interest in land. Provisions related to this fund have been updated in this bill. A key amendment is a change to make it a fund of first resort rather than a fund of last resort.

Currently, in most cases, an innocent deprived landowner must first obtain a court judgment. Their access to the assurance fund is only available after they have tried and failed to collect on any court judgment. In the proposed process, the wronged party will proceed directly to the assurance fund for compensation through an application process to the property registry. These changes will allow for faster and more timely payment of compensation to innocent deprived landowners.

The decision of the Registrar General can be appealed to the court. The Province will then step into the shoes of the innocent deprived landowner and will be in a position to collect the amount of the compensation from whoever was responsible for the loss.

The current complex rules for determining when actions for compensation claims must be initiated are

being simplified. The new rules will give an innocent deprived landowner two years in which to make an application to the Registrar General for compensation starting from when they knew or ought to have known of their loss. These changes were modelled after recent changes implemented in Saskatchewan.

The amount of compensation payable from the assurance fund will now be limited to the actual amount of the value of the interest in land that was lost by the person. In addition, all reasonable costs incurred to obtain compensation as well as appropriate interest will be paid. These provisions on payment of compensation are based on the model land titles act drafted by a joint committee of western Canadian land titles officials.

Fraud by identify theft has become a problem in other provinces, and we wish to improve protections to consumers in this area. The fraud may occur when a scam artist holds themselves out of—as the real property owner and then signs documents transferring land or creating mortgages. The witness signature requirements for these documents have been tightened in this bill to combat this type of theft.

There are currently no requirements to provide or register discharges of mortgages or other instruments that have been registered in a land titles office. There will now be a requirement to prepare and register a discharge of a mortgage or other types of registered instruments once the obligations secured by that document have been met. This more timely registration of discharges will help prevent a form of fraudulent transaction that has occurred in British Columbia.

The bill addresses the elimination of unnecessary red tape in certain types of land transactions. Currently, there's a cumbersome process when a developer wants to make the land subject to a development scheme. The bill provides for a simplified process and implements a recommendation from the Law Reform Commission.

Easements over land are required in many circumstances for public purposes. This bill will provide a process for the creation of statutory easements. This modernized process will reduce the cost and complexity for business in Manitoba that obtain easements.

There are a number of other housekeeping amendments being made to the act. Certificates of charge for mortgages will no longer be provided when a mortgage is registered; improvements to information given upon completion of a registration have made these documents unnecessary. The penalty provisions are also substantially increased in the bill.

In conclusion, Mr. Speaker, the bill will provide improved protections for consumers, reduce red tape and simplify dealings respecting statutory easements.

**Mr. Blaine Pedersen (Carman):** I move, seconded by the member for Emerson (Mr. Graydon), that Bill 43—that debate on Bill 43 now be adjourned.

*Motion agreed to.*

**Mr. Speaker:** The hour now being 5 p.m., the House will adjourn and we will reconvene tomorrow at 10 a.m.

### **CORRIGENDA**

On Tuesday, May 24, 2011, page 2275, first column, second last paragraph, should have read:

**Ms. Marcelino:** Based on the review findings, funding for the 2010-2011 fiscal year was paused in response to ag museum's March 7 letter requesting reconsideration. The ag museum was advised that a one-time payment of \$65,800 to the museum was communicated on March 16, 2011, was warranted, reflecting two quarterly payments for the time period prior to the completion of the review based on program guidelines.

On Tuesday, May 24, 2011, page 2275, second column, third paragraph, should have read:

**Ms. Marcelino:** As I previously mentioned, funding for 2010 and 2011 fiscal year was paused, but a one-time payment of \$65,800 was communicated on March 16, 2011, as it was warranted.



Bill 31–The Manitoba Public Insurance Corporation Amendment Act	
Swan	2402
Bill 37–The Highway Traffic Amendment Act (Accident Reporting Requirements)	
Swan	2404
Bill 17–The Cooperatives Amendment Act	
Mackintosh	2405
Bill 30–The Change of Name Amendment Act	
Mackintosh	2407
Bill 43–The Real Property Amendment Act	
Mackintosh	2408

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