

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

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Speaker*

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MANITOBA LEGISLATIVE ASSEMBLY
First Session—Thirty-Eighth Legislature

Member	Constituency	Political Affiliation
AGLUGUB, Cris	The Maples	N.D.P.
ALLAN, Nancy	St. Vital	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
ASPER, Linda	Riel	N.D.P.
BARRETT, Becky, Hon.	Inkster	N.D.P.
CALDWELL, Drew, Hon.	Brandon East	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CUMMINGS, Glen	Ste. Rose	P.C.
DACQUAY, Louise	Seine River	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary, Hon.	Concordia	N.D.P.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
FRIESEN, Jean, Hon.	Wolseley	N.D.P.
GERRARD, Jon, Hon.	River Heights	Lib.
GILLESHAMMER, Harold	Minnedosa	P.C.
HAWRANIK, Gerald	Lac du Bonnet	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George, Hon.	Point Douglas	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LATHLIN, Oscar, Hon.	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
LOEWEN, John	Fort Whyte	P.C.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
MAGUIRE, Larry	Arthur-Virden	P.C.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MIHYCHUK, MaryAnn, Hon.	Minto	N.D.P.
MITCHELSON, Bonnie	River East	P.C.
MURRAY, Stuart	Kirkfield Park	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
PENNER, Jack	Emerson	P.C.
PENNER, Jim	Steinbach	P.C.
PITURA, Frank	Morris	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack	Southdale	P.C.
ROBINSON, Eric, Hon.	Rupertsland	N.D.P.
ROCAN, Denis	Carman	P.C.
RONDEAU, Jim	Assiniboia	N.D.P.
SALE, Tim, Hon.	Fort Rouge	N.D.P.
SANTOS, Conrad	Wellington	N.D.P.
SCHELLENBERG, Harry	Rossmere	N.D.P.
SCHULER, Ron	Springfield	P.C.
SELINGER, Greg, Hon.	St. Boniface	N.D.P.
SMITH, Joy	Fort Garry	P.C.
SMITH, Scott, Hon.	Brandon West	N.D.P.
STEFANSON, Heather	Tuxedo	P.C.
STRUTHERS, Stan	Dauphin-Roblin	N.D.P.
TWEED, Mervin	Turtle Mountain	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, December 12, 2002

The House met at 1:30 p.m.

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Highway 276—Load Limits

Mr. Glen Cummings (Ste. Rose): Mr. Speaker, I beg to present the petition of Hal Hopfner, Tom McKinnon, Jim Smith and others praying that the Legislative Assembly of Manitoba request the Minister of Transportation and Government Services (Mr. Smith) to consider the reduction or elimination of load limits on Highway 276 north of Ste. Rose to permit grain farmers to haul their grain to market using long-haul trucks and to consider upgrading Highway 276 to enable farmers to drive long-haul trucks on this highway and remain competitive.

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

Standing Committee on Law Amendments Second Report

Mr. Doug Martindale (Chairperson): Mr. Speaker, I beg to present the Second Report of the Committee on Law Amendments.

Mr. Speaker: Before recognizing the honourable member, the honourable member will have to seek leave. Does the honourable member have leave?

Some Honourable Members: Leave.

Mr. Speaker: The honourable member has leave.

Mr. Martindale: I beg to present the Second Report of the Committee on Law Amendments.

Some Honourable Members: Dispense.

Mr. Speaker: Dispense.

Madam Clerk (Patricia Chaychuk): Your Standing Committee on Law Amendments presents the following as its Second Report.

Meetings:

Your committee met on Thursday, December 12, 2002, at 10 a.m. in Room 255 of the Legislative Building.

Matters Under Consideration:

Bill 10 - The Elections Finances Amendment Act/Loi modifiant la Loi sur le financement des campagnes électorales

Committee Membership:

Substitutions received prior to commencement of meeting:

*Ms. Cerilli for Hon. Ms. Barrett
Mr. Laurendeau for Mr. Loewen*

Bills Considered and Reported:

Bill 10 - The Elections Finances Amendment Act/Loi modifiant la Loi sur le financement des campagnes électorales

Your committee agreed to report this bill without amendment.

Mr. Martindale: Mr. Speaker, I move, seconded by the honourable Member for Interlake (Mr. Nevakshonoff), that the report of the committee be received.

Motion agreed to.

TABLING OF REPORTS

Hon. Steve Ashton (Minister of Conservation): Pursuant to Section 6(10) of The Environment Act, I am pleased to table the Annual Report of the Clean Environment Commission for 2001-2002.

Hon. Dave Chomiak (Minister of Health): I am pleased to table Manitoba's Health Indicators Report, which has already been distributed and is available on the Web site.

INTRODUCTION OF BILLS

Bill 5—The Manitoba Public Insurance Corporation Amendment Act (Denial of Benefits for Offenders)

Hon. Gord Mackintosh (Minister charged with the administration of The Manitoba Public Insurance Corporation Act): I move, seconded by the Minister of Finance (Mr. Selinger), that leave be given to introduce Bill 5, The Manitoba Public Insurance Corporation Amendment Act (Denial of Benefits for Offenders), and that the same be now received and read a first time.

Motion presented.

Mr. Mackintosh: The bill limits entitlement to certain insurance proceeds to persons convicted of listed offences.

Motion agreed to.

* (13:35)

Bill 8—The Amusements Amendment Act

Hon. Eric Robinson (Minister of Culture, Heritage and Tourism): Mr. Speaker, I move, seconded by the Minister of Education and Youth (Mr. Lemieux), that leave be given to introduce Bill 8, The Amusements Amendment Act, and that the same be now received and read a first time.

Motion presented.

Mr. Robinson: Mr. Speaker, the purpose of this bill is to bring Manitoba in line with other provincial jurisdictions and to continue to provide parents and guardians with information about the movies and videos their children view. These changes reflect consultation over the last several years from parent and women's organizations. These new categories will bring us in line with what has been adopted in other jurisdictions. Manitoba will be one of six provinces that classifies films exhibited in theatres and one of only four that classifies videos.

Motion agreed to.

Bill 9—The Highways and Transportation Amendment Act (Trucking Productivity Improvement Fund)

Hon. Scott Smith (Minister of Transportation and Government Services): Mr. Speaker, I move, seconded by the honourable Minister of Family Services and Housing (Mr. Caldwell), that leave be given to introduce Bill 9, The Highways and Transportation Amendment Act (Trucking Productivity Improvement Fund), (and that the same be now received and read a first time).

Mr. Speaker: The honourable minister, please table the message.

Mr. Smith: Mr. Speaker, His Honour the Lieutenant-Governor, having been advised of the contents of this bill, recommends it to the House. I would like to table the Lieutenant-Governor's message.

Motion presented.

Mr. Smith: Mr. Speaker, I am very pleased to introduce this bill today. The proposed legislation will create a new highway-improvement fund through overweight permit fees and unique partnering agreements with the private sector.

Motion agreed to.

Bill 206—The Nellie McClung Foundation Act

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, I seek leave to introduce Bill 206, The Nellie McClung Foundation Act.

Mr. Speaker: Does the honourable member have leave to introduce this bill? *[Agreed]*

Mr. Murray: Mr. Speaker, I thank the House for leave.

I would move, seconded by the MLA for Charleswood (Mrs. Driedger), that leave be given to introduce Bill 206, The Nellie McClung Foundation Act (and that the same be now received and read a first time).

Motion presented.

Mr. Murray: Mr. Speaker, this bill creates a foundation empowered to raise funds for the creation, erection and maintenance of a statue to commemorate Nellie McClung on the grounds of the Manitoba Legislature.

The work McClung carried out, not only during her years in Manitoba but throughout her lifetime as a teacher, writer, political activist and as a legislator, should serve as an inspiration to us all. I hope that young women contemplating their future will look to Nellie McClung as an example of what any of us can achieve through hard work, dedication and perseverance. I hope all members will support this bill.

Motion agreed to.

* (13:40)

**Bill 202—The Essential Services
Amendment Act**

Mrs. Myrna Driedger (Charleswood): I move, seconded by the honourable Member for River East (Mrs. Mitchelson), that leave be given to introduce Bill 202, The Essential Services Amendment Act, and that the same be now received and read a first time.

Motion presented.

Mrs. Driedger: I am pleased to introduce Bill 202, The Essential Services Amendment Act, a private member's bill that we promised to introduce in our alternative speech from the throne last month. This bill amends The Essential Services Act by adding homeless shelters to the list of employers bound by Manitoba's essential services legislation. Employees of homeless shelters would be deemed essential and would be bound by essential-services agreements in the event of labour disputes.

Last month when employees at the Salvation Army voted to go out on strike, for the first time the Salvation Army had to shut its doors to Winnipeggers in need. This should not have to happen. Homeless shelters are in place to ensure that people in need have a roof over their head

when they need it and they should not be subject to the negative outcomes of labour-management negotiations.

I hope, Mr. Speaker, that all members of the Manitoba Legislature will support this bill.

Motion agreed to.**Bill 203—The Highway Traffic Amendment
Act (Emergency Vehicle Personnel
Liability Limit)**

Mrs. Joy Smith (Fort Garry): I move, seconded by the honourable Member for Pembina (Mr. Dyck), that leave be given to introduce Bill 203, The Highway Traffic Amendment Act (Emergency Vehicle Personnel Liability Limit), and that the same be now received and read a first time.

Motion presented.

Mrs. Smith: Mr. Speaker, in our alternative throne speech, we had made a commitment that we would introduce a private member's resolution calling for the implementation of a separate class of driver's licence for full-time and voluntary emergency personnel. Emergency personnel, police officers, ambulance drivers, various other sectors of society often pay a price when they do operate emergency vehicles. This bill will reflect the fact that there is a need there to deal with this issue.

Motion agreed to.**Bill 204—The Fisheries Amendment Act**

Mr. Glen Cummings (Ste. Rose): Mr. Speaker, I move, seconded by the Member for Russell (Mr. Derkach), that leave be given to introduce Bill 204, The Fisheries Amendment Act; Loi modifiant la Loi sur la pêche, and that the same be now received and read a first time.

Motion presented.

Mr. Cummings: Mr. Speaker, the intent of this bill is to provide an amendment that would allow for designation of certain lakes where net fishing would not be allowed. There are programs in this province of catch-and-release conservation

programs to protect fishing of all types and this would provide government some opportunity to take quick and expedient action in order to protect fish stocks.

* (13:45)

Motion agreed to.

**Bill 205—The Provincial Parks
Amendment Act**

Mr. Glen Cummings (Ste. Rose): Mr. Speaker, I move, seconded by the Member for Fort Whyte (Mr. Loewen), that leave be given to introduce Bill 205, The Provincial Parks Amendment Act; Loi modifiant la Loi sur les parcs provinciaux, and that the same be now received and read a first time.

Motion presented.

Mr. Cummings: Mr. Speaker, the intent of this bill is to assure that when Manitobans have property designated as parks and it is protected in perpetuity that additional authority be granted to the Government to be able to make sure that it is not bartered away, traded away or sold in the future. We wish to move this forward in order to provide the type of protection for our parks the people in Manitoba expect.

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

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I have just put the motion and I bet not one member heard it.

Motion agreed to.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, I would like to—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I am going to be introducing some students and I am sure they wish to be able to hear their schools being introduced, so I ask the co-operation of all honourable members, please.

Prior to Oral Questions, I would like to draw the attention of all honourable members to the public gallery where we have with us from Minnedosa Collegiate 50 Grade 9 students under the direction of Ms. Lisa Bartley. This school is located in the constituency of the honourable Member for Minnedosa (Mr. Gilleshammer).

Also in the public gallery we have from Athlone School 39 Grade 5 students under the direction of Mr. Ed Hume. This school is located in the constituency of the honourable Leader of the Official Opposition (Mr. Murray).

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

ORAL QUESTION PERIOD

**Taxation System
Provincial Comparisons**

Mr. Stuart Murray (Leader of the Official Opposition): Mr. Speaker, in our alternative throne speech we made a commitment to take apart the tax system to make it fair, simple and competitive. What this Premier has told Manitobans in their Throne Speech is basically: Do not hold your breath when it comes to being more competitive. Every province, even Saskatchewan, seems to understand the importance of competitive tax environment, but not the Doer government.

Why does the Premier feel it is acceptable that hardworking Manitobans, middle-income hardworking Manitobans, continue to pay the highest tax west of Québec? Why does he find that acceptable?

Hon. Gary Doer (Premier): Mr. Speaker, Merry Christmas to you too, Sir.

Let me explain something to the members opposite. The 1999 Budget, which was introduced by the former government, had tax decreases to be scheduled, of course, as normal—

* (13:50)

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: –had tax decreases implemented on January 1, 2000. Those tax decisions were the legacy of members opposite. Those tax decisions had us, at the \$60,000 annual income level in the 2000 tax tables, having the highest taxes at that rate in Canada. Now, they can run from the record, Mr. Speaker, but they cannot hide from the record.

We have lowered that rate for those family members by about \$800 per year since we were elected. We had the highest corporate income taxes in Canada. We have reduced those.

In each Budget we are dealing with the legacy of the Tories, both in terms of firing a thousand nurses and having the highest rate in taxes and we are making progress.

Mr. Murray: I should remind the Premier that, as he rails on about that 1999 Budget, he voted for it, and could not show up for his own. What you cannot hide from are the facts. The facts are, Mr. Speaker, when this member from Concordia became Premier, Manitobans were paying \$300 less than the same family in Saskatchewan, \$300 less taxes than that same family in Saskatchewan. In three years under this Premier that same family in Manitoba is now paying \$800 more than that family in Saskatchewan. That is an \$1,100 difference.

Why, when Manitobans are asking for tax relief, is he telling them do not hold your breath? Can he not do any better than that?

Mr. Doer: Mr. Speaker, one of the other legacies from the members opposite, including in the community of Springfield where the education taxes went up some 72 percent under the former government, so let him not feign indignation about taxes. They downloaded taxes onto the municipalities in terms of the education funding cuts: minus 2, minus 2, 0, plus 2 before an election.

They cut the property tax credit. So we are not only dealing with the corporate taxes left to us by members opposite, we are also dealing with the income taxes, the cutback in the education responsibility with the education property tax credit. We have not only reinstated the \$75 they cut from senior citizens, we have doubled it up to \$400.

Mr. Murray: Mr. Speaker, during this session we have heard this Premier attack the spokesperson for the Canadian Taxpayers Federation, the CFIB and the Manitoba Chambers of Commerce. I am sure he might have even done the same as he spoke to the Chamber of Commerce today. All they are asking for is tax relief. All they are asking for is to try to ensure that they, as hardworking Manitobans, know how to spend their money better than this Government does. That is all they are asking for is a little relief to be made competitive.

A Fraser Institute study showed that out of every jurisdiction throughout the United States and Canada—[interjection] Well, Mr. Speaker, they are probably going to have something bad to say about the Fraser Institute, but that is the NDP way. The Fraser Institute looked at all of the states and all of the provinces. When it came to every jurisdiction in terms of economic freedom, Manitoba was last, just ahead of P.E.I., through all of those. That is the legacy of this Premier.

*(13:55)

I ask him, rather than looking at it like Mr. Magoo, why does he not look at every other province, understand that competitiveness is going to keep our young people here and do something about it. He has a chance to do something and he failed.

Mr. Doer: Mr. Speaker, if you define a public, non-profit health care system as a, quote, impediment to so-called, as defined by the Fraser Institute, freedom, if you define that as a negative factor, then, yes, we are guilty, wanting non-profit hospitals here in Manitoba to be accessible to all Manitobans.

If, as the Fraser Institute says, raising the minimum wage a little bit every year to give working people a little bit of a break is an intrusion upon their freedom, yes, we are guilty, Mr. Speaker.

Mr. Speaker, the mean, extreme views of the Conservative Party we reject totally, and we will continue to make our Government more affordable. We are taking your 10th place showing and reducing it sustainably every year.

We are paying down the debt every year, which some provinces are not doing. We are balancing under the balanced-budget legislation every year. Public insurance rates are flat in Manitoba. They are going up in every other province. Hydro rates are flat in Manitoba and lower for rural Manitoba, something members opposite did not do.

Mr. Speaker, we will put your 10th place against our steady and dedicated improvement every year anytime.

Health Care System Private/Public Agreements

Mr. John Loewen (Fort Whyte): Mr. Speaker, if the Premier (Mr. Doer) wants to find mean, he needs to look no further than his Health Minister.

Mr. Speaker, in our alternative throne speech we urged the Government to collaborate with the private sector. In fact, we indicated we would be willing to work with them to set a policy framework that would allow waiting lists to be shortened and for better access to health care.

We advised in our alternative throne speech that we would work with front-line professionals, something that even though it was recommended in the Romanow report, this minister has scoffed at. We indicated that we would allow families to be involved—*[interjection]* It is one sentence.

Mr. Speaker: Order. Prior to recognizing the honourable Government House Leader on a point of order, I just look to my left and I look to my right and I see two empty loges. Members who want to have a conversation are more than welcome to take their conversation to the loges or out in the hallway, because it is very, very difficult to hear in this Chamber here.

Point of Order

Mr. Speaker: The honourable Government House Leader, on a point of order.

Hon. Gord Mackintosh (Government House Leader): A point of order, Mr. Speaker, aside

from the sense I have that the member opposite, the question—*[interjection]*

Mr. Speaker: Order. I want once again to remind all honourable members that a point of order is a very, very serious matter and I need to be able to hear—*[interjection]* Order. A point of order is a very serious matter and that is the time it is raised because of the importance of it. I need to be able to hear every word that is spoken by the honourable members that raised the point of order. So I please ask for your co-operation.

The honourable Government House Leader, on a point of order.

Mr. Mackintosh: Point of order, Mr. Speaker. Aside from the fact that I think the Member for Fort Whyte is getting a sore throat from his question, I refer to *Beauchesne* 409(2): "The question must be brief. A preamble need"—*[interjection]*

Mr. Speaker, I wonder if the Member for Springfield (Mr. Schuler) would like to recognize the rules of decorum in this House. There are people watching. Would you please remind him of that?

Mr. Speaker, a preamble need not exceed one carefully drawn sentence. Would you please draw the member's attention to that rule that has been in force in this Chamber for a long time?

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

Mr. Loewen: Well, on the same point of order, Mr. Speaker, I believe if you check Hansard, you will find I was still on one sentence.

I apologize if I have overstepped my bounds. Sometimes it is hard to point out all their failings in just one sentence.

* (14:00)

Mr. Speaker: Order. On the point of order raised, I would like to take this opportunity, I notice that the honourable Member for Fort Whyte has apologized, but I would just like to take this opportunity to remind all honourable members that 409(2): A preamble should not exceed one carefully drawn sentence.

I just ask the co-operation of all honourable members.

* * *

Mr. Loewen: I would ask the minister why he has outright rejected all of the suggestions we offered in our alternative throne speech and in fact has gone the opposite way. I would ask him to explain to Manitobans why he has ordered that patients in rural Manitoba who need non-life-threatening ambulance care are going to be directed by a central dispatcher, a dispatcher who has no previous knowledge of their medical condition, and why in fact he will not allow the ambulance drivers to listen to the families until the doctor is with that patient. Why is he ignoring them?

Hon. Dave Chomiak (Minister of Health): Mr. Speaker, there were numerous questions in the member's statement. I will deal with the first one. The first question was why would we not impose the members opposite's alternative throne speech. Because it would put us back to the 1990s. There is no provision made for hiring nurses. There is no provision made for hiring doctors. There is no provision for training nurses. There is no provision for training doctors. There is no provision for input in terms of joint counsel for full time and part time. There is no provision for expanded mental health care programs. There is no provision for community services like the PACT program we put in place, the cervical cancer screening program, the asthma screening program. There is no provision for the palliative care program.

Mr. Speaker, their alternative throne speech gives us the 1990s, which the director of the Manitoba Medical Association called the dark ages. That is why we are not implementing their so-called plan.

Bill 201 Government Support

Mr. Gerald Hawranik (Lac du Bonnet): Mr. Speaker, we are committed in our alternative throne speech to running criminal organizations and gangs out of this province. Insofar as we have supported this Government's Bill 2, we introduced an amendment to ban gang colours

from schools and shopping centres which was rejected by this Government, and we introduced Bill 201 to add power to Manitobans and to communities to take back their neighbourhoods and to feel safe in their homes.

Why will this Justice Minister and this Government not support our amendments and our bill so that children can be safe from the influence of gangs and that gangs can be run out of this province? Why will he not?

Hon. Ron Lemieux (Minister of Education and Youth): I appreciate the question. The safety of children in our schools, which was certainly made mention of by the member opposite, is a concern for us. I can tell you how strongly we feel about it.

Yesterday I sent a letter to the school divisions and to the superintendents informing them that, as a Government, we want to make sure, some school divisions right now in Manitoba have codes of conduct which they currently instruct their staff to look at anyone wearing gang colours or paraphernalia of any kind and certainly want those removed from schools. I wanted to reassure the school divisions they have the support of this Government. Not only the support of the Government but we have made a commitment to ensure that we as a Government are going to be taking action in the safe schools act, which will be coming up this coming spring. We will be looking at implementing a number of different initiatives with regard to the safety of our young children in schools.

Mr. Speaker, on that particular note, we have taken action. We are always committed to the safety of children in our schools in Manitoba.

Agricultural Policy Framework Manitoba Participation

Mr. Jack Penner (Emerson): Yesterday we met with the Manitoba Cattle Producers and later on last night we met with the Keystone Agricultural Producers. Both of them asked when Scrooge is going to leave the Manitoba Legislature and deal with the APF program as indicated by their Government.

Our alternative throne speech clearly indicates that we will fully participate in the 40

percent that the Minister of Agriculture committed to the farmers of this province in supporting fully the APF agreement. I want to ask the Minister of Agriculture: Will she take her Scrooge hat off today and commit to the farmers of Manitoba their full participation of the 40% program and the \$53 million that she owes the province of Manitoba.

Hon. Rosann Wowchuk (Minister of Agriculture and Food): Mr. Speaker, the member should be named Mr. Flip-flop because it was that side of the House—

Mr. Speaker: Order. I want to kindly remind all honourable members, when making reference to other members and ministers, to do so by the member's constituency or members by their portfolios. I see where some members are playing a little bit with the words and stuff, but every member in here is an honourable member, and I think each and every member should be treated as such.

Ms. Wowchuk: Well, certainly, Mr. Speaker. I would not want to offend the member from Emerson by calling him by a name that does not belong to him, but what I was trying to imply is that the member from Emerson and all members on that side of the House have flip-flopped in their position when it comes to the trade injury package. You will remember that we had an all-party resolution here. We were supported by AMM and the Manitoba Chamber of Commerce saying that the trade injury was a federal responsibility and the federal government should put all the money in.

Mr. Speaker: Order.

Point of Order

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

Mr. Jack Penner: On a point of order. I think it is about time this Minister of Agriculture presented the case honestly in this House. We have continually said that we would support the APF agreement, and she is the one that has denied participating in the—

Mr. Speaker: Order. I will, once again, remind all honourable members the purposes of points

of order. Points of order are to be used to point out to the Speaker a breach of the rule or a departure from our practices of the House. Please do not use points of order as a means of debate. The honourable Member for Emerson did not have a point of order.

* * *

Mr. Speaker: The honourable minister has a few seconds left.

Ms. Wowchuk: Thank you, Mr. Speaker. We did sign the Agricultural Policy Framework and we said that we are committed to our 40 percent on the programs within the Agricultural Policy Framework. The \$600 million of trade injury is not included in the trade injury package. It is a special federal program.

Winnipeg Child and Family Services Therapy/Counselling Services

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, in our alternative throne speech, we made a commitment to protecting children, something the Doer government has not done. I would like to ask the Minister of Family Services to explain why, if there was no cut or suspension of services as he stated in this House on December 3, why treatment for a high-risk sex offender was terminated abruptly with no notice on November 26.

Hon. Drew Caldwell (Minister of Family Services and Housing): Mr. Speaker, I do note that the member's interest in issues around this matter has been constant during this session. I know that the member has not been correct on a number of occasions in the House. We did not eliminate therapy. We did not lay off social workers; we are not creating vacancies at the front line. On this issue, Mr. Speaker, I will take under advisement what she brings to the table.

Some Honourable Members: Oh, oh.

*(14:10)

Mr. Speaker: Order. I will once again remind all honourable ministers—[interjection] Order. Manitoba practice has always been if a minister is going to take a question as notice, the minister

takes it as notice and there is no preamble, no post-amble. It is taken as notice. I ask the co-operation of all honourable ministers, please.

The honourable Member for Charleswood, on a supplementary question.

Mrs. Driedger: Mr. Speaker, I think this Minister of Family Services should be ashamed of himself.

I would like to ask: Can the minister then explain why a Winnipeg Child and Family Services supervisor said that she had been directed to terminate services to this boy, this extremely aggressive, high sex offender? Why was she directed to do that if he is saying that this did not happen?

Mr. Caldwell: Mr. Speaker, as I indicated in the answer to my first question, there is a record to the member, and I will take this under advisement if she would provide me with the information.

Mr. Speaker: The honourable Member for Charleswood, with her second supplementary question.

Mrs. Driedger: Mr. Speaker, I would like to table a letter from a therapist to Linda Trigg, the executive director of Winnipeg Child and Family Services. The therapist indicated that he is writing to express his concern about Winnipeg Child and Family Services recent decision to, without notice, terminate treatment for a high-risk sex offender.

I would like to ask this Minister of Family Services again why he said there have been no cuts or suspension of services when in fact this letter states exactly that that was what happened? It is time for the truth now, Mr. Speaker.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Caldwell: Mr. Speaker, the member has been tabling letters all session, which further examinations have proven to be erroneous or miscommunications. I said that I would take this under advisement and I will.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Point of Order

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

Mr. Marcel Laurendeau (Official Opposition House Leader): Mr. Speaker, on many an occasion, you have ruled in this House that the facts that members bring to this House are looked upon as being factual.

Basically, this minister, who is stating that these are erroneous documents, is calling not only members on this side of the House liars, but he is calling his own staff who work for him liars. The only liar in this House is that minister who sits there, who cannot see the facts, who puts a sexual offender out on the streets, and he is the one who should resign his seat.

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

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, it is my understanding that the minister was saying that there was a pattern of erroneous information that was being provided to the House, and in that context, the minister advised that he would be careful with the information and would take it under advisement and would look into it.

That is entirely responsive, Mr. Speaker, and I will end on that. I have another point of order.

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

Mrs. Bonnie Mitchelson (River East): The Minister of Family Services has called my colleagues' documents into question when they are documents that are on Child and Family Services letterhead, documents that were sent from Linda Trigg to staff within this minister's own department and letters from therapists, professionals out there who are saying this minister has cut services.

How can he stand in his place and make those kinds of allegations when those documents

are legitimate and come right from his department, staff who work under his watch?

Mr. Speaker: The honourable Minister of Family Services and Housing, on the same point of order.

Mr. Caldwell: Mr. Speaker, the letter that was tabled that arose out of this debate on the point of order is not to Family Services. It is to Winnipeg Child and Family Services. The letter itself is not to the Department of Family Services.

If the members feel aggrieved by my comments, in terms of the language I used, I apologize to the members for that. We are all honourable members in this House. Frankly I was more alarmed at the comments made by the House Leader that were a direct affront.

Mr. Speaker: I just heard the points of order raised. I heard the honourable minister offer an apology for his comments. Order. But I want to share some information with the House.

For example, the dictionary, for "erroneous" it says: Incorrect, arising from error.

When I am making a ruling, I also take into consideration when a member makes that statement, the context in which it is made and how it is made to another member. Sometimes words will be parliamentary but the context in which they are used would be very offensive to the House. I share that information with all honourable members and I ask all honourable members to pick their words carefully.

I accept the honourable minister's apology for causing the disturbance, so now we will continue on with Question Period.

Point of Order

Mr. Speaker: The honourable Government House Leader, on a point of order.

Hon. Gord Mackintosh (Government House Leader): On a point of order, Mr. Speaker. During the remarks of the Opposition House Leader, there was unparliamentary language that was used directed at the minister. *Beauchesne*

Citation 489, and of course parliamentary history is very clear that use of the word "liar" is indeed entirely unparliamentary.

The language was used, I understand, in the heat of the moment and I think out of character, but it is an issue that I ask be dealt with. Perhaps the honourable member will wish to withdraw his remarks and apologize.

Mr. Speaker: Order. The honourable Member for Turtle Mountain, on the same point of order.

Mr. Mervin Tweed (Turtle Mountain): Same point of order, Mr. Speaker. I find it disturbing that the Minister of Justice would get up and try and defend the remarks from the Minister of Family Services. He has proven in this House time after time that his facts are incorrect, and when he tries to rectify the situation he does it strictly by personal insult and personal attack. He should be ashamed for his comments. They are factually incorrect and to present them to this House and the people of Manitoba is a shame.

Mr. Speaker: On the point of order raised by the honourable Government House Leader, there was a lot of commotion going on and I could not hear the honourable member's comment at that point. I have to take it under advisement. I have to peruse Hansard and seek the authorities and I will have to come back with a ruling.

* (14:20)

Correctional Facilities Mental Illness Screening

Hon. Jon Gerrard (River Heights): Mr. Speaker, the Minister of Justice is quoted September 7 of this year as saying that about 5 percent of inmates in Manitoba prisons, like the Headingley Correctional Institute, have mental health issues. I ask the minister on what evidence his statement is based and to what extent inmates are screened for mental illnesses in Manitoba.

Hon. Gord Mackintosh (Minister of Justice and Attorney General): Mr. Speaker, the issue of the definition of mental illness is one I think that has some significant debate attached to it. My understanding and my recollection from that

particular interview was based on information received from the Corrections Division of the Department of Justice.

Mr. Gerrard: My supplementary to the minister. I ask the minister how he accounts for the fact that, while he says the incidence in Manitoba is about 5 percent, when I table copies of material which suggests the incidence of mental illness, including fetal alcohol syndrome, among inmates in other jurisdictions is much higher and may be as high as 40 to 50 percent, is the minister not adequately assessing the extent of the situation in Manitoba?

Mr. Mackintosh: Mr. Speaker, first of all, the percentage of that population at Headingley may be very different from populations in other institutions. In fact, I know that to be the case from that same discussion with the officials in the Corrections Division, but again this is a matter of definition. It is also an issue of concern. That is why Manitoba Corrections does provide specialized services and targeted interventions to deal with that kind of population.

Mr. Gerrard: My supplementary to the minister. I ask the Justice Minister whether he will start a better screening program for mental illnesses in Manitoba inmates so that in future he is better able to answer this question.

Mr. Mackintosh: Mr. Speaker, those who are sent to the correctional facilities in Manitoba are sent there by the judges of the courts. I suppose you can call that a screening. Is the member suggesting that these individuals be released from incarceration if in fact the courts have decided they are a danger to the public or deserve jail time?

Nursing Diploma Program Update

Ms. Nancy Allan (St. Vital): When the Accelerated Diploma Nursing Program was introduced by our Government shortly after we became elected, it was met by much skepticism and criticism by the Opposition. Could the Minister of Advanced Education update the House on the success of the Accelerated Diploma Nursing Program?

Hon. Diane McGifford (Minister of Advanced Education and Training): I am very pleased to be able to update the member this afternoon, especially in view of the fact that last night I was very delighted to attend the Red River community college winter graduation, at which event 69 nurses graduated from the Accelerated Diploma Nursing Program.

Mr. Speaker, furthermore, I think it is excellent news that in October, out of 72 nurses who wrote the national exams, one written by nurses across Canada, we had a success rate from this accelerated diploma program of 97 percent, 97 percent.

This really is an astounding, immensely successful program and I think the success of the exams and the number of graduations shows that we made the right decision in instituting this program. As President Thachuk has said—

Mr. Speaker: Order. The honourable member's time has expired.

Taxation System Reductions

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, our alternative throne speech promises a plan for Manitobans. A simplified tax structure, tax credit for students, to name a few, not a \$30-million tax grab like this minister took in his first year by de-linking early.

It is because of moves like this that Manitobans know our economy is falling further and further behind other provinces. They know the failure of the Doer government to stop their tax rates from becoming the highest in Canada is becoming a real problem for Manitoba families and individuals, and they know if something is not done right away we will continue to lose our youth and our tax base to other provinces.

Mr. Speaker, my question to the Minister of Finance is straightforward. When is he going to quit playing little league, step to the plate and provide a plan for tax relief for Manitobans?

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, the tax relief we have provided in our first three budgets makes the efforts of the previous government pale by comparison.

Members opposite had 12 years to get rid of the surtax on Manitobans. They did not do it; we did it in our first Budget. Members opposite had 11 to 12 years to get rid of the net tax in their budgets. They never did it; we did it in our first Budget. Members opposite had 11 years to increase the nonrefundable tax credits for families and dependents. We increased them by 40 percent in our first Budget. Members opposite had an opportunity to increase the property tax credit. They cut it by \$75; we increased it by \$150. The members opposite had an opportunity to reduce the tax burden on middle-income families. We reduced it by 14 percent.

They did virtually nothing during their time in office. In addition, they also did nothing on the corporate income tax rate. Their efforts on tax reduction were pitiful.

Out-Migration Reduction Strategy

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, in our alternative throne speech, we laid out a plan to make Manitoba more competitive and thereby provide incentives for young people to stay here and live and work and raise our families.

According to Dr. Edward Ebanks, director of Population Studies Centre, University of Western Ontario, he said, and I quote, economic opportunity makes Canadians move. Harry Hiller, a sociology professor and head of the Alberta Immigration Studies, said, and I quote, you do not go someplace unless the economy makes sense.

Given that studies released this week show that we have a net out-migration of young people to provinces like Ontario, Alberta and B.C., all of which have thriving competitive economies, I might add, where is this Government's plan to make our province more competitive, thereby providing incentives for young people to stay here?

Hon. Gary Doer (Premier): Mr. Speaker, it takes a lot of nerve to have statistics that are quoted, which is three-quarters of their regime, as a basis of criticizing the successors. I do not

know if any other political party would have that much nerve and think they were going to get away with it in terms of statistics from 1996 to 2001.

There is a 10-year record of employment growth of 3000 people per year under the Tory regime. The three years since we have been elected, Mr. Speaker, we are averaging more than double that amount.

Now we have reduced the out-migration, since we have been elected, for young people by some 40 percent, and there is still more work to do.

Now, Mr. Speaker, we do not pretend to be perfect, but our job growth records are twice as good as when they were in government. We are going to keep on going.

Clearwater Lake Provincial Park Land Transfers

Mr. Glen Cummings (Ste. Rose): Mr. Speaker, during our alternative throne speech, we proposed to protect parks and to protect our vulnerable fisheries. We just introduced two bills this morning to attempt to accomplish that. I would like to table on the part of 700 people their concerns about Clearwater Lake Park and the possibility of its being carved up.

Mr. Speaker, my question is to the Minister of Conservation. Given the concerns that are raised in those petitions, given the fact that his Premier (Mr. Doer) on the radio earlier this summer said in response to what is the importance of a designation, he said, and I read this very carefully, uh, a provincial park means it is, uh, the public owns the park, and, uh, it cannot be sold or bartered away. Will that minister stand up and protect our parks?

* (14:30)

Hon. Steve Ashton (Minister of Conservation): Mr. Speaker, I just want to say I wonder if it was the same Member for Ste. Rose who sat in the Government, I have been trying to count up here, that removed 65 designated park

areas during their mandate. We need no lectures from members opposite in terms of parks. We are adding to our parks system in this province.

Mr. Speaker: Order.

Point of Order

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

Mr. Harry Enns (Lakeside): It is a point of order when deliberate misinformation is put on the record. Inasmuch as I was Parks minister when many of those locations that he referred to were, in fact, not removed from the enjoyment of people's use. These were roadside rest stops that continue to be used for that very same purpose by the motoring public and the people of Manitoba.

Mr. Speaker: The honourable Minister of Conservation, on the same point of order.

Mr. Ashton: Mr. Speaker, in fact, this came from a report that I asked for from the department: *Lands Removed from Park Status*. I have a list of it. I am really disappointed the member opposite would try to deny the fact that, contrary to their words today, they did not care when they removed these areas from our park status. That was a wrong decision on their part, a mistake we are not going to repeat.

Mr. Speaker: Before making my ruling, I would like to, once again, point out to honourable members, a point of order should be to point out to the Speaker a breach of a rule or a departure from the procedures of the House. On the point of order raised by the honourable Member for Lakeside, he does not have a point of order. It is a dispute over the facts.

Education System Class Size and Composition

Mr. Leonard Derkach (Russell): Mr. Speaker, classroom size and composition is an issue that is on the minds of many trustees and educators around the province. This Government put a moratorium on classroom size and composition. During that moratorium, they brought in Dr. Glenn Nicholls to do a report on classroom size

and composition. Our Throne Speech supported Doctor Nicholls' point of view that there should be a moratorium on classroom size and composition until consultations are held.

I would like to ask the minister why he spent \$82,000 on a report when, in fact, his own Premier had made a backroom deal with the teachers' union that they would allow for classroom size and composition to be arbitrated according to the words that this minister spoke to the Teachers' Society.

Hon. Gary Doer (Premier): Mr. Speaker, if one wants—

Mr. Speaker: Order.

Mr. Doer: Thank you, Mr. Speaker. If one is to run the tapes from the debate in 1999 that took place, one took place at the Manitoba Association of School Trustees debate in, I believe, late March of 1999 and there was another subsequent debate that took place at the Teachers' Society. Some of us actually said the same thing in both debates on the same issues. You can run those tapes back. You will find clearly and you can read back all the media coverage on that debate. I stated clearly in front of both audiences that we would in fact repeal Bill 72.

When asked to go further than that on The Labour Relations Act, I said, no, but that we would repeal Bill 72. We thought as a logical interim measure that we should have a transition with the Nicholls report. I think the Nicholls report on early childhood development is an excellent document. It talks about the challenges of, not classroom size, it recommends that we deal with the issue of composition in classrooms.

Mr. Speaker, we do not want a system like they have in some other provinces, and there is a strike vote now potentially in Ontario. We do not want a system where students lose teachers because of The Labour Relations Act in a strike, but we do want working conditions to be properly arbitrated under a system that has been in Manitoba since the early fifties. If you want to accuse us of something to going back to a system that has worked from 1952 or 1953 to the present accuse us of it. It is good for kids and we support it.

Point of Order

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

Order. Once again, points of order are very, very serious and I need to be able to hear the words that are spoken to the points of order. I ask the co-operation of all honourable members, please.

I have recognized the honourable Member for Russell on a point of order.

Mr. Derkach: Mr. Speaker, on a point of order. I think it is *Beauchesne* 417 that states that answers to questions should be brief and not provoke debate. To clarify my question and to ensure the Premier was telling Manitobans what he indeed said, I will table the *Manitoba Teacher* where the minister is quoted as saying, and I will read: The Premier made the commitment and we are going to live up to it.

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

Hon. Gord Mackintosh (Government House Leader): Mr. Speaker, clearly you cannot use a point of order to try and clarify a mixed-up, inefficient use of Question Period or a question that does not work for a member, nor is it an opportunity to table reports. It is an abuse of the rules. Would you please remind the honourable member what points of order are for?

Mr. Speaker: On the point of order raised by the honourable Member for Russell, before I make a ruling I would just like to remind all honourable members that points of order should not be used to ask questions.

On the point of order raised by the honourable Member for Russell, it is a dispute over the facts. The honourable member does not have a point of order.

* * *

Mr. Speaker: If you have concluded your comments, we will go to the next question.

North End Sewage Treatment Plant Sewage Spill Fines

Mrs. Joy Smith (Fort Garry): In our alternative throne speech, we committed to

modernizing Winnipeg's water treatment system so major spills of the Red River do not take place. Yet the Premier (Mr. Doer) of this province undermined regulatory authorities by publicly stating that fines and remedies should not be imposed while sewage was still being flushed into the Red River.

Mr. Speaker, why is this Premier continuing to promote one set of standards for his Government and yet a different set for business, industry and individual Manitobans?

Hon. Steve Ashton (Minister of Conservation): Mr. Speaker, I am surprised members opposite would quote from that so-called alternate speech from the throne which left out, not only the North—

Some Honourable Members: Oh, oh.

Mr. Ashton: They cheer for that.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Ashton: They applaud leaving out the North, but, Mr. Speaker, completely ignored anything in terms of water strategy, including the floodway, and of course including the fact that we have acted. We have referred to the CEC. We are dealing with the neglect of 11 years of Tory government. We are acting, and we are going to have a comprehensive water strategy for Manitoba. That is what a real Throne Speech is all about.

* (14:40)

First Nations Casinos Minister's Comments

Mr. Harold Gillehammer (Minnedosa): After the defeat of the casino vote in Brandon, the Premier indicated that the Government had made mistakes, the chiefs had made mistakes, that municipalities were obstacles and that we did not get the puck in the net.

I would ask the Premier: Is he going to honour the votes that took place in Brandon, Headingley and Thompson? Will he honour the decisions made by those people?

Hon. Gary Doer (Premier): Mr. Speaker, we certainly have practised respect for local communities, but we also respect the Aboriginal leadership. I know members opposite will never ever be truly honest when things go partially right and need more work.

Mr. Speaker, I said that—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Mr. Speaker, I know we had a very excellent process in terms of ensuring that there was no political interference in the locations of places, but I think the process that was mutually agreed to between the chiefs and ourselves, we are going to meet with some of the leadership and go over what worked and what did not work. I think that is an honest assessment. Many other provinces, Alberta, Saskatchewan and Ontario, even under Tory governments, have acted with much, and North Dakota and Minnesota have acted with a lot more mutual respect with First Nations people than is evidenced across the way.

Mr. Speaker: Time for Oral Questions has expired.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

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

Mr. Marcel Laurendeau (Official Opposition House Leader): No, Mr. Speaker. I do believe that the Government House Leader has gotten up on a point of order against some language which I might have used in the House, and you took it under advisement.

Mr. Speaker, I did use some language which should not be used in this House in the heat of the moment, and I would like to apologize to the Minister of Family Services (Mr. Caldwell).

Mr. Speaker: I thank the honourable Official Opposition House Leader for that. That should take care of that matter.

MEMBERS' STATEMENTS

Queen's Jubilee Medals

Ms. Nancy Allan (St. Vital): It is my pleasure to rise on this occasion to recognize several people in St. Vital who will be receiving the Queen's Golden Jubilee Medal. The medals are awarded to persons who have made significant contribution to Canada, to their community or to fellow Canadians. The recipients will receive their medals from the Queen's representative, His Honour the Lieutenant-Governor, Peter Liba, on December 16.

The first recipient is Lorna Miner, the president of the St. Vital Historical Society, who will be receiving the medal in recognition of all the volunteers who work tirelessly to preserve the history of St. Vital.

The St. Vital Historical Society has collected and catalogued hundreds of artifacts and documents which they display for the public in a museum on the second floor of the Riel School Division office on St. Mary's Road.

The Historical Society volunteers make classroom presentations, sharing their stories with students in the community of St. Vital. They host several public events at the Faith Lutheran Church throughout the year, displaying the history of St. Vital. My colleague the MLA for Riel and I have been at almost every event and are always impressed with the professionalism of the displays and the dedication and hard work of the volunteers.

The second recipient is Joan MacDonald, the president of the Glenwood Community Club. Joan was first elected in 1998, and one of her first responsibilities was overseeing the renovations to the arena and the club's main building. She did a fabulous job of managing this major project.

Joan has also worked with volunteers to organize all the special events held at the Glenwood Community club for the past four years and is a valuable support to the community. The medal will be given in recognition of Joan's dedication and hard work that symbolizes the contributions volunteers make to communities all across this province.

The third recipient is Keith McDougall, the owner of the Dakota IGA, who has supported many organizations in the St. Vital community. Keith has made food donations to the breakfast programs at St. George and Victor Mager School for the past five years and provided gift certificates for the purchase of Christmas hamper turkeys. With his support, these schools distributed 72 hampers to needy families in the community.

Mr. McDougall has also sponsored a student work experience program in his store for students of Glenlawn Collegiate, Dakota Collegiate and J.H. Bruns.

The Honourable Benjamin Hewak

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, I am honoured to rise today to pay tribute to a Manitoban, someone who is not from my constituency of Charleswood, but from the North End and in fact from Point Douglas to be specific.

I pay tribute to Chief Justice Ben Hewak of the Court of Queen's Bench, who will be retiring at the end of this month. He is retiring after serving as a judge for 31 and a half years and as the Chief Justice for approximately 17 years.

I mention the North End because this was something that was very important to him. These humble beginnings are a source of great pride to him, and he is the proud son of Ukrainian immigrants, who provided him with strong roots.

At a dinner held recently by the judiciary to honour Ben Hewak, Chief Justice Scott recounted the significant changes brought about during Hewak's term as Chief Justice. In commenting on the challenge, Chief Justice Scott said, and I quote, but it was a challenge that you quickly mastered in a quite remarkable way.

Ben Hewak has changed the face of the court system in Manitoba, and it is safe to say that he has changed and improved the system of justice in this province.

We say thank you to this great Manitoban. On behalf of my colleagues in the Manitoba

Legislature, we wish him and Mona well.

Bert Kindzierski

Mr. Tom Nevakshonoff (Interlake): Mr. Speaker, it gives me great pleasure to rise in the House today to pay tribute to a very special man who recently left public office to enjoy a well-deserved retirement.

After 24 years on town council, most of them as mayor, Mr. Bert Kindzierski, of the community of Arborg, passed on the torch to his successor, Mr. Randy Sigurdson, by stepping down prior to the municipal election this fall.

Bert was the very essence of a volunteer, never hesitating to devote his time, knowledge and experience for the betterment of his community. If his enthusiasm over the last three years that I worked with him is any indicator of his style and manner in the years prior to that, then it is no surprise to me that he remained undefeated over the past quarter century.

I cannot begin to list his accomplishments over the years, but I would be remiss if I did not acknowledge his contribution in getting the Interlake natural gas pipeline built, his lobbying efforts on the Interlake Development Corporation Transportation Committee regarding the Highway 68 project and his service on the Interlake Regional Health Authority, as a founding member, to name only a few.

To the end of his term, he was a very progressive thinker, and I greatly appreciated the assistance he has given me in promoting the establishment of a conservation district to deal with watershed management issues.

In the final analysis, it can be said that Bert is first and foremost a real gentleman. He taught me the valuable lesson of putting partisan politics aside after the election so that all sides could work together for the common good of the people they collectively serve.

To Bert and all the other mayors, reeves and councillors who did not return after the last election, your contributions while in office are acknowledged and much appreciated.

Young Historian Competition

Mr. Denis Rocan (Carman): Mr. Speaker, I rise today to recognize one of my young constituents, Richelle McCullough from Carman, for her recent success in the Manitoba Historical Society's Young Historians Competition.

Every year the Manitoba Historical Society rewards excellence in the study of Manitoba history through its Young Historians Competition. To encourage young people to read, research and appreciate the past, the society offers prizes to various age groups, starting at Grade 5 and continuing to Grade 12.

Last week, I had the privilege of presenting a certificate of congratulations to Ms. McCullough, a Grade 12 student at Balmoral Hall, who placed first in the Family History category in the Young Historians Competition.

The Family History category challenged Richelle McCullough to write a 10 to 25 page paper on the history of her family in the context of larger historical issues and events. She found this project to be very fascinating and educational as history is one of her favourite subjects.

The Manitoba Historical Society has been preserving the history of Manitoba since 1879. The society is the oldest organization of its kind in western Canada, and it is devoted to the promotion of public interest in and preserving of the region's historical resources.

* (14:50)

History is important to us all. I am glad to see that our young people are taking an interest in the history of their ancestors and of our province. Once again I would like to congratulate Richelle McCullough on her achievement. Thank you very much, Mr. Speaker, for giving me this opportunity.

Golden West Centennial Lodge

Mr. Jim Rondeau (Assiniboia): Good day, Mr. Speaker. I rise today to highlight the efforts of Golden West Centennial Lodge annual residents Christmas party and other events.

On Tuesday, December 10, the auxiliary held floor parties where entertainers including Santa Claus, five clowns, Salvation Army Junior Choir, a tuba player and James Ladyka, a violinist, moved from floor to floor entertaining the residents. Many volunteers and family members spent considerable time and effort preparing food, organizing the event, serving food and helping their loved ones.

The Golden West Centennial Lodge Auxiliary co-ordinates the event, contributes financially for it and provides many volunteers to run it. I had the pleasure of attending and helping out at this year's events. The residents, families and guests had a great time and will remember it for many years. It contributed to the positive feeling that always is at the lodge. I would like to thank the staff and administration of the lodge for all their efforts at this event throughout the year.

I believe this is a model long-term care facility which provides great service to all residents. The auxiliary also provides a gift for each resident in the entire lodge at Christmas time. I understand this really makes a huge, positive difference to those residents who no longer have loved ones within the city or who can attend at Christmas time. Their eyes really brighten when they open their true Christmas gift.

I would like to thank all the auxiliary members for contributing to the environment and quality of life for the Golden West Centennial Lodge residents. Your continued work does make a real, positive difference and is truly appreciated. Your work makes a Merry Christmas and a great spirit year-round at Golden West Centennial Lodge. It is nice to see that these efforts go on year after year and that the small group of auxiliary members positively contribute to life in Assiniboia and their community. Thank you very much for making a difference.

ORDERS OF THE DAY

GOVERNMENT BUSINESS

House Business

Hon. Gord Mackintosh (Government House Leader): Would you canvass the House to see if there is leave for the special committee of seven

members consisting of the honourable Minister of Conservation (Mr. Ashton), the honourable Member for St. Vital (Ms. Allan), the honourable Member for Interlake (Mr. Nevakshonoff), the honourable Member for St. Norbert (Mr. Laurendeau), the honourable Member for Pembina (Mr. Dyck), the honourable Member for Minnedosa (Mr. Gilleshammer), and the honourable Minister of Justice and Attorney General (Mr. Mackintosh) to be constituted to prepare lists of members to compose the standing committees in accordance with the new rules that go into effect January 1, 2003.

Mr. Speaker: Is there leave for the special committee of seven members consisting of the honourable Minister of Conservation, the honourable Member for St. Vital, the honourable Member for Interlake, the honourable Member for St. Norbert, the honourable Member for Pembina, the honourable Member for Minnedosa, and the honourable Minister of Justice and Attorney General to be constituted to prepare lists of members to compose the standing committees in accordance with the new rules that go into effect on January 1, 2003. Is that agreed? *[Agreed]*

Mr. Mackintosh: Would you canvass the House to see if there is agreement for report stage and third reading of Bill 10 to be considered now?

Mr. Speaker: Is there agreement for report stage and third reading of Bill 10 to be considered this afternoon? *[Agreed]*

REPORT STAGE

Bill 10—The Elections Finances Amendment Act

Hon. Gord Mackintosh (Minister of Justice and Attorney General): I move, seconded by the Member for St. Norbert (Mr. Laurendeau), that Bill 10, The Elections Finances Amendment Act, as reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

THIRD READINGS

Bill 10—The Elections Finances Amendment Act

Hon. Gord Mackintosh (Minister of Justice and Attorney General): I move, seconded by

the Member for St. Norbert, that Bill 10, The Elections Finances Amendment Act, be now read a third time and passed.

Mr. Speaker: It has been moved by the honourable Government House Leader, seconded by the honourable Member for St. Norbert, that Bill 10, The Elections Finances Amendment Act, be now read a third time and passed.

Mr. Mackintosh: Please call second readings, Mr. Speaker.

Mr. Speaker: Is the House ready for the question? The question before the House is Bill 10, The Elections Finances Amendment Act. Is it the pleasure of the House to adopt the motion? *[Agreed]*

* * *

Mr. Mackintosh: Second readings, Mr. Speaker.

SECOND READINGS

Bill 6—The Manitoba Public Insurance Corporation Amendment Act (Claimant Advisers)

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, I move, seconded by the Minister of Justice (Mr. Mackintosh), that Bill 6, The Manitoba Public Insurance Corporation Amendment Act (Claimant Advisers); Loi modifiant la Loi sur la Société d'assurance publique du Manitoba (conseillers des demandeurs), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Selinger: Mr. Speaker, the proposed amendments provide for the establishment of a claimant adviser office to assist claimants in the appeal of a decision that they do not agree with by the Manitoba Public Insurance Corporation with respect to a bodily injury claim.

Many claimants do not understand their entitlements under the personal injury protection plan, nor do they understand the scope and

purpose of the appeal process. As a result, they feel intimidated by the process and often are not prepared or comfortable presenting their case to the Appeal Commission. This bill recognizes the need to provide assistance and advocacy to claimants.

Claimant advisers will assist claimants in appealing a review decision to the Appeal Commission by explaining the process and providing assistance in preparing for an appeal and, where required, appearing before the Automobile Injury Compensation Appeal Commission on the claimants' behalf.

Mr. Speaker, assistance provided by claimant advisers will include assistance in determining what evidence is required to support the appeal as well as assisting claimants to be well prepared for the appeal hearing. Claimant advisers will help the claimants to make their points in a clear, concise and supported manner. This should allow appeals to proceed in a more expeditious manner by reducing the number of hearing delays and adjournments.

The costs to establish and operate the office will be recovered from the Manitoba Public Insurance Corporation. The office will be independent from both MPIC and the Automobile Injury Compensation Appeal Commission and will report to a minister other than the Minister responsible for the Manitoba Public Insurance Corporation.

Mr. Speaker, with these few brief comments, I am pleased to recommend this bill for consideration. Thank you.

* (15:00)

Mr. Glen Cummings (Ste. Rose): Mr. Speaker, perhaps it is a little unusual that at this stage of the progress of a bill that I would choose to put my remarks on the record, but this is a bill that will undoubtedly do some good.

But I am concerned about the fact that the practices, as they have unfolded within the corporation since the beginning of the implementation of no-fault coverage in this province, there seems to have been a movement within the corporation or, perhaps, an

interpretation of the act that there has been some, I would say, gross injustice that has occurred relative to the way people have been able to manage their appeals to their claims.

I know that that, in part, is what the minister is trying to address here, but it strikes me that with the proper approach within the corporation there would not need to have been this additional act.

So my remarks are through the Speaker, through this House, to the corporation and asking them how it is that they have chosen to manage the no-fault system and the no-fault appeal system in the manner in which it has occurred.

I will give a very clear example of where I believe there is a problem that has developed. It is related to when an appellant appears in front of the commission. It was always my understanding and it was the intent of the original bill, the personal injury compensation package as it went through the Legislature it was always the understanding and the intent that this would be a non-confrontational process by which the appellant would be able to work with internal systems for appeal, that his claims officer would ultimately become his adviser, his confidant, and provide support to him or her as they went through the process.

I can understand that perhaps that did not happen to the extent that was expected, but I have a second problem. That is that as appellants have gone forward to the commission, and, frankly, I did not realize that this was going to be a practice that they would follow or perhaps it would have been dealt with abruptly a long time ago, and that is that MPI comes to the commission with a battery of lawyers.

What were they thinking? Why did the governments of the day, and I take my full share of responsibility in having introduced this legislation and in expecting it to be a non-confrontational process, but I find that even going beyond that, they have now got to a position where they actually ask a claimant to bring a legal opinion to support their position.

That is the ultimate insult. That is inappropriate in this system. One way of dealing

with it would have been that they would say, well, if you are going to introduce legal beagles, if you will, legal counsel into this process, we will pay for both sides. That would have been one approach that the corporation could have taken, or, pardon me, that would have been an approach that the commission should have enforced, I believe. I am not sure if the legislation surrounding the commission, I would have to research that a bit, but I would be interested to know whether the legislation around the commission would have allowed them to do that, but, certainly, they should have raised the flag and passed that on to the responsible ministries about whether or not this was an appropriate approach.

So this bill, while it will provide, I would suggest, some public buffer to this Government, this bill will not in the end provide the protection that some claimants may need in going through the process, because as was related publicly by people who are following this process, the fact is that there now are not likely to be trained litigators who will be helping the claimants. If that is the way this corporation is going to go, it will still not have answered the issues around the Appeal Commission in a manner in which I believe they need to be addressed.

Mr. Speaker, I am going to abbreviate my remarks at this time. I would encourage the minister responsible not only to move forward with this, and I am not suggesting we are prepared to pass it today without a whole lot more debate, but what I am suggesting is that this requires a bigger picture view of how no-fault is being practised by the corporation and ultimately the responsibility that lies with the government of the day. That needs to be addressed and I will not be satisfied until it is.

Mr. David Faurichou (Portage la Prairie): I move, seconded by the honourable Member for Morris (Mr. Pitura), that debate be adjourned.

Motion agreed to.

Bill 7—The Manitoba Public Insurance Corporation Amendment Act (Protection of Crown Assets)

Hon. Gord Mackintosh (Minister of Justice and Attorney General): I move, seconded by

the Minister of Education (Mr. Lemieux), that Bill 7, The Manitoba Public Insurance Corporation Amendment Act (Protection of Crown Assets), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Mackintosh: Mr. Speaker, this bill requires that any proposed privatization of the Manitoba Public Insurance Corporation be approved by a referendum by the people of Manitoba. In addition, the bill requires that any proposal to amend, repeal or override the referendum requirement be referred, of course, to a standing committee of the Legislative Assembly, but with seven days' notice at which time the public would have an opportunity to be heard.

Mr. Conrad Santos, Deputy Speaker, in the Chair

The main goal of the Schreyer government in establishing a public insurance scheme in Manitoba was to create many advantages for Manitobans. It was to create a basic plan designed to return approximately 85 percent of the premiums collected from motorists in claim benefits. Earnings from the investment of the fund of those premiums paid by Manitobans on the basic plan were also to be used to reduce premiums or increase benefits and as well to provide a fund for the enhancement of services and facilities, whether it is municipal infrastructure improvements or hospitals or schools for Manitobans. To create uniformity in the coverages and the administration for all Manitoba motorists by the creation of one public agency, of course, was an objective. It was also an objective, of course, that the agency be sensitive and responsive to public needs.

Mr. Deputy Speaker, the objective, of course, also included the establishment of claim centres throughout the province to facilitate efficient and economical claims adjustment. It was also to provide a basic protection for all Manitobans without at the same time interfering with the rights of motorists to obtain additional or supplementary coverage.

Manitoba motorists continue to benefit from comprehensive coverage, including personal

injury protection, paying rates that independent research shows are consistently among the lowest or are the lowest in the country. While drivers in other provinces are facing double-digit increases in auto insurance rates as much as 30 percent or 40 percent, Manitoba Public Insurance has held the line or reduced insurance for the last five years.

* (15:10)

Mr. Deputy Speaker, it is my understanding that last year, according to Statistics Canada, insurance rates in Canada went up 16 percent on average across the country. That was including a consideration of the Manitoba experience. But in Manitoba the basic insurance rate overall was holding the line here in this province. Even over the 30-year history of MPI, auto insurance rates have increased at a rate slower than inflation.

As I mentioned earlier, one of the founding principles of MPI was to return 85 cents of every dollar collected. The experience now has indicated that MPI has consistently paid more than 90 cents. Consistently low MPI rates are a contributing factor to Manitoba's low cost of living. It is part of the Manitoba advantage. It is an asset for Manitobans. What is important, Mr. Deputy Speaker, is that this Legislature takes steps to ensure that there is no taking from Manitobans of this asset without having checks and balances in place if a future government contemplates a privatization.

Mr. Deputy Speaker, we have seen what has happened with the telephone system, which has been privatized and, in our view, wrongly privatized. We have seen how rates have steadily increased in Manitoba. For example, in 1997 MTS basic rates for Winnipeg were \$17.80 per month, I am advised. Today they are \$25 a month.

But, Mr. Deputy Speaker, when you look back at the system that was in place before MPI, and I think Russ Paulley in 1962 said it well, he said the motorist is getting a drubbing. The system here is ridiculous as well as costly.

We have to make sure that we protect the public interest by ensuring that there is a

referendum if there is privatization contemplated.

Mr. Deputy Speaker, those are my comments. I look forward to the input of members opposite. I remind the Legislature that this legislation is based largely on amendments, legislation that was brought into this House to deal with the protection of our Hydro assets in this province. Thank you.

Mr. Frank Pitura (Morris): Mr. Deputy Speaker, I move, seconded by the Member for Ste. Rose (Mr. Cummings), that debate be now adjourned.

Motion agreed to.

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

Special Committee of Seven Persons First Report

Hon. Gord Mackintosh (Government House Leader): Mr. Deputy Speaker, would you please canvass the House to see if there is leave to present the report of the Special Committee of Seven Persons, which we expect momentarily.

Mr. Deputy Speaker: Is there leave to present the report of the Special Committee of Seven Persons? *[Agreed]*

Mr. Mackintosh: Mr. Deputy Speaker, I suggest that since there is no more public business before the House, and we will await the arrival of the administrator and, as well, the arrival of the report, so perhaps—

An Honourable Member: Here comes the report now.

Mr. Mackintosh: Mr. Deputy Speaker, I would like to present the first report of the Special Committee of Seven Persons.

Madam Clerk (Patricia Chaychuk): Your Special Committee of Seven Persons appointed to prepare a list of members of the standing committees ordered by the House—

Some Honourable Members: Dispense.

Mr. Deputy Speaker: Dispense.

Your Special Committee of Seven Persons, appointed to prepare a list of Members of the Standing Committees ordered by the House, presents the following as its First Report.

Your committee prepared the following list of Members to compose the Standing Committees ordered by the House:

Agriculture And Food (11)

Hon. Mr. Ashton, Messrs. Derkach, Dewar, Maguire, Nevakshonoff, Penner (Emerson), Schellenberg, Hon. Mr. Smith (Brandon West), Messrs. Struthers, Tweed, Hon. Ms. Wowchuk

Crown Corporations (11)

Hon. Ms. Barrett, Mr. Dewar, Ms. Korzeniowski, Messrs. Loewen, Maloway, Penner (Steinbach), Reimer, Hon. Mr. Selinger, Mr. Schellenberg, Mrs. Stefanson, Mr. Struthers

Human Resources (11)

Ms. Allan, Hon. Ms. Barrett, Ms. Korzeniowski, Hon. Ms. McGifford, Messrs. Aglugub, Penner (Steinbach), Pitura, Reid, Rondeau, Schuler, Mrs. Smith (Fort Garry)

Intergovernmental Affairs (11)

Messrs. Aglugub, Cummings, Dewar, Hon. Ms. Friesen, Mrs. Mitchelson, Messrs. Nevakshonoff, Reimer, Rondeau, Mrs. Smith (Fort Garry), Hon. Mr. Smith (Brandon West), Hon. Ms. Wowchuk

Justice (11)

Mr. Aglugub, Ms. Cerilli, Messrs. Dewar, Hawranik, Laurendeau, Hon. Mr. Mackintosh, Messrs. Martindale, Penner (Emerson), Santos, Schellenberg, Mrs. Smith (Fort Garry)

Legislative Affairs (11)

Ms. Asper, Mrs. Dacquay, Messrs. Dewar, Hawranik, Laurendeau, Hon. Mr. Mackintosh, Messrs. Maloway, Martindale, Nevakshonoff, Reimer, Rondeau

Private Bills (11)

Ms. Allan, Ms. Asper, Messrs. Helwer, Maguire, Maloway, Martindale, Penner (Emerson), Reimer, Rondeau, Schellenberg, Struthers

Public Accounts (11)

Ms. Allan, Ms. Asper, Hon. Mr. Gerrard, Messrs. Gilleshammer, Helwer, Laurendeau,

Maguire, Maloway, Reid, Rondeau, Hon. Mr. Selinger

Rules of the House (11)

Hon. Mr. Ashton, Mrs. Dacquay, Messrs. Derkach, Dewar, Hon. Messrs. Gerrard, Hickes, Ms. Korzeniowski, Mr. Laurendeau, Hon. Mr. Mackintosh, Messrs. Martindale, Santos

Social and Economic Development (11)

Hon. Mr. Caldwell, Messrs. Cummings, Dewar, Maguire, Maloway, Martindale, Hon. Ms. McGifford, Mr. Pitura, Hon. Mr. Sale, Mr. Schellenberg, Mr. Tweed

Statutory Regulations & Orders (11)

Ms. Allan, Ms. Cerilli, Messrs. Cummings, Derkach, Dewar, Helwer, Ms. Korzeniowski, Hon. Mr. Lemieux, Mr. Rocan, Hon. Mr. Sale, Hon. Ms. Wowchuk

Mr. Mackintosh: I move, seconded by the Minister of Labour (Ms. Barrett), that the report of the committee be received.

Motion agreed to.

Mr. Mackintosh: Mr. Deputy Speaker, I understand that the administrator is arriving at 3:30, and I suggest that we recess until 3:30.

Mr. Deputy Speaker: Is there consensus agreement that we recess until 3:30 p.m.? [Agreed]

Mr. Speaker in the Chair

ROYAL ASSENT

His Honour Chief Justice Scott, Administrator of the Province of Manitoba, having entered the House at 3:36 p.m. and being seated on the Throne, Mr. Speaker addressed His Honour in the following words:

Mr. Speaker: Your Honour:

At this sitting the Legislative Assembly has passed certain bills that I ask Your Honour to give assent to.

Madam Clerk Assistant (Monique Grenier):

Bill 2—The Civil Remedies Against Organized Crime and Liquor Control Amendment Act; Loi sur les recours civils

contre le crime organisé et modifiant la Loi sur la réglementation des alcools

Bill 3—The Legislative Assembly Amendment Act; Loi modifiant la Loi sur l'Assemblée législative

Bill 4—The Fire Departments Arbitration Amendment Act; Loi modifiant la Loi sur l'arbitrage relatif aux services de pompiers

Bill 10—The Elections Finances Amendment Act; Loi modifiant la Loi sur le financement des campagnes électorales

Madam Clerk (Patricia Chaychuk): In Her Majesty's name, His Honour assents to these bills.

His Honour was then pleased to retire.

Mr. Mackintosh: To you, Mr. Speaker, and to staff and our colleagues in the House, Merry Christmas and Season's Greetings. Would we call it six o'clock, Mr. Speaker?

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

I would like to also on behalf of my family wish everyone a very happy holiday season.

The hour being 6 p.m. this House is now adjourned and stands adjourned at the recall of the Speaker.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, December 12, 2002

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