

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

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authority of  
The Honourable George Hickes  
Speaker*

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Eighth Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
AGLUGUB, Cris	The Maples	N.D.P.
ALLAN, Nancy, Hon.	St. Vital	N.D.P.
ALTEMEYER, Rob	Wolseley	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
BJORNSON, Peter, Hon.	Gimli	N.D.P.
BRICK, Marilyn	St. Norbert	N.D.P.
CALDWELL, Drew	Brandon East	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CULLEN, Cliff	Turtle Mountain	P.C.
CUMMINGS, Glen	Ste. Rose	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary, Hon.	Concordia	N.D.P.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
EICHLER, Ralph	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin	Steinbach	P.C.
HAWRANIK, Gerald	Lac du Bonnet	P.C.
HICKES, George, Hon.	Point Douglas	N.D.P.
IRVIN-ROSS, Kerri	Fort Garry	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
JHA, Bidhu	Radisson	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar, Hon.	The Pas	N.D.P.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
MAGUIRE, Larry	Arthur-Virden	P.C.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MELNICK, Christine, Hon.	Riel	N.D.P.
MITCHELSON, Bonnie	River East	P.C.
MURRAY, Stuart	Kirkfield Park	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
OSWALD, Theresa, Hon.	Seine River	N.D.P.
PENNER, Jack	Emerson	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, Hon.	Assiniboia	N.D.P.
ROWAT, Leanne	Minnedosa	P.C.
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, Scott, Hon.	Brandon West	N.D.P.
STEFANSON, Heather	Tuxedo	P.C.
STRUTHERS, Stan, Hon.	Dauphin-Roblin	N.D.P.
SWAN, Andrew	Minto	N.D.P.
TAILLIEU, Mavis	Morris	P.C.
Vacant	Fort Whyte	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

## LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, November 9, 2005

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

### *PRAYERS*

### ROUTINE PROCEEDINGS

### PETITIONS

#### **Pembina Trails School Division—New High School**

**Mrs. Myrna Driedger (Charleswood):** I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

Overcrowded schools throughout Whyte Ridge, Lindenwoods, Linden Ridge and Richmond West subdivisions are forcing Pembina Trails School Division to bus students outside of these areas to attend classes in the public school system.

Elementary schools in Pembina Trails School Division have run out of space to accommodate the growing population of students in the aforementioned areas.

Five-year projections for enrolment in the elementary schools in these areas indicate significant continued growth.

Existing high schools that receive students from Whyte Ridge, Lindenwoods and Linden Ridge are at capacity and cannot accommodate the growing number of students that will continue to branch out of these subdivisions.

Bussing to outlying areas is not a viable long-term solution to meeting the student population growth in the southwest portion of Winnipeg.

The development of Waverley West will increase the need for a high school in the southwest sector of Winnipeg.

The government is demonstrating a lack of respect for the students and families in Whyte Ridge, Lindenwoods, Linden Ridge and Richmond West by refusing to provide adequate access to education within the community.

The Fort Whyte constituency is the only constituency in the province that does not have a public high school.

NDP constituencies in Winnipeg continue to receive capital funding for various school projects while critical overcrowding exists in schools in Lindenwoods, Whyte Ridge and Richmond West.

We petition the Legislative Assembly of Manitoba as follows:

To request the provincial government recognize the need for a public high school in the southwest region of Winnipeg.

To request the provincial government, in conjunction with the Public Schools Finance Board, to consider adequate funding to establish a high school in the southwest sector of Winnipeg.

Signed by Sandy Bushell, Steve Bushell, Chrys Rak and many others.

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

\* (13:35)

### **Crocus Investment Fund**

**Mr. Kevin Lamoureux (Inkster):** To the Legislative Assembly of Manitoba.

The background to this petition is as follows:

The Manitoba Government was made aware of serious problems involving the Crocus Fund back in 2001.

As a direct result of the government ignoring the red flags back in 2001, over 33 000 Crocus investors lost over \$60 million.

Manitoba's provincial auditor stated "We believe the department was aware of the red flags at Crocus and failed to follow up on those in a timely way."

The relationship between some union leaders, the Premier (Mr. Doer) and the NDP seems to be the primary reason as for why the government ignored the red flags.

We petition the Legislative Assembly of Manitoba as follows:

To request the Legislative Assembly of Manitoba to consider the need to seek clarification

on why the government did not act on fixing the Crocus Fund back in 2001.

Signed by Dana Hartley, Jaime Gabriel, Estrella Gabriel and many, many more.

### TABLING OF REPORTS

**Hon. Diane McGifford (Minister of Advanced Education and Training):** I am pleased to table the following reports: the Manitoba Council on Post-Secondary Education Annual Report, 2004-2005; the University of Manitoba Annual Financial Report for 2005; the University of Winnipeg Consolidated Financial Statements for the year ended March 31, 2005; Brandon University Annual Financial Report for the year ended March 31, 2005, and the Collège St. Boniface Consolidated Financial Statements for the year ended March 31, 2005.

**Hon. Scott Smith (Minister of Intergovernmental Affairs and Trade):** Mr. Speaker, I am pleased to table the following reports: the First Quarter Report of the Manitoba Lotteries Corporation for the Three Months Ended June 20, 2005; the Three Month Report of the Manitoba Liquor Control Commission for the period April 1 to June 30, 2005, and the Six Month Report of the Manitoba Liquor Control Commission for the period April 1 to September 30, 2005.

### MINISTERIAL STATEMENTS

#### David Bergen—Giller Prize Recipient

**Hon. Eric Robinson (Minister of Culture, Heritage and Tourism):** Mr. Speaker, I have a statement for the House.

Today's local and national media brought to the attention of all Canadians the winner of this country's most prestigious literary award, the 2005 Giller Prize, presented last night to Manitoba's own David Bergen for his novel *The Time in Between*.

Mr. Bergen grew up in Niverville, taught English at Kelvin High School for many years and lives with his family in Winnipeg's Wolseley area. For more than a decade he has not only been an integral member of the Manitoba literary community but, also, has emerged as a major literary force in our community as well. Mr. Bergen has written three previous novels, *A Year of Lesser*, *See the Child* and *The Case of Lena S*. Of these, *A Year of Lesser* was named a *New York Times* Notable Book, and also won the McNally Robinson Book of the Year Award at the annual Manitoba Writing and Publishing Awards: Brave New Words. *The Case of Lena S* was

nominated for the 2002 Governor General's Literary Award for Fiction. As well, he has published a short story collection, *Sitting Opposite My Brother*

\* (13:40)

His Giller award-winning novel, *The Time in Between*, grew out of Bergen's family stay in Vietnam in 1996, where he taught English at a teachers' college under the aegis of the Mennonite Central Committee. The Giller Prize has become Canada's most prestigious literary award, and the announcement of this recipient at an award dinner last night one of the most anticipated events in the national publishing industry. The prize was created in 1994 by businessman, Jack Rabinovitch, in honour of his late wife, literary journalist Doris Giller.

Mr. Speaker, yesterday we had the opportunity to acknowledge the opening of the Millennium Library and its influence on literacy and our community. Today we have the opportunity to acknowledge a significant Manitoba writer. Manitoba's literary and publishing communities are not often enough afforded the level of media attention that only a major award carries with it. Writers and publishers, by the very nature of their work, toil mostly in quiet isolation. Manitoba's literary arts community continues to merit national and international recognition and to be a consistent source of pride to the citizens of our province.

Accordingly, I would like to take this opportunity, Mr. Speaker, to extend to Mr. Bergen the admiration, pride in his accomplishments and congratulations of this House and of his fellow Manitobans. I would like to thank the honourable members for this opportunity to recognize and acknowledge the creative excellence and professional achievements of Mr. David Bergen.

**Mr. Jack Reimer (Southdale):** Mr. Speaker, I would like to join with the minister in congratulating Mr. Bergen for the recognition as the recipient for the Giller Prize that was awarded to him.

Mr. Speaker, we have seen over the last few days, as was mentioned by the minister, the addition of our new Millennium Library. We now see the awarding of a prize to one of the resident authors here in Manitoba. Manitoba has become a centre place of a lot of different authors that have been able to expand their horizons through their involvement here in Manitoba.

I had the opportunity, quite a few years ago, I recall going to an authors' symposium, if you want to

call it. I remember it being at one of the locations downtown. It was attended by quite a few different authors from across Manitoba. There was a competition, and I had a chance to talk to a fair amount of them just in general conversations. All of them were of the opinion, gave you the impression, of their involvement and their dedication to an art that they so wonderfully enjoy. The awards, some of them were small, some of them were just little awards for their different compositions, some poems and things like that. The thing that was quite striking, Mr. Speaker, was the ability for people here in Manitoba to have the outward expression of their views through poetry, through authorships, through books and things like that. This is just another example of how we in Manitoba have so much to offer to not only the citizens of our great province but to Canada and to the world with our backgrounds, our knowledge and the explanations through our written work.

I would like to join with the minister, on our side of the House, in congratulating Mr. David Bergen and actually, Mr. Speaker, to all authors, to all people who get involved with the written word and all the artists in Manitoba. We have a great province, we should highlight it, and maybe that is some of the branding that might happen through the next while. Thank you.

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

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

**An Honourable Member:** Leave.

**Mr. Speaker:** Leave has been granted.

**Mr. Gerrard:** Mr. Speaker, I rise to add my voice of congratulations to David Bergen on his being awarded the Giller Prize. This is a signature achievement, a very important day for Manitobans. It is of particular pleasure that David Bergen was teaching English at Kelvin High School, which is in River Heights constituency. I know that the students at Kelvin High School, as are the other teachers there, very proud of David Bergen today, and I think he is an inspiration to the next generation of students and writers to come from Manitoba. I think that applies not just at Kelvin but at high schools all over the province.

\* (13:45)

This subject of the novel *The Time in Between*, which takes place in Vietnam, is a subject which I have a particular sensitivity to because I have a daughter who is in Laos, next door to Vietnam, and so bringing the messages from this part of the world to here and the stories I think is something that is important for us to know more about and to hear.

In closing, I will just say let us salute together the excellent achievement that David Bergen has and congratulate David Bergen for his wonderful achievement.

### Introduction of Guests

**Mr. Speaker:** Prior to Oral Questions, I would like to draw the attention of all honourable members to the Speaker's Gallery where we have with us today George Goodwin, who is the managing director of Historica Foundation of Canada.

Also, Jill McCaw, Historica's director of school programs and Eve Duschene, Youth Links program manager. These visitors are the guests of the honourable Minister of Education, Citizenship and Youth (Mr. Bjornson).

Also seated in the public gallery we have the St. James-Assiniboia Seniors Centre Company of Friends 20 visitors under the direction of Ms. Shirley Robinson. This group is the guest of the honourable Member for St. James (Ms. Korzeniowski).

Also seated in the public gallery from Springs Christian Academy we have 62 Grades 9 and 11 students under the direction of Mr. Brad Dowler. This group is located in the constituency of the honourable Minister of Finance (Mr. Selinger).

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

### ORAL QUESTIONS

#### Justice System Conditional Sentencing

**Mr. Stuart Murray (Leader of the Official Opposition):** Mr. Speaker, today is the last day of the meetings between the federal, provincial and territorial Justice ministers in Whitehorse. At the meeting they have been discussing, among other things, the travesty of conditional sentences for violent criminals. The federal government's proposed legislation, which this NDP government agreed to, dealing with conditional sentencing will not prevent violent and repeat offenders, drug dealers and sex

offenders from receiving house arrest sentences for their crimes.

My question to the Premier: Did he instruct his Justice Minister to advocate on behalf of victims, not criminals, and take a stand against house arrest for violent offenders? Did he instruct his Justice Minister to do that?

**Hon. Gary Doer (Premier):** Mr. Speaker, there are a number of items on the agenda of Justice ministers in the Whitehorse meeting. It has already been reported by the federal Justice Minister that he has agreed to one Manitoba proposal and that is to increase the penalties for illegal use of guns that was reported, I believe, in *The Globe and Mail* yesterday. Whereas we were opposed to the silliness and the costliness of gun registration, we always thought that we should have more security and border guards to protect against the importation of illegal guns to Canada. We also thought and have proposed that illegal guns have higher sanctions, even higher sanctions than were put in place by the former federal Minister of Justice, one Kim Campbell.

\*(13:50)

We have also proposed at the meeting that the issue of the Young Offenders Act and the permissiveness both in terms of public safety—*[interjection]* Mr. Speaker, I am going to talk about the whole Justice ministers' meeting because it is important for the public the whole issue of the Young Offenders Act and its permissiveness be changed, and we are particularly concerned about the conditions for auto thefts under the Young Offenders Act. We in Manitoba have provided for a potential for courts to disallow licences for up to four years for the provision of a Young Offenders Act in youth car thefts.

Mr. Speaker, it is our view that the ultimate goal for the Province of Manitoba is consistent with the presentation the Minister of Justice (Mr. Mackintosh) made on conditional sentence. That is that a complete discretion on conditional sentences be totally amended. We will have to wait for the final decisions at the Justice ministers' meeting.

**Mr. Murray:** Mr. Speaker, if the Premier would listen my questioning is about conditional sentences. This Justice Minister claimed that the bill had the backing of all the provincial and territorial Justice ministers. We know this is not the case. In fact, New Brunswick's Justice Minister has said that the bill does not go far enough. He said that the bill is not

reflective of how Canadian society views violent crimes like sexual assault. House arrest is not the way to go.

I ask this Premier: Did he instruct his Justice Minister to join with the minister from New Brunswick to ensure that violent and sexual offenders will not have the opportunity to serve their jail sentences in a house, at home, Mr. Speaker?

**Mr. Doer:** Asked about the domestic violence issues, Mr. Speaker, No. 1, the Province of Manitoba, the courts and the whole justice system have been given awards for one of the most effective, if not the most effective, domestic violence courts in Canada, and we think that one of the issues for us is to dramatically reduce the waiting time for victims and accused in the domestic violence courts. Under the leadership of the Chief Provincial Judge we have reduced those waiting times for convictions by over 60 percent, and we have people in jail a lot earlier because convictions are now being prosecuted more effectively in our courts.

On the issue, Mr. Speaker, of conditional sentences—

**Mr. Speaker:** Order.

#### Point of Order

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

**Mr. Leonard Derkach (Official Opposition House Leader):** Mr. Speaker, you have cautioned this House and especially the First Minister previously to stay on topic when a question is asked. If he wants to make a ministerial statement, he has complete latitude during that period of time to make a ministerial statement. I understand that they are somewhat shy of making ministerial statements because they are afraid of responses to them because of their lack of action on many instances.

Mr. Speaker, the question that was before the House, in front of this Premier, refers specifically to a particular topic, conditional sentencing. That is where we want the answer. That was the question asked.

**Mr. Speaker:** The honourable Minister of Energy, Science and Technology, on the same point of order.

**Hon. Dave Chomiak (Minister of Energy, Science and Technology):** Mr. Speaker, on the same point of order. I listened very carefully to the Leader of the Opposition's questions wherein he asked the First

Minister about a bill dealing with the Criminal Code amendments that was before all of the Attorneys General and the federal Attorney General at the conference undertaken. He talked about domestic violence. He talked about conditional sentences. The bill concerns all of the matters under the Criminal Code. The member asked the question. The Premier was delivering a specific, point-by-point response to the bill that is being discussed as we speak, a wide-ranging bill.

If they do not like the answer, they stand up on a point of order. The fact is he asked the question. He should be good enough to listen to the answer that the Premier is trying to provide.

**Mr. Speaker:** Order. On the point of order raised by the honourable Official Opposition House Leader, our Manitoba practice has been to allow leaders latitude, and I am sure the honourable minister will tie them together and the honourable member—*[interjection]* Order. I would like to give the honourable First Minister the opportunity to do that.

The honourable Official Opposition House Leader does not have a point of order.

\* \* \*

\*(13:55)

**Mr. Speaker:** The honourable Official Opposition House Leader. I mean, Leader of the Official Opposition.

**Mr. Murray:** One job at a time.

The Premier has signed on to the legislation that allows for house arrests for people convicted of impaired driving causing death, aggravated assaults and sexual offences. That is what this Premier is supporting. Instead of rolling over and agreeing to go along with this shoddy legislation, this Premier should have stood up for real changes to protect victims.

My question, Mr. Speaker: The next time a criminal is handed a conditional sentence for a terrible crime such as drinking and driving causing death, is this Premier prepared to stand and apologize to the families of victims instead of issuing a press release blaming Ottawa?

**Mr. Doer:** Well, Mr. Speaker, I would point out that the member opposite talks about victims of drinking and driving. He will know the very aggressive position of this Minister of Justice (Mr. Macintosh), through general instructions on domestic violence,

on crimes of violence and on drinking violations. You will also know, and we should point out in this Chamber, that Mothers Against Drunk Driving has continuously given our Minister of Justice some of the highest marks and credits of any Minister of Justice in Canada. So, in terms of those people who are representing the families, I would take their words of credit to the Minister of Justice over the political words of the member opposite.

#### **R. D. Parker Collegiate Code of Conduct**

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, excess violence has recently been reported in a Thompson high school: three students threatened with knives, a boy slammed into a locker and pinned by his throat, shoving and pushing occurring daily. The Frontier School Division where this school is located refused to provide us with their code of conduct and this Minister of Education, on three separate occasions, also refused to provide us with the school's codes of conduct. I would like to ask the Minister of Education today if he can tell us is there a code of conduct in place in this Thompson high school.

**Hon. Peter Bjornson (Minister of Education, Citizenship and Youth):** Indeed, there are codes of conduct in every school in the province of Manitoba, Mr. Speaker. We had a commitment with Bill 30, The Safe Schools Charter to ensure that there is a code of conduct to address issues around school safety of bullying, around issues of drug and alcohol policies, around Internet safety, as well as an emergency response plan dealing with issues of evacuation and lockdown. Every school in Manitoba has done their work, has a code of conduct, and the Safe Schools Charter has addressed that need.

**Mrs. Driedger:** Mr. Speaker, in the R. D. Parker Collegiate in Thompson, it is reported that some students are afraid to leave the school when school is out, and they phone home to be picked up. Two students have refused to go to school at all because they are afraid for their lives. The minister's response just now to the first question really does not address some of these issues that are out there. This school division is talking about excessive bullying occurring in those schools supposedly after he says these codes of conduct are in place. Does the Thompson school have a code of conduct in place now?

**Mr. Bjornson:** Mr. Speaker, I neglected to correct the member opposite in her first question when she talked about a Thompson school being in the

Frontier School Division. It is not in the Frontier School Division so perhaps she was asking the wrong school division.

At any rate, we have gone forward with the Safe Schools Charter, and we are very concerned about student safety. As a teacher in the classroom in 1993 when we began to lobby members opposite when they were in government about school safety, they chose to do nothing. They did nothing. That was their choice. Our choice is student safety. We have initiated a number of different programs to address student safety. In fact, it reflected the funding of members opposite when they abandoned the entire school system with \$1.6-million net funding in five years to the school system. We could not fund our safety programs with that kind of money.

**Mrs. Driedger:** Mr. Speaker, last year this school in Thompson reported 53 fights, 35 threats, 116 disruptions, 25 incidents of bullying, 14 violent assaults, 6 weapons and 29 possessions of drugs and alcohol. These are only the incidents that are being reported. The vice-principal said that these incident reports are coming in daily.

I would like to ask the Minister of Education: Has he been in touch with this school? Does he know if this school in Thompson actually has a code of conduct in place, and what is he doing to ensure student safety in that school?

**Mr. Bjornson:** Mr. Speaker, I have had the opportunity to visit that school on a couple of occasions, unlike members opposite who ignored the North during their mandate.

Members opposite have no credibility on this issue, Mr. Speaker. As a teacher, I was quite pleased on behalf of my students to accept an award from Clayton Manness for the work that my students are doing on drugs and alcohol.

While members opposite were handing out plaques and platitudes, we have platforms and plans on all issues of student safety. We have been concerned and committed to student safety on this side of the House. Members opposite had 11 years to do something. They chose to do nothing. They have no credibility on this issue, Mr. Speaker.

\* (14:00)

#### **Safe Schools Manitoba Office Staffing**

**Mr. Leonard Derkach (Russell):** Mr. Speaker, the critic for Education asked a very serious and

important question, and when the minister stands up and congratulates himself that is repulsive. This government's lack of action and its lack of leadership on this whole problem of bullying in our schools is shameful and disgusting.

I want to ask the Minister of Education why he is refusing to fund the Director of Safe Schools Manitoba at a full-time position and why are there no support staff and admin staff available to this person from the Department of Education.

**Hon. Peter Bjornson (Minister of Education, Citizenship and Youth):** Well, Mr. Speaker, the member opposite was not listening when I responded and talked about the fact that I accepted an award on behalf of my students who had done this great work on drug and alcohol education, but again platitudes and plaques, platforms and plans. That is the difference between us and them.

We have an action plan. We have been funding Safe Schools Manitoba. We have a variety of other initiatives that are not just the Department of Education, Citizenship and Youth. It is through the Healthy Child Committee of Cabinet. There are a variety of different programs that we have initiated.

We have done more in the last two years than they did in 11, Mr. Speaker. We have the Triple P Positive Parenting Program. We have the Roots of Empathy Program. We have all kinds of different committees and action plans that are in place, and we are continuing to work towards safety—

**Mr. Speaker:** Order.

**Mr. Derkach:** Mr. Speaker, this government and this minister are providing only lip-service to an ever-growing problem in our schools. Other provinces across this country have moved ahead proactively and aggressively in addressing this problem.

Mr. Speaker, I want to ask this minister why today he will not commit to funding the Director of Safe Schools at a full-time level, and why he will not commit today to provide the appropriate admin and support staff resources that are required for this person to do her job.

**Mr. Bjornson:** Mr. Speaker, we have been providing support to Dr. Mary Hall. In fact, a position that this government created, not members opposite. Safe Schools Manitoba is a project under the auspices of this government.

We have been engaged in a number of different initiatives; early behaviour intervention grants going out to schools, additional support for counselling. We recognized the need from the teachers saying we need more support for early intervention with counselling, and counselling had been provided by school divisions in the past for early intervention for early and middle years students, Mr. Speaker, but it had not been funded by the government. We started to fund that.

Members opposite were not funding a whole heck of a lot back in the 1990s, Mr. Speaker, and we have been engaged in a process at the Healthy Child Committee of Cabinet. It is not just Education, Citizenship and Youth. It is an entire caucus that is committed to school safety.

**Mr. Derkach:** Mr. Speaker, I want to point out to Manitobans that when it comes to political staff resources, there are no problems. Example, the Premier's spinner moved from a salary of \$42,000 in 2000 to a salary of \$72,000 in 2005. Example 2, the well-known and capable Ms. Riva Harrison earned \$73,000 in 2002. Today her salary stands at \$90,000. There are resources available to pay political staff, and there are resources available to pay for these kinds of needy positions to ensure that our children are safe.

I ask this minister will he commit today to ensure that Dr. Mary Hall's position is a full-time position, and will he commit resources from the department to make sure that she has adequate administrative and support staff resources to do her job in addition to office space in the department rather than at MAST?

**Mr. Bjornson:** Well, Mr. Speaker, MAST has certainly been a partner in this process as they have offered the in-kind support to Dr. Mary Hall. We do fund the position through Justice and Education, Citizenship and Youth to the extent of \$60,000, a position we created which I would hate to see cut, God forbid that government would change, and they would go through the hacking, slashing and cutting that they did to the Education Department throughout the 1990s.

Members opposite have no credibility on this issue, Mr. Speaker. We were raising this issue as teachers when I was a teacher, when many members on this side of the House were teachers. We were raising this issue of school safety. They chose to do nothing. It is a three-ring circus over there with respect to this issue. We have some members saying

consult with the teachers, some members saying it is a waste of time and some members saying disregard everything the teachers say and do it our way. No credibility on that.

### **Pediatric Dental Surgery Waiting Lists**

**Mrs. Heather Stefanson (Tuxedo):** Mr. Speaker, I would like to table for the House right now a Government of Manitoba news release as a reminder to this government that, on December 1, 2004, they promised an extra 600 pediatric dental surgeries would take place at Misericordia hospital.

On October 31, this Minister of Health admitted that he was unlikely to fulfil his promise to complete 600 additional pediatric dental surgeries at Misericordia this year. We learned this week through Freedom of Information that only 317 surgeries had been completed at Misericordia by the end of September. Will the Minister of Health admit today that he has broken his promise to children waiting in pain in our province?

**Hon. Tim Sale (Minister of Health):** First of all, Mr. Speaker, I am very proud of the fact that we repatriated 400 dental surgeries to Thompson. There were no dental surgeries done in Thompson under the previous government. I am also pleased that I believe that it is very likely that we will make our target of having an additional 600 dental surgeries done in Manitoba by the end of the fiscal year.

**Mrs. Stefanson:** Only this Minister of Health would be proud of the fact that he has broken his promise to children waiting in pain. This Minister of Health promised to complete 600 more pediatric dental surgeries this year. Not only is this minister 283 surgeries short at Misericordia, we learned this week through Freedom of Information that the Minister of Health is also 475 surgeries short at Children's Hospital.

Will the Minister of Health admit today that he is 758 surgeries short of fulfilling his promise to children waiting in pain in the province?

**Mr. Sale:** Mr. Speaker, over the period of time in question, Manitoba will do approximately an extra 600 dental surgeries from the previous period. This has been challenging and I acknowledge it has been challenging. It did take Misericordia hospital some time to come up to speed.

I urge the member to just stay in touch. Keep your ears open and you will find out, Mr. Speaker,

that we will either make our target or be very close to making our target.

### **Maples Surgical Centre Pediatric Dental Surgery**

**Mrs. Heather Stefanson (Tuxedo):** That is a nice message to send to the children waiting in pain in our province. Stay tuned. That is just unbelievable, Mr. Speaker. This Minister of Health had a choice more than a year ago, a choice between contracting with Maples Surgical Centre who could have eliminated the wait-list by now and had a choice between that and the situation we are in today.

Mr. Speaker, the minister made his choice, a choice that resulted in a 758-surgery shortfall for children waiting in pain. Will he set aside his ideology and now consider contracting with Maples Surgical to help these children who continue to wait in pain in our province?

\* (14:10)

**Hon. Tim Sale (Minister of Health):** Mr. Speaker, the surrogates for the privatization of health care in Manitoba and Canada speak loudly from the opposition benches. When they had the opportunity to support the creation of dental surgery for children in Beausejour, they voted against it and spoke against it. I am pleased that the dental surgery for children in that area of Manitoba is taking place in Beausejour and they are doing a significant job.

Mr. Speaker, we repatriated surgeries that used to be done in Winnipeg to Thompson so the children of the North did not have to come with their families to Winnipeg. There they could get better care sooner, closer to where they live. I am very proud of the fact that the Thompson Hospital has been able this year to increase its volumes in surgery by approximately 100 already.

### **Water Protection Act Proposed Regulations**

**Mr. Ralph Eichler (Lakeside):** Mr. Speaker, this government is trying to pin the blame for polluting our lakes and rivers on Manitoba's agriculture producers. With the proposed regulations under The Water Protection Act, these regulations focus exclusively on agriculture. There is absolutely no mention of contributions that cities, towns and villages make to water pollution.

Mr. Speaker, can the Minister of Agriculture (Ms. Wowchuk) tell this House why our government

is tying the hands of our producers without sufficient scientific data to support these claims?

**Hon. Steve Ashton (Minister of Water Stewardship):** Mr. Speaker, I am disappointed that members opposite would once again show so clearly on the public record how little commitment they have to, not just The Water Protection Act which they passed, they supported, but the process we are putting in place of protecting our lakes, rivers and streams. It starts by not pointing fingers in this case, of municipalities, because it was this government that licensed for the first time waste water treatment for the city of Winnipeg which would make a dramatic difference to the quality of water. They were supposed to do it in 1992. They did nothing. We are acting.

**Mr. Eichler:** If the Minister of Water Stewardship would talk to the Minister of Agriculture who listens to the agricultural producers the way she should, we would be a lot better off. Agriculture is under attack by this government. A number of agricultural stakeholder groups have asked this government time and time again for a meaningful consultation with their industries because they believe in appropriate management of their land.

Mr. Speaker, will this government listen to what the stewards of the land are saying, or is it just determined to drive agriculture industry into the ground?

**Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives):** Well, Mr. Speaker, if the member opposite would like to check for records of the number of meetings that have happened in my office or other members of Cabinet with meetings with farmers, the number of meetings is outstanding. There has not been a refusal to meet with agriculture producers and we will continue.

With respect to our record of working with farmers, I will put our record beside their record and be very proud of what we have done with producers through these very difficult times. Members opposite believe in ad hoc programs. We have put in place long-term programs, and we will continue to work with the agriculture sector of this province because we recognize how important the industry is to this province.

**Mr. Eichler:** Promises, Mr. Speaker.

Today Keystone Agricultural Producers expressed concern that these regulations will put more strain on the backs of producers who are

struggling through drought, floods and lasting effects of the BSE crisis. Yesterday the First Minister (Mr. Doer) said that Manitoba's GDP is above the national average, and I quote, "if you take agriculture out."

Mr. Speaker, I ask the Minister of Agriculture: Why is this government so determined to wipe out agriculture in this province of Manitoba?

**Mr. Ashton:** Mr. Speaker, I think it is important to put on the record that we passed The Water Protection Act. It was passed by all members of this Legislature, and one unique feature of that is the requirement that all regulations go to consultation. In fact, that is what is happening right now. Producers, citizens generally, are participating in those consultations.

I would suggest to members opposite that they put on the record what we have said and that is that agriculture is already part of the solution. I have every faith that we will be able to work with agriculture, to work with municipalities, to work with Manitobans to protect our water, Mr. Speaker, because agriculture is most definitely already a part of the solution.

#### **Drinking Water Boil Water Advisories**

**Mr. Jack Penner (Emerson):** Last year Manitoba had 35 boil water orders for the communities around the province. Millions of litres of water had to be boiled, Mr. Speaker, in Manitoba last year. The Department of Water Stewardship was created to ensure Manitobans have access to clean water. Today, we have 44 communities under boil water orders, virtually none of which are agriculturally based.

When will this minister ensure that all Manitobans have access to safe, clean drinking water?

**Hon. Steve Ashton (Minister of Water Stewardship):** Well, Mr. Speaker, you know the members opposite, when they were in government, did not extend the jurisdiction of protection in terms of drinking water to semi-public facilities. They did not post semi-public and private facilities, and that is in fact 30 of the boil water advisories. We take the position that where there is any threat of contamination, in this case from ground water contamination, even when there is a central system as is the case in a number of municipalities, we will put that advisory in place. We do not take chances. We put those boil water advisories in place. When

the member was in government they did not post them. They did not care. They did nothing.

**Mr. Penner:** Well, Mr. Speaker, one of the most important aspects of protecting public health is informing the public of contaminated drinking water.

Will the minister explain to Manitobans why he has limited the access to their info by removing the Web site which provided communities with access to boil water advisories and by not providing even a toll free number for the public to call? Why did he do that?

**Mr. Ashton:** Well, Mr. Speaker, it was the members opposite that did not have that available as public information. We do make that publicly available. Also, I want to put on the record that that is in contrast to what happens with the federal government, for example, with First Nations, where there is a real concern I think across this country of the fact that we do not know all the boil water advisories affecting First Nations. Here in Manitoba, thanks to The Drinking Water Safety Act, thanks to the fact that we do take this seriously, we are very careful in terms of drinking water and will continue to be careful. We do not need lectures from members opposite who did nothing.

**Mr. Penner:** This minister and his government have forced seven communities to boil their water for five years straight now. At the same time he has cut the budget for water services by more than \$400,000.

I ask the minister again: When will he take this public health issue seriously and ensure that all Manitobans will have access to safe, clean drinking water?

**Mr. Ashton:** Mr. Speaker, it was this party, the opposition party in government, that cut back dramatically when it came to dealing with water issues. In the nineties, they refused to send the City of Winnipeg waste water facilities for licensing, something we have done. But we have increased the budget for water. We have brought in The Drinking Water Act. We just saw the other day how little commitment the Conservatives have even to The Water Protection Act. The member opposite may want to lower his volume a bit—

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

**Mr. Speaker:** Order.

**Mr. Ashton:** I do not care how loud he speaks, he and his party have no credibility on water issues.

### **Raglan Family Apology Request**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, my question is to the Minister of Health. On October 2001, Frances Raglan was admitted to the Riverview Health Centre for a few days to help deal with ankle ulcers. A disaster in communications happened. She was treated as a terminally ill patient, and the order was put on her chart, and I quote, "Reassure the patient and significant others that all comfort measures be continued to ensure a dignified death." Frances Raglan died in that hospital, perhaps in part due to her being medically treated as a terminally ill patient. Four years later, the family is still upset and rightfully so.

I would ask the minister today to publicly apologize to the Raglan family for the horrendous mistake.

\*(14:20)

**Hon. Tim Sale (Minister of Health):** Mr. Speaker, many of us have gone through the death of a loved one, a family member that has been very difficult in a nursing home or in a hospital or at home. There is no easy time as a death is occurring. It is traumatic for all of us, and I am deeply sorry for anyone who goes through this kind of stress.

I have gone through it. I assume all of the members of this House have gone through it, and I feel very deeply for the Raglan family as I do for every family who has suffered the death of a loved person over an extended period of time in particular. It is extremely difficult and stressful and very sad, and I feel for that family just as I do for all families.

The incident in question is an old incident, Mr. Speaker. It has been investigated a number of times by a number of people. I am sorry the Raglan family does not feel that all of the appropriate investigations have taken place.

**Mr. Gerrard:** Mr. Speaker, not only were mistakes made with the care provided, but the family was put off three years in their attempts to see the report from the Protection for Persons in Care office. This report was completed in January 2002, and the family was not able to see most of it until January 2005. They still have not been provided with a full copy.

The Ombudsman, Mr. Barry Tuckett, at that point personally told the Raglans that the system failed them at both ends. He said the delays were atrocious and they made him really mad.

I ask you as Minister of Health today to provide a public apology to the Raglans for the way this report was handled.

**Mr. Sale:** Mr. Speaker, as I said in the first answer to the member's question, I deeply regret any situation in which care was not optimal, communication was not optimal, and I think in this particular case there was also a failure of communication following the death of Frances Raglan. So I am deeply sorry that this took place, and I regret that the family still does not feel that there was adequate investigation in spite of the fact that I believe there were three separate investigations by different appropriate bodies to the care that was given. I nevertheless acknowledge that the family does not feel that they have been yet adequately responded to and I am sorry for that.

### **Protection of Persons in Care Report Recommendations**

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, the Raglans, who as I said were only presented with about 90 percent of the Protection for Persons in Care office report, say the report, which was received three years late, confirmed some of their worst suspicions. The report makes a series of recommendations.

I ask the minister: Have the recommendations been implemented, and will the minister commit to providing a formal written letter to the Raglans indicating for each specific recommendation precisely what has been done?

**Hon. Tim Sale (Minister of Health):** Mr. Speaker, the recommendations were detailed, and I am not in a position to give the member complete assurance today as to the status of each and every recommendation. I will endeavour to do so as soon as possible.

### **Manitoba Hydro Natural Gas Cost-Saving Strategies**

**Mr. Rob Altemeyer (Wolseley):** Mr. Speaker, the rising cost of natural gas is of course a very big concern and priority for this government. Manitoba Hydro has recently earned a top rating for energy efficiency from the Canadian home energy alliance just last year. They have also been helping customers who use electric heat through their very successful Power Smart program for some time now.

I would like to ask the Minister responsible for Energy, Science and Technology if there are any

strategies in place to help homeowners who heat their home with natural gas.

**Hon. Dave Chomiak (Minister of Energy, Science and Technology):** I am very pleased to deal with the question that is going to affect 120 000 homemakers potentially in the province of Manitoba.

Together with the federal minister, the federal member from St. Boniface, Hydro announced a \$16-million program combined with 1.5 from the federal government to pay 100 percent of the cost of insulation materials for homes that are heated by natural gas. That will have the impact of saving the average consumer, Mr. Speaker, \$150 a year in terms of energy costs, and the average consumer will receive a rebate for their insulation of \$500, and that is for a potential of 120 000 consumers.

I am surprised that members opposite, Mr. Speaker, did not ask this question today because it is very good news for all Manitobans, for conservation, for energy, to keep work in Manitoba, to keep energy from exporting. I am very—

**Mr. Speaker:** Order.

#### **CAIS Program Expense and Revenue Guidelines**

**Mrs. Leanne Rowat (Minnedosa):** Mr. Speaker, a producer from my constituency, Richard Boutall, is a prime example of being finished in Manitoba. He has said, and I quote, "I realize that there is nothing that can be done for those of us that are finished in this business, however, there are things that can be done for those who manage to survive." Under the CAIS guidelines, repairs are not allowable under the expenses and revenues for custom work.

Can this Minister of Agriculture tell Mr. Boutall why this NDP government refused to deal with this issue?

**Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives):** Mr. Speaker, it is indeed a very difficult time for many producers given the weather conditions, the low commodity prices, high input costs that producers are facing. With regard to CAIS and the CAIS program and the issues that producers have raised with the program, the member is well aware that there is a review going on in the program and that there are consultations where people have the opportunity to make suggestions on how the program can be changed, and I would encourage the producers to continue to participate. There is no doubt that there are some

challenges with the CAIS program, but the members opposite also have to remember that they encouraged us to sign the program. We signed. We are now working.

**Mrs. Rowat:** She speaks of reviews and it is my understanding that a lot of producers, and I would say a substantial percentage, have not even received payment for 2003, so I think this minister better be getting to work.

Mr. Speaker, all that my constituent, Mr. Boutall, is trying to do is make a fair and equitable living off his farm. The CAIS program has failed to address the needs of our producers. This government has failed our farm families and has failed our rural economy. When will this minister show some leadership and make the changes so that producers will be able to use custom work services as part of the CAIS program? A simple question should require a simple answer.

**Ms. Wowchuk:** Mr. Speaker, I think the member opposite should understand that this is a federal-provincial program. A province cannot make changes alone. She should understand that. There have been changes made to the program, and there will be further changes made to the program to try to address the needs of producers. The member opposite talks about money not flowing to producers. There are some outstanding claims for 2003 that have been difficult issues, but the member opposite is not recognizing that it was this government that put forward the suggestion that there would be a cash advance in the '04 and '05 CAIS program, and the cash advance programs are the ones she should be encouraging producers to apply for.

#### **CAIS Program Minister's Support**

**Mr. Larry Maguire (Arthur-Virden):** Mr. Speaker, many farmers have had to pay those advances back already, but farmers throughout Manitoba are suffering from this government's insistence that the CAIS program is the only program that is going to pull these farmers through this present agricultural crisis, and many of them in the country are telling me that they are referring to this program as another four-letter word and that is a disaster in itself.

Mr. Speaker, a recent call from a constituent of mine, Mr. Richard Sexton, indicated he was not eligible for a CAIS payment in spite of the fact that he was not able to seed any crop in 2004. That is

atrocious, and it was because of flooding that he was not able to seed any crop.

Mr. Speaker, this Ag Minister's refusal to admit the failure of the CAIS borders on sheer ignorance. Why is our Agriculture Minister standing with her federal counterpart in support of a CAIS program when she knows, or at least should well know, that it is neither effective nor sufficient to meet the needs of this crisis that the farmers are facing today?

**Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives):** How interesting, Mr. Speaker. When we were negotiating the CAIS program and I had outlined several concerns that I had with the program, the members opposite said, "Sign the program. Sign the program. Get the money flowing to producers." We have signed the program and millions of dollars have been paid out to producers. We now have a cash advance for the year before.

\*(14:30)

It has been a very difficult year for producers, but our government has stood by them. We have put in additional funds. We have made a permanent program under the excess moisture insurance program that the members opposite refused to do. We have put additional money into CAIS, and we have put the money that is required so that crop insurance will be there for producers. We are—

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

## MEMBERS' STATEMENTS

### Remembrance Day

**Mr. Ralph Eichler (Lakeside):** "In Flanders Fields the poppies blow, Between the crosses row on row..." These are words that speak to us. *In Flanders Fields* was written by Lieutenant Colonel John McCrae, a Canadian doctor who served in World War I and began for our nation the association of the poppy as a symbol for those who lost their lives in war. The tradition of wearing poppies in Canada began in 1921 and it continues proudly in 2005. It is a visual reminder that we should never forget the sacrifices of the fallen.

This poem and poppy represent the fear of those who died, that they will be forgotten and that their deaths will be in vain. With each passing year, we lose more brave veterans and another generation is born that has never known war. But, every November 11, we make a promise to remember those

men and women who died to protect our freedom. It is essential to teach Canadian children the cost of both war and peace.

Some 60 years ago, World War II ended in Europe and this victory was marked when 2005 was declared the Year of the Veteran. This year we recognize the contributions of veterans, drawing the past into our everyday lives. To honour this significant event the Royal Canadian Mint, in partnership with the Royal Canadian Legion, introduced a commemorative poppy coin. All of these efforts promote awareness of our history.

Mr. Speaker, I would like to close with these three words that say it all: Lest we forget.

### Year of the Veteran

**Ms. Bonnie Korzeniowski (St. James):** Mr. Speaker, I rise today, two days before Remembrance Day, to acknowledge the winding up of Veterans' Year, a year with many important and memorable events, too many to name in this brief statement. Plaques have been unveiled, wreaths laid, parades attended and stories shared. It is important to honour the lives of veterans and commemorate the many lives destroyed by the horrors of war.

Mr. Speaker, it has been my pleasure to be a member of this Legislature during this auspicious anniversary. In this the 60th year since the end of World War II, I watched with pride as honourable members of every stripe put aside political differences to celebrate our freedom and the men and women who served and sacrificed to preserve it.

Nationally there were journeys of remembrance to Europe, to Asia. There is now a Canadian War Museum in Ottawa. All Canadians have been challenged to accept the torch of remembrance and to pass the legacy of honour and of heroism, of wisdom and of sacrifice along to another generation.

Here in Manitoba, Mr. Speaker, we have created and strengthened tributes that will last well beyond this anniversary: Provincial Road 457, the Low Road to Shilo, renamed Veterans Way; Provincial Highway 8, now Veterans Memorial Highway; the Women's Tribute Memorial Lodge Building in my constituency repurposed and expanded to serve new generations while retaining its unique architectural features and heritage status; the Federal Building on Main Street, renamed the Victory Building. Last November, commemorative veterans' licence plates were issued.

It reassures me, Mr. Speaker, that as representatives of all Manitobans, we stood together to honour our veterans, men and women, and as Manitobans, we recognized the importance of contributions by Aboriginal veterans. Over a year ago, we began that process with the unanimous passage of the private members' resolution honouring Aboriginal war veteran and Canadian hero Tommy Prince.

Now, Mr. Speaker, as we approach Remembrance Day, the end of the Year of the Veteran and the end of Veterans' Week, I invite my colleagues here in this House to unite with me in one more action, accept the challenge of this year's theme for Veterans' Week. Let us honour—

**Mr. Speaker:** Order.

**Some Honourable Members:** Leave.

**Ms. Korzeniowski:** Let us all join in a solemn pledge to teach our children the full legacy of the sacrifices of veterans.

Mr. Speaker, Veterans' Year has been more than the polishing of medals and plaques. It has been our opportunity to clearly assure our veterans that we will not forget their contributions nor the quality of character they embody. Let us keep faith with those who returned from wars and with those who did not. In passing the torch of remembrance to our youth let it be a bright torch, one that illuminates their past and lights the way to the future they will live in. Thank you.

**Most Reverend Michael Bzdel**

**Mr. Leonard Derkach (Russell):** This afternoon I rise to acknowledge a significant event that occurred last evening. I was joined by my colleagues, the member from Springfield, and the member from Minnedosa at a gala event for the very distinguished and respected Metropolitan of the Ukrainian Catholic Church of Canada, His Grace, the Most Reverend Michael Bzdel.

Mr. Speaker, yesterday was a dedication to a man who has spent his life dedicated and devoted to God and to the people of his faith, the Ukrainian Catholics in Canada. Some 800 people gathered to acknowledge this very important life of a man who was dedicated to his people and to ensuring that those who are marginalized, those who are very poor, those who need help have received the help that they need. As a matter of fact, he was very instrumental in establishing Welcome Home, an

institution that is dedicated to serving those who are very poor in the city of Winnipeg of all faiths.

Last evening we saw tributes from many corners of this province and outside of this province to this very important individual. His Grace is not only recognized in Canada, but is also recognized throughout the world for the very important contributions that he has made to advance the cause not only of Christianity but also the cause of people who are poor, people who are suffering, people who are in need.

Mr. Speaker, I was very honoured to be part of that ceremony last evening, and I join many Manitobans and many Canadians who today offer their congratulations and their thanks to a man who has dedicated himself to others. "Mnohaya lita."

**Canadian Ultimate Championships**

**Mr. Rob Altemeyer (Wolseley):** It is with great pleasure that I rise to inform the House of a very special event that took place in our province this past summer. From August 11 to 14, the 2005 Canadian Ultimate Championships brought 55 different teams and well over 1100 athletes from across Canada to Winnipeg to celebrate a sport that embodies the virtues of competition and co-operation.

Ultimate Frisbee is one of the fastest growing sports in North America. Combining speed and agility, strength and dexterity, this non-contact sport can be played by women and men of different ages together. A defining feature of ultimate is the spirit of the game, an ethic that requires everyone to take responsibility for the behaviour of all players, eliminating the need for referees.

Ultimate is also a model sport for healthy living. Players will typically run several miles, much of it at a full sprint, in a single game. At national championships, it is normal for all teams to play at least three or four games each day. Mr. Speaker, I invite you and all members of this House to join me in congratulating the outstanding job that was done by the staff and nearly 200 volunteers led by our league co-ordinator Danny Saunders who organized one of the best national championships ever held.

Over 2500 people attended the championship games on the Sunday held at CanWest Global Park. The Winnipeg tournament was my fourth national championship as a player, and I am extremely proud to report that our team, Manitoba Flood, had its best finish ever, bringing home the silver medal and

thereby qualifying for the World Club Championships in Perth, Australia next year.

Our team trained throughout the winter, spring and summer, and you could not ask for a more fun-loving and hardworking group of individuals to compete with. Their names are: Kenny Chin, Andrew Fitzgerald, Carl Enns, Glen Gerrie, Graham Grafton, Dave Holder, Trevor Horvath, Mike Jones, Campbell Macdonald, Tim O'Toole, Dr. Rob Poettker, Dayton Powell, Luke Snider, Karl Steininger, Aaron Strubb, Armando Suba, Randall Swartz, Rob Woods and our phenomenal coach, Christy "Give me more of that" Mader. Thank you very much, Mr. Speaker.

\* (14:40)

### Remembrance Day

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, in two days it will be November 11, Remembrance Day. Today I pay tribute to my parents. During the Second World War, my father served as a medical officer with the Reconnaissance Regiment of the British Army. He served in North Africa, in Italy and in Israel.

On one occasion, he was moved to the front to fill in where two medical officers had just been killed. While my father was on the front lines, my mother was working with children and helping them to deal with circumstances where air raids were occurring and planes were flying overhead and bombs were dropping. Her ability to tell stories to calm the children under her care was apparently legendary.

November 11 is a day to remember all those who fought to preserve the freedom and democracy we treasure so much. In paying tribute to my parents, I also honour all others who contributed to preserving and enhancing the democratic rights and freedoms we care so much about.

## ORDERS OF THE DAY

### GOVERNMENT BUSINESS

#### House Business

**Hon. Steve Ashton (Minister of Water Stewardship):** Mr. Speaker, as Acting House Leader, I am wondering if, first of all, on a matter of House business, we could in addition to the decision yesterday to sit the next Friday as a substitute for tomorrow, because of the fact this is the Year of the

Veteran we had indicated that we would not have quorum calls, I was wondering if we could also extend that to no votes since it is not a normal sitting day. The intent was to include both quorum and votes, Mr. Speaker, so I would like to ask if there might be leave for the House to, in the spirit of co-operation that was so evident yesterday, we can just try to extend it one more day and extend the no quorum to include no votes.

**Mr. Speaker:** Is there agreement of the House for next Friday's sitting that there also be no quorum called, but also no votes taken. Agreement?

Is there agreement? [*Agreed*]

**Mr. Ashton:** Mr. Speaker, could you please call the following second readings: Bill 8, followed by Bill 7, followed by Bill 5 and then Bill 6?

## SECOND READINGS

### Bill 8—The Official Time Amendment Act

**Hon. Scott Smith (Minister of Intergovernmental Affairs and Trade):** Mr. Speaker, I would move, seconded by the Minister of Culture, Heritage and Tourism (Mr. Robinson), that Bill 8, The Official Time Act, be now read a second time and referred to a committee of the House.

#### *Motion presented.*

**Mr. Smith:** Mr. Speaker, I am pleased to speak on the second reading of The Official Time Amendment Act, Bill 8. The amendments will change the period of daylight saving time, the DST, beginning in 2007, to the second Sunday of March until the first Sunday in November, thereby extending DST an additional four weeks: three weeks in the spring, one week in the fall. For 2006, the DST will remain as it is, the first Sunday in April to the last Sunday in October. In addition, the Lieutenant-Governor-in-Council is given the authority to make regulations changing the period of daylight saving time.

The amendments will harmonize DST in Manitoba with that of the United States. The United States has passed a law in an omnibus energy bill that extends DST, beginning in March 2007. The Province of Ontario has indicated that it will extend DST to harmonize with the United States as well. Other provinces are expected to follow suit. Because of the high level of interdependency between Manitoba's economy and the U.S., over 80 percent of our exports and the high volumes of cross-border trade, there are concerns that a change in the date of DST in the United States without a similar change in

Manitoba would have direct significant economic consequences; for example, negative impacts on our trucking industry and their schedules, and just-in-time delivery services, delayed bordered crossings, et cetera. Various groups have publicly indicated their support for this amendment, Mr. Speaker. Manitoba's legislation will be brought into line with that of British Columbia, Ontario and Alberta, which provide the Lieutenant-Governor-in-Council with the authority to make regulations changing the DST period.

**Mr. Leonard Derkach (Russell):** Mr. Speaker, this is a bill that we do not really have to spend a great deal of time debating, I do not believe. I think this is one where both sides of the House would agree that in order to stay current with what is happening in other jurisdictions we should probably move ahead.

So, Mr. Speaker, with those few comments, I would have to indicate that we are prepared to move this bill to committee.

**Hon. Jim Rondeau (Minister of Industry, Economic Development and Mines):** Mr. Speaker, I would appreciate the opportunity to put a few words on the record to just—[interjection] I know they want to do it, but, as my job is Minister of Industry, I think it is important to move.

Mr. Speaker, The Official Time Act, I believe a lot of people do not understand that we are a huge exporter of goods and services. About 76 to 78 percent of what Manitoba does is produce and ship to other places. Our major customer is the United States. So we, along with Canada, the U.S. and Mexico, have one of the most successful partnerships in the world, and so we have to work together in harmony. So the time act is important—

#### Point of Order

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

**Mr. Leonard Derkach (Official Opposition House Leader):** Well, yes, Mr. Speaker. I have been in this House for a long time, but I have never seen anything like this.

Mr. Speaker, this side of the House just agreed to move a bill from second reading into committee. The government has refused to move this bill. I do not understand the process, but my understanding has always been that when a government presents a bill and the opposition is prepared to move it into second reading and stands up and says so, that that

bill moves. Otherwise, that bill is rejected by the government from moving to second reading. That is what we have just witnessed here this afternoon. So I do not understand it, but, indeed, if the government wishes to filibuster its own bill, then so be it.

**Mr. Speaker:** On the same point of order? The honourable Minister of Industry, Economic Development and Mines, on the same point of order.

**Mr. Rondeau:** Mr. Speaker, on the same point of order, I believe that it is every person's right to put some comments on the record. It is not a question of filibustering. It is a question of explaining, as my role as Minister of Industry, Economic Development and Mines, why this bill is important. I know that we can do it in third reading, but I think it is important so that people can discuss it. I would like to put a few brief words on the record so that people understand the importance of this as far as linking our economies and our time zones.

**Mr. Speaker:** On the point of order raised by the honourable Official Opposition House Leader, our rules state that members of the House are given the opportunity to speak to the bill before the Speaker calls the question. So all members, any member who wishes to speak to the bill has the opportunity and the right to speak to it before I call the question. So the honourable Minister of Economic Development and Mines has the floor.

#### Point of Order

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

**Mr. Derkach:** Mr. Speaker, on a new point of order, I just indicated that our side of the House was prepared to move the bill. Now, obviously, that has been rejected by the government because, in all circumstances when we say we are prepared to move the bill, then the bill moves. Now, obviously, the government in this case has refused our motion to move the bill on to committee. I just want to put that on the record.

**Mr. Speaker:** On the new point of order raised by the honourable Official Opposition House Leader, he does not have a point of order because all members that wish to speak have the right to speak, and I, as the Speaker, my responsibility is to recognize the members that wish to speak. So the honourable Official Opposition House Leader does not have a point of order.

\* \* \*

\* (14:50)

**Mr. Rondeau:** All I want to do is put a few brief words on the record to make sure that people understand why, in industry, it is important to have this time act. Basically, all I was saying was that it is important to understand the importance of trade to our province; 76 to 78 percent of our economic production goes to the U.S. and Mexico. The U.S. is our No. 1 trade partner, and it is important that we make sure that the time—if you have to deal with different time zones and different time issues, it makes it very, very complicated. So, when you are talking about the mid-Canada corridor that goes from the Port of Churchill through the U.S., through the U.S. heartland, through Texas and into Mexico, we need to make sure that it makes sense.

Part of the deal is that we have to have a common time zone as well as excellent communication and transportation connections. To give you a scale, there is about \$190 billion of trade between the three jurisdictions. That is huge. So it has huge economic significance for Manitoba now and in the future. As an example, the U.S. currently accounts for 80 percent of our trade, and that is huge. So we do not want a lot of confusion as far as time of delivery, time of availability, and so what we want to do is make it nice and smooth. That is what this bill proposes to do. So we are going to use this bill to make sure that there is less confusion as far as time of delivery. So we will work together. We will work collectively to improve our business, collectively to improve the flow of goods, and so we want to make sure we do this.

Next year we are hosting Hemispheria, and what we are trying to do is make it simple. This is a simple bill to do that where we are moving forward to make that one simple corridor. So Hemispheria, which is offered or will be held May 31 to June 2, 2006, that is the purpose of the conference, and it is going to strengthen the economic partnerships among regions located along the mid-continent trade and transportation corridor.

So that is what we want to do. It is important to harmonize the U.S. daylight saving time. Just a quick quote from the business community perspective, "It is very important for us to be in step with the U.S." That is a quote from the Winnipeg Chamber of Commerce president, Dave Angus. "We have such an integrated economy in North America. It is tough enough to do business across multiple time zones." He called the province's decision to extend daylight

saving time fantastic, and said he was also glad Manitoba was one of the provinces leading the way on the issue. Angus said that he would like to think that the rest of the provinces will also do so.

So what we are trying to do is harmonize with the energy policy act that was signed by President Bush on August 8. We want to make sure that we extend the amount of daylight hours. I know that would help, but, also, it is important to be harmonious with the United States. So we need to focus on one time zone. I know that when you are talking about travel, it is confusing. When you talk about delivery, truck delivery, aircraft travel, all the rest, because we are such a huge hub in industry, we need to consider doing this.

So, even insofar as the trucking, Bob Dolyniuk of the Manitoba Trucking Association said, "It is critical for the industry, and there are as many as 454 hire trucking companies based in Manitoba directly and indirectly employing more than 33 000 people and contributing \$1.2 billion to the provincial gross domestic product. Trucking companies run on such tight schedules that any breakdown in time zones would cripple the industry because delivery schedules are sometimes timed down to the minute. It would be a tremendous, horrendous problem," Dolyniuk said.

So we want to make sure we have a consistent daylight saving time. We want to make sure that we have consistency with the States and Mexico, and adding daylight to the evening could also improve road safety. People would be able to go home longer in daylight. It would give kids a chance to go outside trick or treating in the daylight. So it would improve safety.

So what we want to do is make sure that it is simple for business and industry. Members opposite often talk about being business friendly. This is a business-friendly decision. It is a trade-friendly decision. It is a decision that is going to work to make things better for all our industries going from Manitoba through the Midwest all the way to Mexico. So it just makes it much simpler, makes it more effective, and when you are talking about red tape, and a lot of the members opposite often talk about making things easier for business, cutting down red tape, this is a simple, effective way of making positive change for business. That is why we are doing it.

So, as Minister of Industry, I was pleased to be able to put a few words on the record on this

important issue and let all Manitobans know, because we are a trading province, almost 76 percent to 78 percent of all goods and products go outside the province and mostly to the States. It is an important issue as far as our prosperity, the development of our industries and our cohesion of industries. Thank you very much, Mr. Speaker.

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, we, as the Official Opposition House Leader has indicated, see the merit to this bill and its ultimate passage so that it can go to committee. I think, whether it is the travel industry, the manufacturing industry, whatever industries that are out there, in most part I believe they would be very supportive, and we understand the rationale and the reasoning as to why this bill is, in fact, before us. It will be interesting to see if there is any additional public input provided once it goes to committee stage, but we do not have a problem with it going to committee stage.

I did find it somewhat interesting that, you know, it has been a number of months since we have been here, and then the government presents its legislative agenda, and the very first bill that they introduce is The Official Time Amendment Act. They have taken the liberty already to have two ministers speak to it. I guess that speaks volumes in terms of just how important they see this bill really is. Mr. Speaker, I would hope that the government would deal with other pieces of legislation and expedite them. I am very much interested in The Elections Act that the Premier (Mr. Doer) is talking about amending.

There are other pieces of legislation, and we look forward to hearing from the different ministries in terms of being provided briefing notes and so forth, where departments can provide that. I know the Minister of Labour (Ms. Allan), in particular, is fairly good at doing that and I do appreciate it.

But I would suggest that we do allow Bill 8, as has been earlier suggested by the official opposition, to pass so it can go to the committee stage. I think it is fairly straightforward, Mr. Speaker, and with those few words we are prepared to see it go. Thank you.

**Hon. Steve Ashton (Minister of Water Stewardship):** I was not intending to speak on the bill, given the fact that I was unable to participate in an earlier discussion, which I know was dealt with in terms of its immediate context as a matter of order but also did refer to this bill. I just want to put on the

record a number of things, Mr. Speaker, and as Acting House Leader, I certainly will continue to have discussions in regard to this and other bills so long as I am Acting House Leader.

I do want to put on the record, as well, that our House Leader, of course, primarily deals with these matters, and it is only because of other responsibilities this week—I have to be careful how I phrase that—that I am acting in this position this week, Mr. Speaker.

Certainly, if it can be of any assistance, when I requested that this matter be called, it was certainly on the basis of the fact that it is a bill that could be dealt with fairly expeditiously, Mr. Speaker, in the sense that I believe that there is a fair amount of consensus in the House which is quite unusual. You know, it is rare, often unappreciated. Indeed, because of other responsibilities at the time that this matter came up earlier—and I am not trying to revisit any points of order, but just the discussion on the bill—certainly, if I had been privy to any of the prior discussions or perhaps been able to directly respond to some of the comments that were made, I might have been able to add a couple of comments to the record.

First of all, it is an important bill. It is one of the reasons we moved it early. It is also a bill that can very readily be dealt with, and it is not, Mr. Speaker, that it necessarily is a bill of great urgency, but, why, in this particular instance, when you have consensus would you not want to deal with it?

Second of all, I do not think there needs to be much repetition of the basic principle of the bill because we all know that in our central time location that we have to be eminently aware of what is happening with other jurisdictions, particularly with the U.S., to make sure that we are in sync with that, Mr. Speaker. We often, I think, forget the degree to which our central location is one of our big advantages.

\* (15:00)

Third of all, Mr. Speaker, the intent, I think, of some of the discussions here was a very good one, and, certainly, I think it is important that you have, say, for example, the Industry Minister reflecting on how important this is, because it is very much going to benefit Manitoba industry.

I also think, Mr. Speaker, if you were to canvass the room here, there are different views on this matter, but, you know, we have never had, perhaps,

the same visceral debate that Saskatchewan has had. You talk about daylight saving time in Saskatchewan, and I tell you, you have an argument back and forth like you have never seen. You know, it may have gone on in the past here. We are a jurisdiction that has supported daylight saving time quite consistently. Dare I say, coming from a jurisdiction that has part of the province that tends to have quite a bit less daylight in October and November than southern Manitoba, we are a bit biased in the sense that every last hour, I think, people appreciate. So anybody that can extend daylight in Thompson, I tell you, they are going to be popular. I do not care which party you are in.

But, Mr. Speaker, what I did want to indicate is that I have been advised in private discussions with the Opposition House Leader that the intent of this was to move this bill through quickly based on agreement and consensus. So, rather than speak, as I could, and I actually did comment earlier that if I really had to speak on this I could probably look at the clock and sort of say 3:01, 3:02, 3:03, and it would be relevant, but my intent is to speak about time, not to fill time. So I think, given discussions with Opposition House Leader (Mr. Derkach), and, certainly, he made me aware of discussions that were held with the Government House Leader (Mr. Mackintosh), given that our intent would be to pass this bill forthwith.

With that, we are prepared to move it to committee, and I do thank the Opposition House Leader for filling me in on certain discussions that I was not privy to.

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

**Mr. Derkach:** I move—

**Mr. Speaker:** The honourable Member for Arthur-Virden?

**Mr. Larry Maguire (Arthur-Virden):** Mr. Speaker, I move, seconded by the member from Russell, that we table debate on this motion.

*Motion agreed to.*

**Bill 7—The Architects and Engineers  
Scope of Practice Dispute Settlement Act  
(Various Acts Amended)**

**Hon. Nancy Allan (Minister of Labour and Immigration):** I move, seconded by the Minister of Family Services and Housing (Ms. Melnick), that

Bill 7, The Architects and Engineers Scope of Practice Dispute Settlement Act, now be read a second time and be referred to a committee of this House.

*Motion presented.*

**Ms. Allan:** I am honoured at this time to have the opportunity to explain more fully the purpose and details of Bill 7. All Manitobans are aware that it is in our collective interest to ensure that the buildings in which we live, work and gather are not only safe, functional and cost-effective, but also reflect the vision that we have for our communities for today and into the future.

The design and construction of buildings and the systems within buildings are complex tasks that demand the involvement of many different types of competent professions. We have only to look to the recent opening of Winnipeg's new Millennium Library as evidence of the level of skill, experience and creativity that must come together in order to create such an efficient and beautiful building.

In this regard, Manitobans have been well served by the contributions of not only the architects and professional engineers in our province, but also by other key stakeholders such as developers, contractors, interior designers, plan reviewers and building inspectors. The public interest requires that professional engineers and architects must be involved in the design and construction of certain categories of buildings. These include large complex buildings such as multi-story office buildings, buildings where people are cared for or detained, such as hospitals and jails, and buildings where the public gathers, such as restaurants and museums. The involvement of both architects and professional engineers is critical in these types of buildings to ensure the integrity of the structure, the health and safety of the occupants and benefits to the broader community.

Architects and professional engineers have a long history of working well together on individual projects. During the consultations leading to this bill, it was very clear that the members of these two self-governing professions have very high standards of integrity, and all are committed to public safety and providing consumers with the highest quality of service.

However, for the past number of years, there has been a growing dispute between these professions as to their respective scopes of practice.

While this dispute is not unique to Manitoba, it has demanded a solution that addresses our particular needs. Both the professional associations and the government have tried various means to resolve this long-standing dispute over the last 15 years.

The Engineering, Geosciences and Architecture Inter-Association Relations Joint Board has made several unsuccessful attempts to reach a voluntary agreement. Legal action has also been taken by the Manitoba Association of Architects to force a more formal resolution.

On September 16 of this year, a Court of Queen's Bench decision ruled on the relationship between The Architects Act, The Engineering and Geoscientific Professions Act, and the Manitoba Building Code. This decision provided clear direction as to the proper interpretation and application of the code and the two professional acts as they are currently written. It has also highlighted the fact that the public interest requires statutory and regulatory change to bring this scope of practice dispute to an end and entrench the recognition that the Building Code is the tool governments use to regulate building construction.

As a consequence of this court decision, a significant number of building and occupancy permits in Winnipeg and throughout the province have been put on hold or called into question. This has had a negative effect on construction and development in Manitoba. We believe it is in the public interest to take prompt action to rectify this problem and set out a framework to provide greater stability into the future.

This legislative package was developed following consultation not only with the professions of architects and engineers, but also the City of Winnipeg and the Association of Manitoba Municipalities, representatives of the construction industry, interior designers and other stakeholders affected by the recent court decision. It provides a practical solution to the current problem and a framework for the future that respects engineers and architects as equal and valued professions while addressing the needs of permitting and granting authorities and others for clarity and certainty.

The proposed amendments will ensure that architects will continue to have a significant role in the planning, design and review of buildings. Proposed amendments to The Architects Act will create greater consistency between the act and the Building Code. They will specify that non-architects

may plan and review certain buildings as permitted under the Building Code or those buildings to which the Building Code does not apply, such as farm buildings and grain elevators.

Amendments will also ensure that professional engineers will be able to practise within the bounds of their profession in planning and review of certain buildings as permitted under the Building Code and in building systems design more generally.

*Mr. Conrad Santos, Deputy Speaker, in the Chair*

The Building Code is the instrument used by governments to regulate building construction, not only in Manitoba, but across the country. Manitoba, like other provinces, adopts the National Building Code as the basis on which the provincial Building Code is established.

*\*(15:10)*

While provinces do depart from the National Building Code through provincial amendments, all provinces have committed to move towards greater harmonization with the national code. We believe that continues to be a sound policy objective.

The use of the Building Code to determine which buildings must be planned and reviewed by architects and which may be done by engineers or non-professionals is not entirely unique. The Architects Act in Saskatchewan states that non-professionals can plan and review Part 9 buildings listed in the Building Code. In Ontario the engineers and architects professional acts and the Building Code all list the buildings that require an architect and the buildings that may be done by an architect or engineer.

The Buildings and Mobile Homes Act is the enabling legislation for the Manitoba Building Code. This act will be amended to provide the necessary regulation-making authority for the Building Code to determine which buildings must be done by an architect and which buildings may be done by an architect or an engineer. The purpose of the code is to establish minimum construction standards for most buildings in the province. It does not dictate how architects and engineers must practise their profession. That mandate is and will continue to remain the respective responsibility of the two self-governing professions.

The Building Code will be amended to set out the rules for determining which buildings require the involvement of an architect or professional engineer

or both. This will provide all code users with clearer direction as to when architects and engineers must be involved in the construction of buildings. The code will also continue to make clear which buildings non-professionals can design. These will include most residences and smaller offices, retail and personal service buildings such as small stores, medical and dental offices and hairdressing shops. Additionally, the code will provide direction as to the types of alterations to existing buildings that may require an architect or engineer or both.

To the two professional associations I would like to say any future changes to the code regarding the requirements for the involvement of architects and engineers will be undertaken only following consultation with both associations as well as the Building Standards Board. The Building Standards Board is made up of representatives from a wide range of stakeholders in building construction, including architects, engineers, municipal governments, fire chiefs, the insurance industry and the construction industry. It provides the minister with advice on matters related to building construction codes and standards. However, government is also free to consult with any other stakeholders it considers to be appropriate.

The amendments to The Architects Act that deal with the work of professional engineers and the work of non-architects will be retroactive. Retroactive application will ensure that past actions carried out under the current statutory regime will be considered valid and have been done as if the new provisions were in place and the code and the act had been consistent at the time.

The Architects Act will also be amended to allow non-architectural firms to hire architects and offer architectural services. These changes mirror the provisions that already exist in The Engineering and Geoscientific Professions Act. The amendments will allow firms to offer clients a broader range of services and will facilitate the development of joint architectural and engineering firms. These changes will benefit consumers who will now have greater access to one-stop shopping when they look for professional assistance in the new construction or renovation of buildings.

Over the course of the last number of years a small number of professional engineers have gained experience and knowledge in certain aspects of architectural practice. Amendments to both professional acts will allow this limited number of

professional engineers to obtain a recognition certificate so that they may continue to offer these services until such time as they cease to practise professional engineering. Determinations regarding the criteria for this certificate as well as which professional engineers will be entitled to hold it will be made by the Engineering, Geosciences and Architecture Inter-Association Relations Joint Board.

The general decision-making authority of the joint board will also be enhanced. The board will now be required to make decisions in a timely manner. Additionally, any decisions jointly made by the board will be binding on both professional associations. Both professional acts will be amended to make it clear that the choice of prime consultant on a building project rests with the client, and that the consultant can but does not have to be an architect or a professional engineer.

An amendment to The Architects Act will also clarify that architects plan and review the construction of buildings rather than plan and supervise the construction of buildings. This amendment better reflects the role of architects in building construction.

Finally, the bill will ensure the validity of building and occupancy permits issued prior to these amendments and in this way help to rectify the practical problems created by the recent court decision. These proposed amendments will result in greater clarity of the respective scopes of practice of professional engineers and architects. The amendments will provide a structure for the continued vitality of both professions. Most importantly, the amendments will ensure that the buildings in which we live, work and gather will meet both safety and professional standards and will continue to be a source of pride for our communities. For all of these reasons, I commend this bill for approval of the Assembly.

**Mr. Ron Schuler (Springfield):** I move, seconded by the honourable Member for Pembina (Mr. Dyck), that debate now be adjourned.

*Motion agreed to.*

#### **Bill 5—The Dental Hygienists Act**

**Mr. Deputy Speaker:** The next bill we will consider is Bill 5, The Dental Hygienists Act; Loi sur les hygiénistes dentaires.

**Hon. Tim Sale (Minister of Health):** Mr. Speaker, I move, seconded by the honourable Minister of

Intergovernmental Affairs (Mr. Smith), that Bill 5, The Dental Hygienists Act; Loi sur les hygiénistes dentaires, now be read a second time and be referred to a committee of this House.

***Motion presented.***

\* (15:20)

**Mr. Sale:** Mr. Speaker, I am pleased to introduce this act on second reading to members of the House.

Dental hygienists across Canada provide services in dentist offices. I daresay everyone in this House has been served by any number of dental hygienists when they have gone to have their teeth scaled or cleaned in any of their dental offices. But, interestingly, in Manitoba, they are not an independent professional body, unlike 92 percent of their colleagues across Canada. So the purpose of this legislation, of course, is to recognize that dental hygiene as a profession should have the same kind of level of regulation and support as any other regulated profession does in our province.

Dental hygienists have worked with our government over the last three or so years to develop, together, legislation that they believe meets the test of fair and transparent legislation. I now want to have a chance to speak about some of the aspects of this legislation.

I do, though, want to put this in the context of the commitment of our government to work for better overall dental care. Of course, much of what a hygienist does is of a preventive nature: removing scale, removing tartar and identifying difficulties in children or adults that might lead to more serious problems down the road. I want to, in speaking to this act, speak a bit about the challenge that we face in terms of dental decay in children.

The formation of strong teeth is the same process as the formation of strong bones. Teeth are essentially another kind of bone. They are formed in the womb by the same processes that the body's bones are formed. There are some really critical components to that process. First of all, adequate prenatal nutrition, obviously, is a critical issue—calcium intake. That is why mothers are encouraged to drink milk prenatally as well as postnatally, because of breast feeding, but really one of the most important issues in the formation of strong teeth is the intake of vitamin D.

Vitamin D, as members all know, occurs naturally when we are exposed to sunlight. One of

the challenges for people living in the North is that we have short days for about three quarters of the year in terms of the amount of sunlight that is available because, even in the summer when the sun is up a great deal of the time, it is very low on the horizon. The actual amount of vitamin D formation is relatively low unless the person is out in the sun for a concentrated amount of time.

When you couple that challenge for northern people with the fact that everybody is now told to protect yourself from sunburn, slather yourself with suntan lotion that prevents the formation of melanin and, therefore, vitamin D in the cells of the body, what we have in the North is a challenge around adequacy of vitamin D levels. So that is the first problem that sets the stage for poor postnatal development of teeth.

The second major issue, which I think all members would recognize, is that many northern people are not particularly lactose tolerant. That is, milk was not a natural part of Aboriginal diets. They did not have cows, and so the way in which Aboriginal diets provided adequate calcium levels was through the intake of fish and other natural foods, which provided the level of calcium that is necessary for good prenatal and postnatal nutrition.

With the decline of what we would call "country food," or the sort of normal diet of people who live in the North, for a whole variety of reasons, we have begun to feed people, essentially, southern food, much of which is not particularly nutritious, very expensive, and therefore challenges the ability of many families, particularly families affected by poverty, to be able to appropriately nourish their children and to appropriately provide postnatal nourishment for moms who are breast-feeding.

So that is the second challenge, is that the dental hygienist, of course, wants to work on sound teeth. The dental hygienist does not want to look at a mouth full of cavities because, really, by that point, there is not a whole lot you can do except, unfortunately, to remove the teeth.

The third challenge is a very interesting one, and that is that often people who are putting their babies to bed at night, if they have a lot of stress in their life, if they have a lot of kids, there is a fair amount of noise because it is a small house with many people in it, as a way of comforting a child they are often given a bottle with either sugar water or juice in it. Essentially, what that means is that that baby's mouth is bathed with sucrose for a long period in the

evening. Of course, if you combine weak teeth, in the first place, with a sucrose bath that goes on, or a glucose bath, it does not much matter, for hours, then you pretty much set the conditions for very rapid tooth decay.

Another element that, unfortunately, is associated with tooth decay in the North is that there are particular bacteria that are transferred from the mother to the child which accelerates the process of cavity formation and decay. So that is a question of breast hygiene. It is a question of understanding what the issues are in terms of transmission of this particular type of bacteria.

So there are three associated problems that lead to rapid decay of teeth, particularly among children in the North. I think that it is very important that this act provides the possibility at least, whether it will happen or not is a matter of how many hygienists are available and how many are adventurous enough to want to practise on their own in some of our more rural communities. It offers the opportunity for them not to just do scaling and cleaning of teeth, but to develop a very strong teaching practice where they can teach communities how to avoid having children flown down to Thompson or flown to Beausejour or flown to Winnipeg to have teeth removed that should never have to be removed in the first place.

So I have been in discussions in the past with the hygienists around the fact that under this act they will now be able to practise without the direct supervision of a dentist, because up until now dental hygienists could only practise under the direct professional supervision of a dentist. This now will allow them, for example, to go into a nursing home and provide teeth cleaning and hygiene and basically preventive dentistry for people who are in a nursing home.

It is often very hard to get a dentist to do that, and very often you wind up needing to move a person out of their home, and it is not always easy with someone in a nursing home to provide that kind of care. So here is an opportunity to provide appropriate care at a reduced cost and in an appropriate setting, closer to the home of the resident. We hope the dental hygienists will choose to develop the kind of practices that will allow them to provide their care in settings which they now do not take advantage of, Mr. Deputy Speaker.

The president of the Manitoba Dental Hygienists Association said in response to this commitment of ours to introduce this act, "Dental hygienists look

forward to accepting the responsibility for helping to improve the public's access to primary oral health care." The MDHA also praised the government for tabling this bill, and we are very happy that we were able to bring this legislation forward. I certainly expect that all sides and all members of the House will be supporting this legislation. I cannot imagine that they would not be doing so.

\* (15:30)

For the information of members, Mr. Deputy Speaker, there are over 500 dental hygienists practising currently in Manitoba. Of course, they are trained at our dental college here, among other colleges in Canada. They have quite a broad practice, and this is why I think it is also important that they have the capacity to provide their skills outside of a regular dental office where they are currently under supervision. For example, they could do scaling and root planing above or below the gum line. In other words, they could move the gum back and clean and improve the circulation of the gum and clean the tooth below that gum line. They are able to essentially free up teeth that are caught in the gum line, which is one of the ways in which you get serious infections below the gum line.

They can administer oral anesthetics. They can use oral therapeutic agents, in other words, the appropriate kinds of pharmaceuticals that would deal with infections. They can seal teeth that might have small fissures in them that would allow bacteria to begin the process of decay.

They can also perform orthodontic and restorative procedures, so they really have a very broad scope of practice, Mr. Deputy Speaker. I think that it will be a challenge that I hope the association will readily accept, that with this broad scope of practice there are many opportunities for careers for young people in Manitoba, for example, who would choose to work in the area of dental hygiene and in the prevention of dental difficulties in children and adults, obviously a worthwhile practice. One only has to see pictures or see children in communities where they essentially have no front teeth, except perhaps their incisors to recognize how painful it is for them to eat and how badly nourished they are as a result of the tooth decay and to understand why it would be a very worthwhile and rewarding career to prevent that kind of loss. I cannot imagine what it would be like to be a three-year-old with no capacity to chew food. It would just plain be an awful state to be in.

The act that we have put forward, Mr. Speaker, will require that a person who wants to practise dental hygiene and use the title dental hygienist or oral hygienist or registered dental hygienist will have to meet the professional qualifications set out in the act. Like all professional acts, it gives the college the authority to investigate complaints about the practice of a hygienist, and it requires the capacity on the part of the college to hold formal discipline inquiries.

Formal inquiries under this act are really very formal. They require evidence. They allow for the presence of legal counsel. They give a complainant the capacity to present their case in a very formal kind of way. So this is serious business for dental hygienists to become a fully self-regulating profession.

Public representation on the council and on all committees will be at least one third from the public, appointed by the minister as recommended by the Manitoba Law Reform Commission. The complaints and discipline committee processes will be consistent with all of the most recently proclaimed health profession regulations such as nursing, physiotherapy and the soon-to-be proclaimed medical lab technologists' legislation, which was passed about a year ago and which the college has been in the process of formation.

There will be a significant variety of ways in which a member of the public can lodge a complaint or a concern including informal resolution and mediation. Possible orders that can be made following an inquiry allow for remedial action that is serious, such as requiring the investigated member to limit her or his practice, or to undertake a further course of studies or to be supervised for more practical experience.

The college will be required to submit an annual report to the government, to the Minister of Health, that includes information on the structure of the committees, the details of the number of applicants for registration, complaints, how those complaints were disposed of, the number of members disciplined, the reasons for the discipline and the sanctions, so a fully transparent professional regulatory body.

I believe that the act is a step forward for our regulated health professions in Manitoba, in this case for dental hygienists. I believe it is an opportunity for young Manitobans to see a very worthwhile career in a professional body. I really hope that young people will see this as an opportunity and will enrol in the

college, and, quite frankly, I hope it will force us to increase the enrolment in the college, because the capacity to treat, particularly, people who live in more rural or remote communities where dental services are limited or perhaps not at all available, I think, would be a very rewarding opportunity.

So, with those remarks, Mr. Deputy Speaker, I commend this act to all members of the Legislature.

**Mr. Kevin Lamoureux (Inkster):** Mr. Deputy Speaker, I did want to put a few words on the record in regard to Bill 5.

I have had opportunity to have discussion in particular with my leader who has been following both Bill 5 and Bill 6, as there is a great deal of sensitivity in those affected stakeholders in regard to what the minister is doing. We are anxious to see what sort of representation is made at the public meeting stage. The dental hygienists or the dentists, I suspect, will continue to ensure that their best interests are, in fact, being represented appropriately.

Mr. Deputy Speaker, as I say, as we go through this process, we will be following it through. I know the leader of my party was wanting to speak on this in third reading and wants to get more public input at the committee stage.

Having said that, I did want to raise just the one issue of the importance of that particular profession and how government, in general, needs to be more proactive in providing dental care. Far too often we see in particular children throughout our province who have some very serious dental problems. I think with a more proactive government we would be able to see policies that would have more of a positive impact.

I attended some of the meetings of the Healthy Living Task Force, as an example, where the comment came up on a few occasions about the importance of dental work and the types of things that the government can do. One of the things that has always frustrated me, and I can recall this back in 1988, was the fact of the price of milk versus the price of Coca Cola and the impact on teeth that Coca Cola has on our youngsters compared to milk. I think that most if not all MLAs are very familiar with the story and have an appreciation as to why it is, at times, that issues of that nature are raised. What surprises me is how government, in essence, has been ineffective at dealing with that issue.

In northern Manitoba or in the North End of the city of Winnipeg, we have some very serious

problems. I do not see the government addressing those issues as aggressively as they could. It is unfortunate because you do have the opportunity, and I would look forward to seeing programs that will prove to be more effective at dealing with the general health and well-being, in particular in the whole dental area, of especially our children.

With those few words, we are quite prepared to see the bill, in fact, go through. Thank you.

**Mr. Peter Dyck (Pembina):** I move, seconded by the honourable Member for Turtle Mountain (Mr. Cullen), that we adjourn debate.

*Motion agreed to.*

\* (15:40)

**Bill 6—The Dental Association Amendment Act**

**Mr. Deputy Speaker:** We are now to consider Bill 6, The Dental Association Amendment Act—

**Hon. Tim Sale (Minister of Health):** I move, seconded by the honourable Minister of Intergovernmental Affairs and Trade (Mr. Smith), that the Dental Association Amendment Act/Loi modifiant la Loi sur l'Association dentaire now be read a second time and be referred to a committee of this House.

*Mr. Speaker in the Chair*

*Motion presented.*

**Mr. Sale:** This act puts some teeth in The Dental Association Act. I could not resist. It is too good to miss, right? So I invite all members to bite into this legislation and have a good chew. We are fairly quickly going to get to the root of the matter here. I am sorry.

On a more serious note, Mr. Speaker, The Dental Association Act amendment essentially delegates the authority to regulate the dental technicians to the Manitoba Dental Association. The act itself, Mr. Speaker, is largely changing various sections to add into The Dental Association Act the capacity to regulate people who are dental assistants.

The difference between a dental hygienist and a dental assistant is that an assistant has a much more limited scope of practice, but for a variety of reasons it has not been clear until now where the appropriate regulatory body is.

The number of dental assistants in Manitoba is relatively small, and so the practicability of having a professional college for a very small number of

people is, of course, problematic because having a professional college is expensive, it is fairly time-consuming, and if there is a relatively small number of people who are practising that profession, it puts an extraordinary level of essentially volunteer demands on them. So it seemed best to the dental association as well as to government to ensure, for the safety of the public and the appropriate regulation of this profession, that it be brought under The Dental Association Act, Mr. Speaker.

The whole purpose here, I take the member from The Maples' comments, and I want to respond briefly to them in regard to his comments on the previous act, the whole purpose of our act—

**An Honourable Member:** Inkster.

**Mr. Sale:** The member from Inkster, I beg your pardon. Thank you.

The whole purpose of these two acts is to strengthen the capacity of Manitoba's dental professionals to provide better care in areas that are difficult to provide care in so that the people in those areas get care sooner and get it closer to home.

Now, in regard to the issue of prevention, this is another area in which, of course, all dental professionals, whether they are assistants, dentists or hygienists, can play a very, very major role. The member from Inkster challenges us in regard to our work in this area, and I think that we are more than up to the challenge. I invite the member to pay close attention to announcements that will be coming in the extremely near future in regard to the strengthening of the prevention capacity of our province.

Now, in my remarks to the previous legislation, Mr. Speaker, I commented on what the main sources of tooth decay in children are. I will not repeat those comments here, but suffice it to say that it is far better to prevent dental problems than it is to intervene, and so, in some senses, I guess this act will be a success if the business coming into the dentist's office declines and that dentists are no longer required to do as many extractions or capping or filling or partial bridges or whatever for children whose teeth have not formed properly in the first place and then have decayed because of inappropriate nutrition or poverty or whatever cause.

So, Mr. Deputy Speaker—Mr. Speaker, I believe. I am sorry. I apologize; I did not see the switch. I hope that this legislation which is essentially largely of a housekeeping nature to bring assistance under

the framework of an act that provides for supervision, complaints, appropriate professional regulations, scope of practice definition and all of those things that go into any regulated profession, to bring those people who are essentially dental auxiliaries, dental assistants, under a clear framework.

The Manitoba Dental Association, the major senior professional body, has set requirements for dental assistants, but there has not been, until now, a clear statutory authority for these requirements. They nevertheless have been enforced, and I congratulate and thank the dental association for doing this essentially voluntarily out of their concern as a profession to ensure that the care of their patients was at a high professional standard.

These amendments will now permit the Manitoba Dental Association to actually formally register and to govern and, where necessary, to hold investigations into the adequacy of the services provided by dental assistants.

As a balance against inappropriate power being held by the dental association, it will provide representation from dental assistants on the council of the dental association and, perhaps even more importantly, it will provide that at least one third of the members of disciplinary committees will be, themselves, dental assistants as well as the normal one third from the public. So it is a balance between the rights and needs of those who are dental assistants, the regulatory body, the dentists themselves and the general public.

The organization that represents dental assistants, I am pleased to say, supports the proposed amendments. The amendments also include necessary amendments as a result of the development of self-regulation for dental hygienists because, now that we are taking hygienists out of The Dental Association Act, we need to amend that act to make that part clear as well. It makes some housekeeping changes that clarify the difference between rules and by-laws, but, perhaps most importantly in terms of our overall approach to legislation as a government, it uses plain language and no longer the obtuse and formal language that was characteristic of old acts. It makes it very clear to any reader what the intention of the act is.

As we have committed in the Speech from the Throne to providing better care for children's dental health, this is but one modest step in that particular area. We have already introduced The Dental

Hygienists Act. We are on track to complete a significantly increased number of dental surgeries this year, though we would prefer to do none because we do not want to have children with rotten teeth. We very shortly will be making important announcements about a greatly strengthened prevention program, which I am sure is the goal of all dental professionals, the dental assistants, dentists themselves, dental hygienists, all of whom would prefer to see clean, healthy teeth, and to support people to keep those teeth all the way through their lives.

With these few remarks, I commend this bill to the House. I expect it will have all-party support. I look forward to hearing in committee from the general public about any concerns they might have in regard to the legislation. Thank you, Mr. Speaker.

\*(15:50)

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, I could echo many of the same comments that I put on the record in talking about Bill 5, but, as I had earlier indicated, we do not have a problem in terms of the principle of the bills going to the committee stage to get feedback from the stakeholders. What I do like about this particular bill is the creation of that registry for dental assistants. I do think that that is a step in the right direction, and I think, as a whole, it is healthy for the industry to get that recognition.

The only concern that I have in part is that there are individuals that often come from abroad that have certain levels of talents and expertise, and getting those talents and levels of expertise recognized is an important thing. When we look at agencies, whether it is the creation of the registry for dental assistants to the dental hygienists to dentists themselves, and you can broaden the scope, Mr. Speaker, I think that one of the things that we need to look at when we talk about the self-governing bodies is to ensure that people are very much aware of the talents that we have in the province and that those are not, in fact, overlooked.

This is an area in which I do not think the government has done a good job in terms of recognizing the skills that people have from abroad. I know, Mr. Speaker, in that dental industry, if I can put it that way, that there are a good number of people that come from abroad that bring a great deal of talent. Having said that, as I say, I think there are a number of issues, as I indicated in Bill 5, that we

need to be sensitive to and listen as these bills go into committee. That is something which we support at this time and look forward to whatever input is provided at the committee stage. Thank you.

**Mr. Peter Dyck (Pembina):** I move, seconded by the honourable Member for Carman (Mr. Rocan), that we adjourn debate.

*Motion agreed to.*

\* \* \*

**Mr. Speaker:** Bill 6, The Dental Association Amendment Act—

**Some Honourable Members:** It is done.

**Mr. Speaker:** It is done? Oh.

**Hon. Steve Ashton (Minister of Water Stewardship):** Yes, Mr. Speaker, as Acting House Leader, and perhaps in the spirit of an earlier bill that talked about daylight saving time, it would be almost five o'clock. I am wondering if we could actually declare it five o'clock to be a little bit ahead of our time, in more ways than one.

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

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

# LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, November 9, 2005

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