

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

Official Report
(Hansard)

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

Member	Constituency	Political Affiliation
ALLAN, Nancy, Hon.	St. Vital	N.D.P.
ALTEMEYER, Rob	Wolseley	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
BJORNSON, Peter, Hon.	Gimli	N.D.P.
BLADY, Sharon	Kirkfield Park	N.D.P.
BOROTSIK, Rick	Brandon West	P.C.
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BRICK, Marilyn	St. Norbert	N.D.P.
BRIESE, Stuart	Ste. Rose	P.C.
CALDWELL, Drew	Brandon East	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
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DERKACH, Leonard	Russell	P.C.
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DOER, Gary, Hon.	Concordia	N.D.P.
DRIEDGER, Myrna	Charleswood	P.C.
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EICHLER, Ralph	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin	Steinbach	P.C.
GRAYDON, Cliff	Emerson	P.C.
HAWRANIK, Gerald	Lac du Bonnet	P.C.
HICKES, George, Hon.	Point Douglas	N.D.P.
HOWARD, Jennifer	Fort Rouge	N.D.P.
IRVIN-ROSS, Kerri, Hon.	Fort Garry	N.D.P.
JENNISSON, Gerard	Flin Flon	N.D.P.
JHA, Bidhu	Radisson	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar, Hon.	The Pas	N.D.P.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
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MARTINDALE, Doug	Burrows	N.D.P.
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OSWALD, Theresa, Hon.	Seine River	N.D.P.
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SELINGER, Greg, Hon.	St. Boniface	N.D.P.
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STRUTHERS, Stan, Hon.	Dauphin-Roblin	N.D.P.
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WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, December 4, 2007

The House met at 1:30 p.m.

ROUTINE PROCEEDINGS

INTRODUCTION OF BILLS

Bill 220—The Right to Timely Access to Quality Health Care Act

Hon. Jon Gerrard (River Heights): Mr. Speaker, I move, seconded by the MLA for Inkster (Mr. Lamoureux), that Bill 220, The Right to Timely Access to Quality Health Care Act; Loi sur le droit à l'accès à des soins de santé de qualité dans des délais raisonnables, be now read a first time.

Motion presented.

Mr. Gerrard: Mr. Speaker, Bill 220 provides for the legal right of Manitobans to have timely access to quality health care. We need to transform our health-care system so that it is patient centred, so that patients have a clear legal right to timely access to quality health care and so that the needs and rights of patients come first. This bill will be an important step in transforming and improving our present health-care system.

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

Bill 12—The Securities Transfer Act

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, I move, seconded by the Minister of Justice (Mr. Chomiak), that Bill 12, The Securities Transfer Act; Loi sur le transfert des valeurs mobilières, be now read a first time.

Motion presented.

Mr. Selinger: I'm pleased to introduce this bill which establishes a comprehensive system of rules for the transfer of investment securities that reflect current international commercial practices.

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

PETITIONS

Waverley West—New School Construction

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition:

The government has taken upon itself to develop Waverley West, a suburb that will eventually be the size of Brandon, without any funding for new schools in this part of Winnipeg. This will ultimately put a strain on other schools in the Pembina Trails School Division.

With the realignment of catchment areas caused by this lack of funding, families will be required to move their children from one school to another.

Disruption for children attending southwest Winnipeg schools could be harmful for their education and present a difficult and unnecessary change for these children and their families.

We petition the Manitoba Legislative Assembly as follows:

To urge the Minister of Education (Mr. Bjornson) and the Premier (Mr. Doer) to consider setting aside land and funds to construct new schools to accommodate the needs of the new provincial government development of Waverley West to allow children attending schools in the southwest area of Winnipeg to remain in existing schools located closer to home.

Signed by David Koss, Paul Eekhoudt, Claude Rheault and many, many others.

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

Dividing of Trans-Canada Highway

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

These are the reasons for this petition:

The seven-kilometre stretch of the Trans-Canada Highway passing through Headingley is an extremely busy stretch of road, averaging 18,000 vehicles daily.

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

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

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

We petition the Legislative Assembly as follows:

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

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

This is signed by Katie Anderson, Mark Mackay-Chiddenton, Josh Fodey and many, many others, Mr. Speaker.

Retired Teachers' Cost of Living Adjustment

Mr. Ron Schuler (Springfield): Mr. Speaker, I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition:

Since 1977, Manitoba teachers have made contributions to the Teachers' Retirement Allowances Fund Pension Adjustment Account, PAA, to finance a Cost of Living Adjustment, COLA, to their base pension once they retire.

Despite this significant funding, 11,000 retired teachers and 15,000 active teachers currently find

themselves facing the future with little hope of a meaningful COLA.

For 2007, a COLA of only 0.63 percent was paid to retired teachers.

The COLA paid in recent years has eroded the purchasing power of teachers' pension dollars.

We petition the Legislative Assembly of Manitoba as follows:

To urge the provincial government to consider adequate funding for the PAA on a long-term basis to ensure that the current retired teachers, as well as all future retirees, receive a fair COLA.

Signed by Lawrence McKenzie, Joni Lafreniere, Jody Budz and many, many other Manitobans.

Provincial Nominee Program

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

The background to this petition is as follows:

Immigration is critically important to the future of our province, and the 1998 federal Provincial Nominee Program is the best immigration program that Manitoba has ever had.

The current government needs to recognize that the backlog in processing PNP applications is causing additional stress and anxiety for would-be immigrants and their families and friends here in Manitoba.

The current government needs to recognize the unfairness in its current policy on who qualifies to be an applicant, more specifically, by not allowing professionals such as health care workers to be able to apply for PNP certificates in the same way a computer technician would be able to.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Premier (Mr. Doer) and his government to recognize and acknowledge how important immigration is to our province by improving and strengthening the Provincial Nominee Program.

This is signed by M. Valdez, H. Perez, E. Balaquit and many, many other fine Manitobans.

Personal Care Homes–Virden

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

These are the reasons for this petition:

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

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

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

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

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

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

We petition the Legislative Assembly of Manitoba as follows:

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

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

Mr. Speaker, this petition is signed by J. Duncan, Rhonda Sebree, V. Duncan, Cheryl Porter, John Liefso and many, many others.

Mr. Speaker: Order. When reading off names, it's only required to read the first three. Okay, for the information of members.

Neepawa, Minnedosa and Areas–Local Hospitals

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

These are the reasons for this petition:

Residents of Neepawa, Minnedosa and the surrounding area are concerned about the long-term viability of their respective local hospitals. Impending retirements, physician shortages, and the closure of many other rural emergency rooms have caused residents to fear that their health-care facilities may also face closure in the future.

Local physicians and many residents have expressed their support for a proposed regional health centre to service both communities.

It is believed that a new regional health centre would help secure and maintain physicians and would therefore better serve the health care needs of the region.

The success of other regional hospitals, such as Boundary Trails Health Centre, has set the precedent for the viability and success of a similar health centre for the Neepawa and Minnedosa area.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Health (Ms. Oswald), to consider the feasibility of a joint health centre, including an emergency room to service Neepawa and Minnedosa and the surrounding area.

To urge the Minister of Health (Ms. Oswald) to consider sustaining health care services in this area by working with local physicians and the Assiniboine Regional Health Authority on this initiative.

This petition is signed by Harold Single, Debbie Onischuk, Marjorie Marciski and many, many others.

* (13:40)

TABLING OF REPORTS

Hon. Nancy Allan (Minister of Labour and Immigration): Mr. Speaker, I am pleased to table the 2006-2007 Annual Report for the Office of the Fire Commissioner.

Hon. Dave Chomiak (Minister of Justice and Attorney General): Finally, Mr. Speaker, to the acclaim of all the House, I am pleased to table, pursuant to The Regulations Act, a copy of each regulation registered with the Registrar of Regulations since the regulations were tabled in this House in November 2006 and more than 14 days before the commencement of this session.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, I'd like to draw the attention of honourable members to the loge to my left where we have with us Mr. Marcel Laurendeau who is a former Member for St. Norbert.

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

ORAL QUESTIONS

Child Welfare System Safety of Children

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, the turmoil and upheaval within the Child and Family Services system which was inflicted on the system through policy directives from this government has resulted in record numbers of deaths of children in care.

I want to ask the Premier a question, which to date he has failed or evaded to respond to in a very direct and clear way. Will he issue a direct policy directive to front-line workers who are working extremely hard in very difficult circumstances? Will he issue a directive that the only consideration to be applied where a child is in a dangerous or risky situation is the safety of that child and that no other consideration shall apply?

Hon. Gary Doer (Premier): Well, Mr. Speaker, the law under the child welfare act applies and supersedes any policy. The act passed by this Legislature is a pre-emptive document in terms of a policy decision. The law is very clear on the protection of a child is paramount as the priority for Child and Family Services, and that law is in place. It has been amended. It was amended in the early or late '90s to deal with cultural issues, by the former government, and when it was amended a few years ago, it was also supported by all parties in the House.

Mr. McFadyen: Mr. Speaker, the legislation that the Premier refers to actually contains no fewer than 11 different directives, some of which from time to time will be in conflict with one another, which is what creates some of the uncertainty and some of the

vagueness that may exist within the system. The definition of the best interests of children contains eight different definitions, some of which are at odds with others in any given case.

So I want to ask the Premier: Will he accept, when we bring forward amendments to this act, will he support amendments that make it clear that safety is No. 1, no more reference back to vague legislative considerations? Will he follow through with amendments? Will he provide the directive that he and his government are empowered to provide under section 24 of the act that makes it clear safety is the only consideration?

Mr. Doer: Mr. Speaker, the former minister brought in an act with a number of criteria and changed it to include cultural considerations. It was a multiple criteria in the act. Obviously, safety of the child is the paramount consideration in the act, The Child and Family Services Act, dealing with the welfare of children.

The members opposite voted for the last act. I'll have to check the record and see in opposition whether we voted for the change made by members opposite dealing with cultural factors that were included and proposed and moved by the former government, I daresay, at a period of time close to when the member opposite was working in the Premier's office. I'll double-check that in terms of voting record.

You asked first about the policy. The policy is the law. The law states the paramountcy for the legal consideration for social workers is the safety of the child.

Mr. McFadyen: Mr. Speaker, within the 11 principles in the preamble to the act, the word "safety" does not appear. There does make reference to best interests. The definition of best interests contains eight different points, some of which contradict one another. Rather than going back and trying to play the usual game of blaming everything on things that happened in the 1990s, why not acknowledge he's been Premier for eight years; they've embarked on a new experiment. However well-intentioned that experiment may have been, it is clear from the evidence before us today that it didn't work. So, instead of looking backwards, why not look forward, why not make it clear, one consideration, the safety of the children?

Mr. Doer: Mr. Speaker, the first stream of criteria for any consideration of a social worker, and I quote,

is the first point of contact with the family which assesses the safety of the child and whether or not a child should be apprehended. The risk of the child is the issue, the first point of consideration for a social worker under the law. I would point out, in terms of statistics, that there's no acceptable statistic for any child dying in care, but the number is down.

**Manitoba Housing Authority
North End Housing Project**

Mrs. Bonnie Mitchelson (River East): Mr. Speaker, in October, I asked the Minister of Housing a series of questions about financial accountability at North End Housing Project and received little in the way of answers. At the time, half the board had resigned and emergency funding was required to sustain their operations. The North End Housing Project was still transferring unauthorized money from MHRC's guaranteed line of credit. They had failed to implement many of the recommendations that came out of their operational review.

Can the minister provide the House with an update about the status of North End Housing Project's board, their financial situation, the status of their business plan and whether additional taxpayers' dollars have funded the organization since October?

Hon. Gord Mackintosh (Minister of Family Services and Housing): Mr. Speaker, I hope that members opposite look at the report of the inner city today and recognize that working with communities, working with community-based organizations to address low-income housing in the inner city is indeed making a difference for the quality of life of people living in that community. Indeed, North End Housing has been an important part of our partnerships with communities to address the challenge of low-income housing. I have been advised by the department that a proposal did come from North End Housing Project, and that is being reviewed by the department with a view to determining the future of that organization.

Mrs. Mitchelson: Mr. Speaker, we all know that public funds, taxpayers' dollars, flow to North End Housing Project. Public funds that flow, taxpayers' dollars, should ensure that deserving low-income families can purchase well-constructed homes.

Will the minister indicate to the House today what checks and balances he has put in place to ensure that conflict-of-interest guidelines are being followed, that contracts that have been awarded through North End Housing Project have been

tendered and that the standards of workmanship and energy efficiency are being met? What assurances can he give us that the checks and balances are in place?

* (13:50)

Mr. Mackintosh: Well, first, Mr. Speaker, the MHRC advises that North End Housing is not at risk of defaulting on services. It also, of course, must get approval from MHRC before there are any disbursements from the line of credit. So checks and balances have been put in place. The member opposite has the memo that talks about that, but I want to remind members opposite that when it comes to housing in areas of need, it's very important that there be clear commitments.

I ask the members opposite: Why did they flip-flop? Before the election, they had one view on investing in the inner city in terms of housing, and after the election they went back to the old '90s approach, Mr. Speaker. They went back, and they said, no, no, we don't want the money going there—

Mr. Speaker: Order.

Mrs. Mitchelson: On the issues of accountability for public funds, the buck stops at the minister's office, and he has responsibility.

He didn't answer the question, Mr. Speaker, so I will ask again: Were conflict-of-interest guidelines followed at North End Housing Project? Were contracts tendered? Were standards of workmanship and energy efficiency met? I ask the minister to be accountable, to stand up and indicate what checks and balances he has put in place.

Mr. Mackintosh: Mr. Speaker, this government is putting in place checks and balances that the members opposite took out of place. They did away with agency accountability mechanisms. Those now are going back to work for not only the people in low-income housing but for the organizations that do receive public dollars. I can advise the House that the proposals from the North End Housing are being reviewed with a view to looking at the models for how they can proceed further to hopefully continue to have a role providing low-income housing for Manitobans in the inner city.

I ask members opposite: Will they not recognize the importance of working with organizations, Mr. Speaker, and making sure that there is that kind of a partnership that is reflected today in some positive news on the state of the inner city? A lot more to do,

but members opposite are going back to the '90s. We don't want to ever go there.

Assisted Living Program Neepawa

Mr. Stuart Briese (Ste. Rose): Mr. Speaker, three years ago we were told in Neepawa that our personal care home would be downsized from 125 beds to 100 beds. The rationale used was that there would be more assisted living provided. This hasn't happened.

Was this just another empty promise, or is this government going to honour their commitment and provide an assisted-living program?

Hon. Theresa Oswald (Minister of Health): I'm certainly very pleased to stand up today to talk about a \$30-million investment in a personal care home in Neepawa that we were very pleased to make, and we know that that work is ongoing. We know that members opposite made no investments whatsoever in assisted living, and in our long-term care strategy we're investing collectively over \$100 million in Winnipeg and in rural Manitoba to support communities in developing options for seniors, and that's exactly what we're doing.

Mr. Briese: Mr. Speaker, the Yellowhead Manor in Neepawa is a 55-unit, 55-plus facility owned by Manitoba Housing. Last spring, we were told that two floors would be upgraded and used for assisted living. Nothing has happened. One branch of Manitoba Housing hasn't got a clue what the other branch is doing.

I ask the minister: When will he or she turn this mess into some semblance of order and provide a firm, workable plan for assisted living?

Ms. Oswald: I'll reiterate for the member opposite that his definition of doing nothing, if that's \$30 million of an investment in a community for a personal care home, I think the member opposite might be a little bit confused. Furthermore, I can also say to the member opposite that in partnership with the regional health authorities and community groups, we're investing in Winnipeg, in rural Manitoba and northern Manitoba, over \$100 million to develop supportive housing, supports for seniors in group living. This question comes from a member of a party that made it out of Winnipeg once during the election to make a health-care announcement. It's a little hypocritical, Mr. Speaker.

Aboriginal Peoples Economic Opportunities

Mrs. Leanne Rowat (Minnedosa): Mr. Speaker, the Premier (Mr. Doer) said, and I quote: Aboriginal peoples are the future of Manitoba and Saskatchewan. The fortunes of the two provinces will depend in large part on how well they integrate Aboriginal peoples in the future.

Mr. Speaker, as we know, this NDP government has a long history of making statements without policies and plans for implementation, continually.

I would like to ask the Minister of Aboriginal and Northern Affairs (Mr. Lathlin) what concrete steps he is taking to ensure that Aboriginal people are integrated into Manitoba's social fabric and economic fabric.

Hon. Eric Robinson (Acting Minister of Aboriginal and Northern Affairs): Yes, Mr. Speaker, I don't know where to begin because we've done so much for Aboriginal people. I'm very proud to be part of a government that has invested in the University College of the North for one, which gives greater accessibility for Aboriginal people living in remote communities the opportunity to access post-secondary education.

Secondly, Mr. Speaker, we've entered into partnerships to allow the Nisichawayasihk Cree Nation in northern Manitoba to be a partner in any future Hydro development project that may occur. Let me also say that we're very proud of our efforts in Garden Hill with respect to the development of a dialysis treatment facility.

Manitoba Hydro Power Line Location

Mrs. Leanne Rowat (Minnedosa): We're more than two years behind British Columbia in a strategy. Our graduation loads are below 50 percent, Mr. Speaker, and the percentage of graduates are far below what they need to be in post-secondary education.

Mr. Speaker, there are more than 20,000 First Nation people who live on the east side of Lake Winnipeg. This NDP government isn't integrating these Manitobans into our future. The NDP's decision to abandon an east-side line has robbed these 20,000 residents of the opportunity to derive economic benefits from the construction of bipole 3.

Mr. Speaker, why has this minister stood on the sidelines—stood on the sidelines—and watched as his government abandoned a transmission route that

would not only provide an opportunity to save energy but an opportunity to save people?

Hon. Eric Robinson (Acting Minister of Aboriginal and Northern Affairs): Well, Mr. Speaker, I can hardly be accused of standing on the sidelines on the east-side issue, but let me continue on some of the tremendous things that we've done as part of this government. Can I remind the members opposite about the Aboriginal Justice Inquiry report and the recommendations that it made? When they tabled this report in 1991, I recall the now Minister of Family Services and Housing (Mr. Mackintosh) removing the two volumes of that report from his office and it still had cellophane. It was our government that then put forth the Aboriginal implementation committee, chaired by Mr. Paul Chartrand and Wendy Whitecloud, who then started talking about some of the areas that the Province was—

Mr. Speaker: Order.

Mrs. Rowat: Mr. Speaker, I'm going to be asking this minister who just responded to these two questions to be very clear because he has ducked the question.

Can he be clear on where he stands on the east-side development of Lake Winnipeg for the transition bipole 3?

Mr. Robinson: So, Mr. Speaker, let me ask through you to the member: Is the question about the east side or is it about the positive developments that this government has done and worked with Aboriginal people on? If it's on the east side, indeed, let me talk about the relationship that this government has formed with the WNO, the chiefs of 16 First Nations. It's been repeated over and over in this House by the Premier (Mr. Doer) and other ministers that over 80 meetings were held with the community people: trappers, fisher people, the elders, the children, the young people, the youth.

I have a meeting scheduled on the 19th of December with the young people of the Island Lake region, Mr. Speaker, again voicing their opposition to a transmission line down the east side of this province. Further, I can talk about—

Mr. Speaker: Order.

* (14:00)

University of Manitoba Tuition Freeze

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, this morning, Brenda Austin-Smith, president of the University of Manitoba Faculty Association, said that years of underfunding has led to a tough time for the University of Manitoba. We know that provincial operating grants are at the lowest percentage in 12 years. For eight years, tuition fees have been frozen.

I would like to ask the Minister of Advanced Education, specific to the tuition freeze, if she could tell us when she and her leader, her Premier (Mr. Doer), plan to lift the tuition freeze.

Hon. Diane McGifford (Minister of Advanced Education and Literacy): Mr. Speaker, it's just wondrous strange to hear the member quote the president of the University of Manitoba Faculty Association as a voice of authority. Just a few weeks ago in Estimates, she had nothing but disparaging remarks to make about the union. So I guess this is another Tory flip-flop, just as the Leader of the Official Opposition—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Ms. McGifford: Yes, Mr. Speaker, I was saying this was probably another Tory flip-flop. Just as they at one time were against the University College of the North recently alluded to by my colleague from the north, now I believe they support it. During the election they supported the tuition freeze; now apparently they don't support it. Back and—

Mr. Speaker: Order.

Competitiveness

Mrs. Myrna Driedger (Charleswood): Mr. Speaker, the Minister of Advanced Education has just put several misleading comments on the record.

Mr. Speaker, the president of the University of Manitoba Faculty Association also said that, and I quote, the pressure is significant. She specifically said that Manitoba is falling behind its neighbours in attracting graduate students, particularly Ontario and Saskatchewan.

I would like to ask the Minister of Advanced Education when she is going to ensure that Manitoba universities can compete with the rest of them across Canada. Even Saskatchewan is leaving us in the dust.

Hon. Diane McGifford (Minister of Advanced Education and Literacy): Well, Mr. Speaker, here are the facts, and they speak for themselves. Since 2001-2002, graduate students have increased by 25 percent at the University of Manitoba. Second fact, we created the Manitoba Graduate Scholarship. It's now worth \$2 million. We support a hundred students, a hundred master students and 60 Ph.D. students. They didn't give one cent to graduate education. I think this member should be ashamed of herself, asking me a question like this. I have nothing to learn from her.

Mrs. Driedger: Mr. Speaker, the level of arrogance from this Minister of Advanced Education is pretty amazing.

Mr. Speaker, according to the president of the University of Manitoba Faculty Association, Saskatchewan is starting to gain the upper hand in terms of its university funding and university capacity. She said, and I quote, and the minister may want to listen to this, Manitoba is now turning into a bit of a farm team for the University of Saskatchewan in many ways.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. The honourable Member for Charleswood has the floor.

Mrs. Driedger: Thank you, Mr. Speaker. I'd like to ask the Minister of Advanced Education if she can tell us why the University of Manitoba is losing its competitive edge, so much so that they are now being referred to as a farm team for the University of Saskatchewan.

Ms. McGifford: I think that the member is confusing funding levels in the '90s with funding levels in the 2000s. Mr. Speaker, during the entire decade of the '90s—this is a staggering figure—funding for the University of Manitoba went up by 2.2 percent. That's in 10 years. Conversely, since we've taken office, funding has gone up 37.3 percent, and if you include property tax rebates, 44.2 or \$61.6 million. Again—

Mr. Speaker: Order.

Hog Barn Moratorium Time Line for Lifting

Mr. Ralph Eichler (Lakeside): Mr. Speaker, Manitoba Hog Days, the key industry trade fair for Manitoba's pork sector, starts tomorrow. It should be a time for looking ahead. There is tremendous uncertainty within that industry. This past February

the Minister of Agriculture said the moratorium would be lifted by December 1.

Mr. Speaker, will the minister indicate whether her word is good and announce today that the moratorium, in fact, will be lifted?

Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives): I certainly wish the pork producers a good meeting. This is a very important industry in this province, Mr. Speaker, an industry that we have worked very close with and an industry that we are ensuring that they have the resources and the finances to carry them through the difficult times that they have. That's why, when the pork producers came to us and asked us to apply for a targeted cash advance, we went to the federal government and we got them a 60 percent targeted cash advance to help them through the difficult time that they're in.

Mr. Eichler: Mr. Speaker, the question was about the moratorium, not the cash advance. Maybe I was talking a little too fast for the minister.

Mr. Speaker, due to the moratorium, producers and investors who want to grow the pork industry have had their plans placed on hold indefinitely. They need the best barns, the best management practices. The new investment in technology is a must in order to meet new regulations and the environmental issues. It's time for the uncertainty to end.

Will the Minister of Agriculture confirm the government's commitment to maintaining the strong pork industry within Manitoba, lift the moratorium today, get on with the job at hand and get it lifted?

Ms. Wowchuk: You know, Mr. Speaker, the member opposite is wrong. The most important issue facing the pork and the other cattle industry right now is the high dollar, the high inputs, their lack—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order. I need to be able to hear the questions and the answers, please.

Ms. Wowchuk: Thank you, Mr. Speaker. The most important issues facing the pork and the cattle industry right now are the challenges of the high dollar, high input costs and their lack of ability to make a good return. That's why, when they came to us and asked for a targeted cash advance, we put that in place. That's why we are working on the AgriInvest and we'll have that agreement signed so that we can move forward, so farmers have cash in

their hand, so that they can continue to make a living and support their families.

Bill 220

Request for Government's Support

Hon. Jon Gerrard (River Heights): Mr. Speaker, the very essence of an effective health-care system is that it provides timely access to quality health care for Manitobans. To achieve this, we need to move to a patient-centred health-care system which considers the needs of patients first, and we need to ensure that patients have the legal right to timely access to quality health care.

I ask the Minister of Health whether she supports the rights of patients in Manitoba to have timely access to quality health care and whether she will support our Bill 220 which will provide this right for Manitobans.

*(14:10)

Hon. Theresa Oswald (Minister of Health): Certainly, health care is a priority for this government, and within that context—[*interjection*] Listen to the groaning coming from the people that admitted it wasn't their priority. How ironic, Mr. Speaker.

In any event, I can say to the member opposite that dealing with wait times and shortening them continues to be our priority. The Canadian Institute for Health Information reports we have the shortest wait time for cardiac surgery in the country today. It also reports that we have the shortest waits in Canada for radiation therapy. Indeed, the *Winnipeg Sun*, our good friend, Tom Brodbeck, has acknowledged our progress. It's safe to say, he says, in August of 2007, that wait times for diagnostic testing are lower today than they were in 2000. With an endorsement like that, Mr. Speaker, we're going in the right direction.

Mr. Gerrard: Mr. Speaker, there are still far too many people waiting far too long for the medical care, the health care that they need, including people waiting 15 months for access to a specialist when they should be able to get it quickly.

We need to move from the present bureaucracy-centred NDP system to a system which is patient centred. Manitoba Liberals see that we need to change from what is a long wait list, wasteful, poor quality to a system which provides quick access to care, to quality health care, when it's needed.

I ask the minister whether she will work with Manitoba Liberals to make sure Manitobans have

quick access to quality health care as a right. Will she support Bill 220?

Ms. Oswald: Once again, I'll remind the member opposite that doctors who are making diagnoses and doing procedures are not bureaucrats, Mr. Speaker. They're working hard on the front line every day.

I'll also remind the member opposite that outside of Québec, it was Manitoba that was the first province to sign on for a wait-time guarantee. We are also the province that the federal government is looking at with interest because of our agreement on our pilot project, as required as part of that wait-time guarantee, and that is addressing the wait before the wait or access to see specialists. It's going to have national implications, Mr. Speaker, and we're very proud of that.

Government's Record Minorities in Cabinet

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, the Premier (Mr. Doer) yesterday was oozing with arrogance when he stated, and I quote, "we'll receive advice from the Liberals when they elect a member of the visible minority to this Legislature."

Mr. Speaker, it was the Liberals that, in fact, had the first elected member of the East Indian community back in 1988, and Sharon Carstairs put that member in the front row of the benches inside this Legislature. This Premier, not only does he not appoint visible minorities from the East Indian community and the Filipino community to his Cabinet circle, he sets them back to the back row. The Liberals do not need any lesson in terms of how to treat minorities inside this Legislature.

My question to the Premier is the same as I asked yesterday: Can the Premier tell us why he has chosen, over eight years, not to have recognized the credentials of any of his Filipino or East Indian MLAs in his caucus and appoint them to Cabinet? Is it going to take some sort of a picket or a sit-in in order to get this Premier to do the right thing?

Hon. Dave Chomiak (Minister of Justice and Attorney General): Mr. Speaker, this government and every member of this Legislature supports the movement, the mobility and the opportunity of every Manitoban. There are many examples on this side of the House and maybe—[*interjection*] Well, there are many examples on this side of the House of that opportunity. I think the member ran against individuals who were of a particular background in the campaign.

I sat with Gulzar Cheema; he was a good man. They called him and Don Orchard the two Health ministers together. They were side by side when they brought in Connie Curran. They were side by side on health-care cuts. We took the opposition when we were there.

So we take no lessons from the Member for Inkster and their 100 percent representative party.

Oil Industry in Manitoba Current Activities

Mr. Tom Nevakshonoff (Interlake): I have the honour today to serve my people here on the floor of the Legislature, but for the 18 years prior to my election, I worked the floors of the drilling rigs across western Canada.

Since the Member for Arthur-Virden (Mr. Maguire) seems to have no interest in the Manitoba oil industry, I will put a question on behalf of the people of the southwest.

Will the Minister of Science, Technology, Energy and Mines brief the House as to the activities in the oil sector?

Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines): Mr. Speaker, I am pleased to talk about yet another blossoming industry that is growing and is bringing prosperity to the province.

I am also pleased to let the entire House know that this industry should surpass the 0.5 or half a billion dollar mark. Mr. Speaker, \$60 million is going to local landowners while \$20 million goes to the provincial royalties. It's also nice to see that we hit a record last year with almost 500 wells drilled. We'll hit another 300 wells drilled. For the members opposite, the Sinclair field was discovered three years ago, and it's been exploited by having industry work with government, work with the landowners, work with the community, and moving forward in an important industry bringing wealth to lots of partners. It's a wonderful story.

Garden Valley School Division Rising Enrolment

Mr. Peter Dyck (Pembina): Mr. Speaker, 1,000 students in huts and rising; timely access to washrooms and gym facilities denied; safety in crowded hallways should a fire or emergency arise.

Could the Minister of Education tell the parents in Garden Valley School Division his plans for their

children's future and safety as they receive their education?

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): Mr. Speaker, we have certainly made a lot of progress with respect to our capital plan, \$423 million invested in school capital since we've been in office compared to \$213 million in the previous eight years under the previous administration.

Now members opposite were really good at building schools in Tory ridings. In fact, 75 percent of them were built in Tory ridings when they were in office, but, Mr. Speaker, we're pretty good at doing that as well. About 58 percent of the schools that have been built in Manitoba have been built in Tory ridings. There's La Broquerie, Aurèle-Lemoine, Garden Valley tech centre, Carberry Collegiate, Emerado, Deloraine, Sigurbjorg Stefansson School; it was a Tory riding when the school was built, but it's no longer a Tory riding; Christine-Lespérance, Mitchell Middle years. Oh, yes, and Christine-Lespérance was built in a Tory riding, but that too is no longer a Tory riding; Gillis School, Beausejour elementary—

Mr. Speaker: Order.

Mr. Dyck: Well, from the minister's response, this seems to be very funny. The students and the parents at Garden Valley don't consider it that way.

If the school is recommended in 2008, by the time it is completed 1,000 students will have been added to the already burdened student enrolment.

What is the Minister of Education's plan to deal with the rising enrolment in Garden Valley School Division?

Mr. Bjornson: Well, Mr. Speaker, I thank the member for the question because the previous questions on school capital have been about an area that has seen 1,400 less students in the last five years, the focus from the Fort Whyte party. But, as I said, we have been doubling the amount of capital investments here in the province of Manitoba with respect to our school capital. We've completed over 1,000 projects on schools throughout the province of Manitoba, and we'll continue to work with the school divisions. Garden Valley School Division has met with the Public Schools Finance Board to articulate their capital needs, and growth is a good problem to have. We didn't have that problem in the '90s. We're managing the problem in the year 2000.

Mr. Dyck: Mr. Speaker, this is cold comfort, and I will repeat the question. If the school was recommended in 2008, by the time it is completed 1,000 students will have been added to the already burdened student enrolment. What is the Minister of Education's plan to deal with the rising enrolment in Garden Valley School Division? Simple question.

Mr. Bjornson: Mr. Speaker, it's the same plan for dealing with rising enrolment in other school divisions. We continue to work with the capital plan as presented to the Public Schools Finance Board by the school division. We continue to address the immediate needs with high-quality relocatables, and we continue to invest more in capital than had been invested in the previous eight years under the previous government.

We've made improvements to the Public Schools Finance Board and the use of capital within that Public Schools Finance Board to make sure the dollar can go even further, Mr. Speaker. That's been our commitment since we've been in office. It's our commitment today, and we will build those schools.

Livestock Operations Development Plans Plans Waiting for Approval

Mr. Blaine Pedersen (Carman): Mr. Speaker, on January 1, 2008, municipalities will be required to have their livestock operation policies approved as part of their development plans. Every development plan requires the approval of the Minister of Intergovernmental Affairs (Mr. Ashton).

Now a few weeks ago, in this House with great flourish, the minister finally signed off on the Neepawa and Area Planning District's development plan. However, they haven't received it yet. Now, I don't know if that's Canada Post's problem or not.

Will the minister indicate how many of the dozens of other development plans still waiting to be approved will he sign today?

*(14:20)

Hon. Steve Ashton (Minister of Intergovernmental Affairs): Mr. Speaker, I suspect perhaps that the member didn't spend enough time at the AMM. Having started off with the icebreaker, having been there every single day of the AMM, I can tell him that what municipalities have been asking for is actually a delay in approval of the livestock plans. The original requirement was January 1 and, given what has been happening with the Clean Environment Commission and other

factors, we have said, and in fact I've signed numerous letters to municipalities saying we have listened to them, and in fact we will be allowing them to have a later date in terms of bringing in that plan.

So, Mr. Speaker, maybe the member should have spent a bit more time listening at AMM. He might have understood that most municipalities, in fact a lot of them, have been communicating with the government. We've said, yes, we're going to accede to your requests and we will give you the time. That's a government that listens versus an opposition that doesn't listen.

Deadline

Mr. Blaine Pedersen (Carman): Mr. Speaker, maybe the Minister of Intergovernmental Affairs spent too much time at the icebreaker and should have worked harder on getting these development plans through. Does this mean there is an extension and if there is an extension to the deadline, what is the new date for the extension, for the new deadline?

Hon. Steve Ashton (Minister of Intergovernmental Affairs): Mr. Speaker, I was there, the Minister of Agriculture (Ms. Wowchuk) was there. I could never spend too much time talking to our grass-roots municipal leaders in this province, never spend too much time.

I note there were no Conservatives, but I also note, Mr. Speaker, at the banquet where there was free food and liquid refreshments, there were a lot of Conservative MLAs then. I'm not going to get into that, I'll just say, I'm proud as Minister of the Intergovernmental Affairs Department to listen to municipal leaders. I'll spend whatever amount of time it takes, 24/7, listening to them. I wish the member opposite would learn and do the same thing.

Bovine TB

Financial Assistance for Cattle Producers

Mr. Stuart Briese (Ste. Rose): Mr. Speaker, some producers in the Riding Mountain Eradication Area must once again present their cattle for bovine tuberculosis. As cattle producer Ray Armbruster said recently, there's a very significant level of frustration among producers, some of whose herds have been tested nearly a dozen times. The challenge is not new. The minister has had years to think about it.

Mr. Speaker, will the minister now commit to contributing toward a presentation fee to help cattle

producers offset costs associated with bovine TB testing?

Hon. Rosann Wowchuk (Minister of Agriculture, Food and Rural Initiatives): Well, Mr. Speaker, I'm really pleased that there's another question on agriculture today. Many times, we don't even get one. But I can say to the member opposite, as I said the other day, I've met with Manitoba Cattle Producers. I met with the federal Minister of Agriculture to talk about this important issue. We are in communication with the cattle producers. I would say to him, we hear them, and I would ask him to stay tuned.

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

MEMBERS' STATEMENTS

Boissevain Association for the Handicapped

Mr. Larry Maguire (Arthur-Virden): Mr. Speaker, the Boissevain Association for the Handicapped is celebrating its 50th anniversary this year. As the MLA for Arthur-Virden, I would like to congratulate the members and friends of this association who for so many years have done such important work. I know that their work has made life more fulfilling and enjoyable for those individuals who use its services.

This association has grown significantly over the years. It was formed in 1957 when a group of 30 concerned parents from the Boissevain community gathered together to search for opportunities for children with cognitive disabilities. While it has gone through many name changes and has changed locations numerous times, its philosophy remains the same and that is to help those in need.

The association continues to be a driving force in the community. They have not only focussed on activity-oriented day programs, but also prioritized the integration of individuals into the regular work force. This has proven to be a major success in the development of individuals within the community of Boissevain and also in the surrounding areas.

I ask the members here today to join me in congratulating the Boissevain Association for the Handicapped for reaching such a significant milestone as well as the town and citizens of Boissevain. An open house with craft and bake sale took place on November 30 to commemorate this milestone. It is important that this organization's contributions to the community be recognized as

they have helped those most vulnerable in society. I would like to take this opportunity to thank them for their dedication and the outstanding leadership they have shown. Mr. Speaker, the exceptional individuals who benefit from these services deserve our wholehearted support in recognition for overcoming their challenges. We wish them all the best and continued success.

Gordon Twiss

Mr. Andrew Swan (Minto): Mr. Speaker, every day heroes walk about us in Manitoba and it is my honour to speak about one of those heroes, Gordon Twiss, an assistant district operator for Manitoba Hydro. On July 20, 2006, Gordon saved the life of his co-worker, Dan Fletcher, who was electrocuted while trimming trees from a lift near a 7,200-volt power line. Gordon's quick reaction in calling for help and performing emergency first aid saved his co-worker's life.

On November 22, I was honoured to attend a dinner paying tribute to Gordon Twiss, held by the International Brotherhood of Electrical Workers Local 2034. He was given the IBEW's highest award, the IBEW Life Saving Award. The award was presented by IBEW International Vice-President Phil Flemming on behalf of the 750,000 members of the union. The IBEW Local 2034 executive board also presented Twiss with a gift on behalf of the local's 2,700 members.

Every occupation involves some kind of potential hazard and the work of Gordon Twiss, Dan Fletcher and their brothers and sisters in the IBEW can be particularly dangerous. Gordon's story serves to underscore the importance of teamwork when it comes to safety and health on the job. It demonstrates how important it is that we be aware of those working with or near us and be perceptive to hazardous situations that can affect us or our colleagues on the job.

Mr. Speaker, Gordon Twiss's quick reaction and knowledge of emergency first aid helped to save a life. I would ask all members of the Legislative Assembly to join me in commending him for his quick thinking and heroic act. In addition, I'd like to recognize him for showing us the benefits of awareness and training in protecting ourselves and others on the job. Thank you.

Frank and Jeanne Plett

Mrs. Mavis Taillieu (Morris): It is with great pleasure and pride that I announce to this House that

constituents of mine Frank and Jeanne Plett of Rosenort were recently honoured as outstanding philanthropists by the Manitoba chapter of the Association of Fundraising Professionals.

Frank and Jeanne Plett have demonstrated the true meaning of philanthropy through their quiet and generous history of support to the St. Boniface Hospital and Research Foundation and of heart disease research and treatment. They give so that fellow citizens may benefit, seeking no recognition in return.

The Pletts have long been involved with St. Boniface Hospital and have contributed to several improvements to research as well as patient care, lending support where needed, and they have also given many hours of volunteer time.

Jeanne has volunteered for and supported various organizations, including Hospice and Palliative Care Manitoba and Dreams Take Flight. Frank has served on the board of the Research Foundation for 10 years. The garden at the front of St. Boniface Hospital, Emily's Garden, is named for the Plett's granddaughter Emily.

Frank Plett along with his brothers founded Westfield Industries in Rosenort in 1950 where they manufactured grain augers and other farm equipment. As their success grew, so did their desire and ability to help other people and organizations.

Frank and Jeanne Plett truly are remarkable people. I would like the Legislature to join me in congratulating Mr. and Mrs. Plett on receiving the Outstanding Philanthropists award and thank them for their many years of dedicated service. Thank you, Mr. Speaker.

Legion 215

Ms. Erna Braun (Rossmere): Mr. Speaker, I was pleased to attend the 60th anniversary of Legion 215. This legion has been a centerpiece of the community for six decades. Many patrons have been members for the majority of the life of the legion itself. For example, Al Rouse was presented with the first 60th medal to honour his 60-year commitment to the legion.

Legion 215 was granted its charter in 1947 and had very humble beginnings with its first meetings being held in a goat house on a local farm. A hall was built in 1951, and it was the scene of many dances and fundraisers. In the winter, the bitter wind would whip through the comfort room, and the oil

heater would periodically blow up and fill the room with black soot, making the evenings even more memorable. In 1963, the legion opened in its present location on Devries Avenue and continues with its commitment to our community.

Canadian legions are important centres for philanthropy in our communities. They spend over \$3.9 million a year to support veterans in need and contribute over 560,000 volunteer hours assisting veterans and their families. Nationally legions spend in the area of \$1.2 million every year on veterans and seniors housing initiatives.

However, our legions are not just about seniors and elders. Last year, legions from across Canada spent more than \$4 million and committed 140,000 volunteer hours to activities for young people.

The 60th anniversary celebrations were an excellent way to mark the outstanding work that the legion has done for all the residents of the neighbourhood. Entertainment was provided by the talented musicians in the Royal Winnipeg Rifles Band and the HMCS Chippawa Reserve Band.

I would like to extend my congratulations to organizers Maureen and Len Johnson. Their hard work made the evening one that will not soon be forgotten. Thank you, Mr. Speaker.

* (14:30)

Tom Johnson

Mr. Cliff Cullen (Turtle Mountain): Mr. Speaker, I rise in the House today to recognize and honour former Habs star and Hockey Hall of Famer Tom Johnson.

Tommy, as he was known to his childhood friends, was born and raised in Baldur, Manitoba, where he played his entire minor hockey career and practised shooting pucks at his sister Shirley on Oak Creek. Tom and his family moved to St. Vital in 1946. He joined the Winnipeg Junior Monarchs for the 1946-47 season and was given the nickname the Baldur Basher for his excellence in defence.

Mr. Speaker, Tom Johnson played 17 NHL seasons, 15 with the Canadiens and two with the Bruins. Unfortunately, during the '64-65 season, he suffered nerve damage from a skate cut which left him with a heavy limp. Tom spent the rest of his working career in Boston and retired in 1988. Tom continued to attend the Boston Bruins home games, watching from owner Jeremy Jacobs' private box.

It has been said that few people achieved as much in hockey as Tom Johnson, who won six Stanley Cups playing with the Montréal Canadiens and two more as general manager and coach of the Boston Bruins.

Reports indicate that Tom was an excellent skater and intelligent defender and highly regarded as a playmaker, tenacious in corners and along the boards. Johnson won the Norris Trophy in 1959 as the NHL's outstanding defenceman, and to date no one else from this province holds this honour.

Tommy is also remembered in Manitoba as a successful curler, winning the *Free Press* Trophy in 1944, with his hometown Baldur rink of Ivan Vickers, Don Bridge and Donald Cleghorn. Another of Tom's hobbies was that of horse racing. He and long-time Winnipeg friend, Gordon McTavish, owned racehorses together.

His friends describe him as a generous, charming and friendly individual and was well known for his ever present cigar and his colourful bow ties. Don Cherry was quoted as saying, "Tom Johnson did it all. He played and won six Stanley Cups. He coached Stanley Cups. He won a Norris Trophy. He's in the Hall of Fame. What else can you do in hockey?"

Tom is survived by his wife, Doris, and children, Tommy and Julie.

ORDERS OF THE DAY

(Continued)

GOVERNMENT BUSINESS

House Business

Hon. Dave Chomiak (Government House Leader): Mr. Speaker, I propose that we call debate on second reading on Bill 2, The Public Schools Amendment Act; followed by motions for second readings of Bill 9, The Protection for Persons in Care Amendment Act; Bill 10, The Legislative Library Act; and Bill 11, The Optometry Amendment Act; and then return to debate on second readings for Bill 3, The Highway Traffic Amendment Act; Bill 4, The Provincial Court Amendment Act; and Bill 7, The Witness Security Act.

Mr. Speaker: The order of the House business will be: We'll resume debate on Bill 2, and then once completed, we'll do second readings of Bills 9, 10 and 11. If there's time, then we'll resume debate on 3, 4, and 7.

DEBATE ON SECOND READINGS

Bill 2—The Public Schools Amendment Act (Trans Fats and Nutrition)

Mr. Speaker: So right now we're going to resume debate on second reading of Bill 2, The Public Schools Amendment Act (Trans Fats and Nutrition).

The honourable Minister of Education, standing in his name.

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): Again, yesterday I had the opportunity to move this to second reading and had started to speak about how it is that we arrived at this particular point in the Legislature with the introduction of this particular piece of legislation.

Indeed, this is part of the government's commitment to continue to work to encourage healthy living for our school-aged children, Mr. Speaker. Of course, the Healthy Kids, Healthy Futures task force launched in 2004, an all-party group, the mandate was to enter into a dialogue with Manitobans on the promotion of healthy eating and active lifestyles for young people.

Now, certainly, there are a number of recommendations that were developed as a result of the task force's work. Among them, the requirement that schools have written policies with respect to food and nutrition and, as I mentioned yesterday, Mr. Speaker, many schools had already engaged in this activity and many schools had already developed very good policies and served as good models for those that had not, and they're worth mentioning again.

Certainly, Frontier School Division comes to mind as a leader with respect to the work that they've done in this area of healthy foods and food nutrition policies. One of the times I had the opportunity to visit Gordon Bell collegiate, and the cafeteria there is second to none with respect to the type of food. I believe the chef that was working at the Gordon Bell cafeteria had mentioned how, when he first came on as chef, he had gone through bags and bags and bags of French fries. About 30 bags of French fries, my colleague the Minister of Health (Ms. Oswald) tells me. About 30 bags of French fries on any given day in Gordon Bell, and now it's down to approximately one or one and a half bags of French fries. So they certainly have shown that providing students with healthy choices and good quality food that is healthy has a tremendous impact on those students as they make those choices, and they certainly do have

options available to them in the neighbourhood with respect to some of the other options in terms of fast food that are available, but they are supporting the work in the cafeteria in Gordon Bell collegiate.

Now, as I said, many schools have developed policies and many schools are well on the way in developing such policy, and their requirement to do so and to report an activity supporting their implementation is now part of the bill which is before the House for its consideration. This is one of the recommendations that came out of the Healthy Kids, Healthy Futures Task Force, just as we have recommendations with respect to mandatory phys ed, Mr. Speaker. As such, some schools are piloting the mandatory phys ed and there are schedule adjustments that are being made. The department is certainly providing a lot of supports with respect to the implementation. We have hired an additional consultant to work in developing the curricula that are necessary to implement this rather unique model which allows for in-school and out-of-school participation in physical education for the purpose of achieving credits, and a lot more curriculum has been developed in support of this initiative.

I was actually quite surprised to know that we're only the second jurisdiction in Canada that is requiring compulsory physical education for students in grades 11 and 12.

With respect to the healthy choices that we are providing for our students in healthy foods and the policies, Mr. Speaker, nutritionists and dieticians have known for some time that there is a significant body of evidence linking trans fats to coronary heart disease. Studies show that trans fats increase blood levels of LDL or bad cholesterol and lower blood levels of HDL or good cholesterol, and a number of governments around the world have begun to take action on this problem. Here in Canada, for example, it is a regulative requirement that the labelling of trans fats on prepackaged foods occurs so that consumers can make better informed food choices.

The trans-fat content for vegetable oils and margarines used in food preparation in prepackaged foods and other foods available at the school for sale or distribution, as outlined in the bill, is based on a recommendation to the federal Minister of Health from the Trans Fats Task Force. It was a view of that task force that, by applying a 2 percent trans-fat limit to vegetable oils and spreadable margarines and a 5 percent limit to other foods, the average trans-fat intake of Canadians would decrease by at least

55 percent. That's a significant reduction when you consider, as I said, the impact that this particular product has with respect to the cholesterol levels, whether they're increasing the bad cholesterol or decreasing the good cholesterol, as I mentioned but certainly worth repeating. So that 55 percent reduction is a very significant matter.

People say, why trans fats? Well, it's easily identifiable because of the labelling, and it is one of the worst offenders, if you will, with respect to the impact that it has, and the body of evidence is mounting with respect to that particular conclusion, Mr. Speaker.

* (14:40)

Now, this government realizes that there should be some flexibility permitted in schools regarding the types of foods available to students. Indeed, in the Manitoba School Nutrition Handbook, a resource guide circulated to all schools in the province, it is recognized that food choices fall within the categories of most often, sometimes, and rarely consumed. For that reason, and provided it is consistent with the school's own nutrition policy and it is not available on a daily basis, schools can continue to have occasions such as pizza lunch days or hot dog lunch days. I know, Mr. Speaker, my sons will be quite pleased with that. In fact, I think I filled out an order form for the monthly pizza lunch that my sons experience at their school. I certainly did not want to be the minister responsible for cancelling pizza lunches at school, but, again, what we have to remember is that these are categories of choice that are most often, sometimes, and rarely consumed. In moderation, there's nothing wrong with allowing students certainly to enjoy the opportunities that pizza lunch and hot dog lunches do provide.

Quite often, Mr. Speaker, these initiatives are run by a group of volunteers through the parent advisory councils and quite often the reason they hold these luncheons is for fundraising purposes to support the good work that we see in partnership with parent advisory councils in whether it's playground improvements or resources for libraries or things of that nature. These are often very important fundraisers for those particular groups.

Of course, the flexibility also recognizes that foods brought to school by pupils for their consumption are not subject to the requirements of the proposed legislation, Mr. Speaker. Now, I mentioned my sons' schools with respect to the pizza lunch fundraiser that they do, but I was quite pleased

to see that the parent council has informed me in my sons' school that this is the last year that we will be asked to sell chocolate bars as a fundraiser. Now, I've been known to have the occasional chocolate bar—

An Honourable Member: Not you, Peter.

Mr. Bjornson: Yeah, yeah, I'll admit it, right here and now, I've had the occasional chocolate bar, maybe two. The school has now said that they'll be looking at other alternatives for fundraising. I can speak to my experience as a teacher in Gimli High School, where the teacher from the human ecology or home economics department, whatever you prefer to call it, where that particular teacher had taken it upon herself to challenge us with respect to our fundraising initiatives. She had been promoting the sale of citrus fruits, spices and a variety of other products as fundraising initiatives that certainly were not a part of the mainstay with respect to chocolate bar sales and things of that nature. So I know that there are a lot of schools that do look at other fundraising initiatives that are promoting healthier choices for Manitoba students but also for the consumer.

Now, it is our view, Mr. Speaker, that this legislation will help to support and reinforce good eating habits and other healthy behaviours that will assist our young people throughout their lives. Again, this is part of a number of different initiatives that we've brought forward in this exercise. I believe there were 43 recommendations that were made from the Healthy Kids, Healthy Futures Task Force. *[interjection]* Oh, pardon me, I stand corrected—47 recommendations that were made by the Healthy Kids, Healthy Futures Task Force. We have acted on most of those recommendations.

One of them with respect to the phys ed component, as I said, happens to be coinciding with the fact that we've redeveloped our health curriculum as a very important part of that physical education curriculum, Mr. Speaker. So it's a matter of education and providing those opportunities for students to make those healthy choices.

In our view, this legislation will support and reinforce good eating habits and other healthy behaviours that will assist our young people throughout their lives, and, yes, Mr. Speaker, there will be challenges where there are some schools that are built in proximity to a number of outlets that do sell a variety of what we would categorize as junk food. I know it's certainly difficult to determine what exactly that definition of junk food might be, but

there are certainly a lot of schools that do have that reality where perhaps across the street they have access to burgers and fries and a variety of other junk foods. But I'm quite confident that the options that will be made available to the students will assist many of those students in some of the choices that they can make. Once they have that choice, hopefully, they'll make that choice that is a healthy choice.

I know, Mr. Speaker, I recently saw a documentary on CBC television called *Super Size Me* which was quite frightening, and the impacts of that particular individual's choices for his meal were having quite a profound effect on the general health and well-being of that individual, let alone the weight gain. But the other impacts that those food choices were making for that particular individual were quite significant. I found the movie quite frightening, actually, as someone who I admit to having a chocolate bar now and again. I have occasionally enjoyed a Big Mac, but certainly not on a daily basis as this individual had chosen to do in the name of science, in the name of the documentary that many of us have probably had the opportunity to see.

We know that most school divisions and schools already have nutrition policies in place, as I said, which are consistent with this legislation. As we have done in the past, we will embark upon a process of consultation and transition so that they may have an adequate period of time to adjust their cafeteria practices, vending contracts and other impacts that this particular legislation might have with respect to those particular contractual obligations and relationships that schools have with their vendors. That's why the date that it comes into force will be determined at a later time, once we've had an opportunity to consult with our colleagues in the education field.

That's certainly been something that we've committed to do as a government on a lot of these issues. This is a rather unique part of the changes to The Public Schools Act in that it is a result of consultation throughout the province of Manitoba, not just the stakeholders being the representatives of MASS or MAST or MTS or the parent advisory councils, but health experts, health officials, physical education leaders, recreation department leaders, people from all areas of Manitoba who came out to let their opinions be heard with respect to the direction we should go in the Healthy Kids, Healthy Futures Task Force, coming to the conclusion that

there were 47 recommendations that needed to be implemented, and, of course, one, that we have been working very hard throughout the departments and inter-departmental areas of responsibility upon which these recommendations might lie.

That's something I'm very proud of with respect to our government, Mr. Speaker, the fact that we have established what is recognized nationwide, the Healthy Child Committee of Cabinet, and, of course, establishing a Ministry of Healthy Living that is speaking to promotion of positive choices, promotion of active living and promotion of Manitoba in motion.

So these are very important initiatives that are all connected to the process that we've been engaged in. They're all connected to the need to provide not only the choices but to provide the education through the curricular supports, and certainly it's connected to a lot of the initiatives that we have undertaken through the mandatory physical education as well.

Again, this particular piece of legislation, when we first announced that it would be coming through and announced so in the Throne Speech and when we had introduced it in the Chamber a couple of days later, Mr. Speaker, I know that there was some discussion with trustees on the local media. I know that the feedback that I had heard in the local media with an interview with a particular trustee, Mr. Orlikow from Winnipeg School Division, I believe, he said that this is not a stretch for the school division and it shouldn't be difficult to implement this in that they've already engaged in this process. They've already been looking at nutritional choices for children in their nutrition policy and the development of that particular nutrition policy. So this is not an onerous piece of legislation for us to introduce and to work with our stakeholders to bring this into force.

* (14:50)

So I'm looking forward to that discussion that we will have with our stakeholders in addressing this particular and important piece of legislation, Mr. Speaker. I think the research is quite clear in terms of the health benefits of banning this worst offender, if you will. As I said, it's something that's easily identifiable by virtue of the labelling requirements that are currently in place, and it's a very positive step to ensure that we have better options for our children in selecting the food that is not only nutritious, but, I would suspect, will be very tasty

and very pleasant and affordable for our children as they find those options available to them in the cafeteria.

Again, recognizing that there are some contractual obligations, Mr. Speaker, we'll certainly allow sufficient time for the school divisions to assess what impacts this might possibly have in the determination of the implementation of this particular piece of legislation.

The government will continue to work with schools in many ways, including more improvements to our curriculum, including encouraging healthy eating habits and such that these habits form the foundation for a lifetime.

This legislation is one piece of a broader strategy. I've had the opportunity to be at a number of school events where we've seen students take a lot of initiatives to promote healthy choices or healthy non-choices, one of those healthy non-choices being the smoking cessation initiatives that I've seen. An example that comes to mind is West Kildonan Collegiate where I attended an event where they were raising awareness on the impacts of choosing to smoke. Certainly, Mr. Speaker, the students have done a tremendous amount of outreach with their peers to address that issue of smoking.

I'm also very pleased that most schools have outright bans on school property with respect to smoking, and there are very few that do not have an outright ban with respect to students smoking on school property. But most school divisions are at that point now, and they have recognized that this is not a healthy choice that should be promoted or sanctioned in way, shape or form.

Ms. Bonnie Korzeniowski, Deputy Speaker, in the Chair

Certainly, the other initiatives that we've addressed with respect to healthy choices is the rate-and-review smoking cessation initiative where students are exposed to commercials from all over the world that have very powerful messages, some very emotional messages where people have endured the loss of a loved one because of their choice to smoke and the impact of the cancers that have taken the loved one away from the family. We've seen some rather comical commercials talking about the impacts of distracting behaviour of smoking in a vehicle. But we've also seen some very graphic commercials that show the impact of taking that

carcinogen into your body and how it impacts the various organs in the body.

The students have done a tremendous job in selecting what would be the best commercial to reach out to their peers and tell their peers that, no, this is not a choice that you want to make with respect to your own personal health. That rate-and-review project has also been very effective in that having 30,000 students exposed to 10 different commercials that are all giving the same message, and then the dialogue that's generated as a result of that message and the teaching moments that arise as a result of that message is a very critical part of that exercise.

As a teacher, I know that that would have been a very useful resource for me as I did teach the physical education curriculum and had spent some time in the gymnasium as a phys ed teacher as well. So this is all part of a multifaceted approach in terms of promoting healthy living and healthy choices.

Manitoba in motion month, getting students out to be active. I love to run—

An Honourable Member: I Love to Run Month.

Mr. Bjornson: I Love to Run Month, yes. You can tell by looking at me I love to run. It's certainly a great promotion for Manitoba schools, but we will work on that. We will work on that. Indeed. I digress.

A lot of these initiatives have been embraced by our partners in the schools. A lot of these initiatives have been embraced by the health community. We have been recognized for that work with respect to the interdepartmental and intersectoral approach to promoting healthy living in the province of Manitoba.

I'm very pleased that we are bringing this piece of legislation to the Chamber for second reading. I commend its acceptance to this House, ladies and gentlemen. So, with those few words, I will gladly defer to my other colleagues who would like to speak to this particular issue, Madam Deputy Speaker. Thank you.

Mr. Ralph Eichler (Lakeside): I move, seconded by the Member for Morris (Mrs. Taillieu), that debate now be adjourned.

Motion agreed to.

SECOND READINGS

Bill 9—The Protection for Persons in Care Amendment Act

Hon. Theresa Oswald (Minister of Health): Madam Deputy Speaker, I move, seconded by the Minister of Healthy Living (Ms. Irvin-Ross), that Bill 9, The Protection for Persons in Care Amendment Act; Loi modifiant la Loi sur la protection des personnes recevant des soins, be now read a second time and be referred to a committee of this House.

Motion presented.

Ms. Oswald: Madam Deputy Speaker, it's my pleasure to rise to speak about The Protection for Persons in Care Amendment Act. I think it's worthwhile to note at the outset that The Protection for Persons in Care Act was brought in by this government in 2001 to help protect patients in hospitals and residents in personal care homes from various forms of abuse. The amendments to The Protection for Persons in Care Act will ensure that identities of individuals who report abuse and witnesses of abuse will continue to be protected from disclosure. For the legislation to continue to be effective, it must be clear that no one can require the disclosure of the identities of reporters and witnesses that come forward to report incidences where they believe that, arguably, our most vulnerable people may be in situations of abuse.

We know that it's critical to the protection of patients and residents that these individuals feel secure in coming forward to speak openly about abuse without the fear that there will be any negative consequences for them or for their loved ones when doing so.

The amendments will also enable the designation of investigators employed by Manitoba under the act as well as the continued appointment of external investigators where that is, in fact, warranted. This will help ensure a stable slate of investigators are readily available to conduct the kinds of investigations, thorough as they need to be in these circumstances, so that all individuals in this circumstance will be protected from, not only abuse, but we hope that this would never happen, but any malice that may be intended by people that are doing reporting.

This is also consistent, by the way, Madam Deputy Speaker, with other protocols that provide officials employed by Manitoba with the authority to

conduct investigations for the protection of the public, for example, public health inspectors, conservation officers, inspectors who conduct standards visits for personal care homes. We believe that this will help us improve our complement of investigators for this particular situation.

Very briefly, then, Madam Deputy Speaker, I would say that the protection of vulnerable people, patients in hospitals, and residents in personal care homes is an important one, and I believe it's shared by all members of this Legislature. So, by amending this act to ensure that the identity of those reporting incidences is kept private and that there is a good complement of investigators on hand to find out the details of the reported allegations, we know that these two amendments will go a long way to ensure that those vulnerable people get the protection that they so rightly deserve as residents and as patients in this province. Thank you very much.

* (15:00)

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

Some Honourable Members: No.

Some Honourable Members: Yes.

Madam Deputy Speaker: The honourable Member for Lac du Bonnet.

Mr. Gerald Hawranik (Lac du Bonnet): I move, seconded by the Member for Emerson (Mr. Graydon), that debate on this bill be adjourned.

Motion agreed to.

Bill 10—The Legislative Library Act

Madam Deputy Speaker: We'll move now to the honourable Minister of Culture, Heritage and Sport. The honourable Minister of Culture, Heritage and Sport, No. 10, The Legislative Library Act.

Hon. Eric Robinson (Minister of Culture, Heritage, Tourism and Sport): I move, seconded by the Minister of Healthy Living (Ms. Irvin-Ross), that Bill 10 be now read a second time and referred to a committee of this House.

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

Madam Deputy Speaker: It's been moved by the honourable Minister of Culture, Heritage and Sport, and seconded by the Minister of Healthy Living, that Bill 10, The Legislative Library Act, be now read a

second time and be referred to a committee of this House.

Mr. Robinson: I'm pleased to speak about The Legislative Library Act, known as No. 10. The bill before us today maintains several important features of the preceding act. It continues the provision of a non-partisan library service for all members of the Legislative Assembly and their staff. It also maintains the legal deposit provisions of the act by which the library may ask for and receive at no cost one copy.

What the bill does, Madam Deputy Speaker, is it maintains the legal deposit provisions of the act by which the library may ask for and receive at no cost one copy of all items published in Manitoba. This provision has been in place since 1919. Manitoba publishers have been very co-operative with the government over the past 88 years. They understand that this is the library's job, to preserve what is published in the province so that many years down the road when the newspapers have crumbled away and the books are worn out or lost, that there will be a place where people can go find out what is important in Manitoba at any given time in our history.

As a result of this work, we have in our library the most complete heritage collection of Manitoba's publications. It includes newspapers, magazines and books that are published throughout the province of Manitoba and I want to underline that this is possible because of the co-operation of our publishers. I understand that in a few cases publishers feel that they cannot comply with the library's requests. In those cases, no further action is taken.

The materials are consulted frequently in the library. Students, teachers, historians and businesses come to the library to use these materials. The library provides answers to e-mail questions from people across the country.

The bill before us today, Madam Deputy Speaker, adds several new provisions. These new provisions impact government departments. It establishes the Legislative Library as the official library for the deposit of Manitoba government publications. It also puts into law the requirement for departments and agencies to give the library specified numbers of copies of publications for the purposes of access, preservation and sharing. It also clarifies the definition of "publication" to make it clear that it applies to all formats including electronic.

Up to this point, the department's obligation came under an Order-in-Council. This bill strengthens the library's mandate by moving the requirement into legislation.

The changes proposed in this bill will enable the library to continue to build a collection that captures what is published in Manitoba. More importantly, the bill ensures that this work can continue into the 21st century. The world of publishing has changed dramatically, Madam Deputy Speaker. I don't think I have to tell you that, and other members in this Assembly. Many publications, including those of the government, are not printed but are on the Internet.

This bill aims to ensure that the Legislative Library can acquire the necessary number of publications, whether it is in paper or in electronic format. The published heritage of this province will be preserved for Manitobans to access and use no matter what the format of the publication.

Before I conclude, I just want to summarize then, Madam Deputy Speaker, Bill 10. The provision for the private sector to provide a copy of the work to the Legislative Library has in fact been in place since 1919, so this bill is nothing new in that regard. The national government as well as Québec and Newfoundland have similar provisions. Fortunately, we enjoy an excellent working relationship with our publishers here in Manitoba. There will be no penalty for non-compliance. However, most publishers realize that it is in the best interests to have their publications available forever on the published record in Manitoba. We don't lend to the public, as is the case with the public library system. Rather, we provide a place for people to come and do research while they're here at the Legislative Building. We actually help the publishers and writers further by converting the works into microform at no charge to them. We endeavour to promote the great work of Manitoba writers, and this provision strengthens that by allowing us to do so through various promotions and displays.

In 20 years there have only been two cases where the publishers felt that providing a free copy to the Legislative Library was a burden to their business. So, Madam Deputy Speaker, those few words will summarize the meaning of Bill 10 and also, with those words, I'm pleased to present this bill for second reading for consideration by the House. Thank you very much.

Madam Deputy Speaker: On Bill 10, His Honour the Lieutenant-Governor has been advised of the bill and the message has been tabled.

Mr. Gerald Hawranik (Lac du Bonnet): I move, seconded by the Member for Morris (Mrs. Taillieu), that debate on Bill 10 be adjourned.

Motion agreed to.

Bill 11—The Optometry Amendment Act

Madam Deputy Speaker: We now move on to the honourable Minister of Health (Ms. Oswald), Bill 11, The Optometry Amendment Act.

Hon. Theresa Oswald (Minister of Health): I move, seconded by the Minister of Conservation (Mr. Struthers), that Bill 11, The Optometry Amendment Act; Loi modifiant la Loi sur l'optométrie, be now read a second time and be referred to a committee of this House.

Motion presented.

Ms. Oswald: As we know, opticians, optometrists, ophthalmologists and family physicians alike have been providing excellent quality eye care services for the people of Manitoba for many, many years. Each of these professions has a defined scope of practice related to these services which describes the range and the type of services provided by each. Currently, patients must visit their family physicians or medical specialists to obtain prescriptions for eye medications and to receive certain other procedures concerning eye health.

* (15:10)

This bill amends The Optometry Act. The proposed amendments would expand the scope of practice of optometry and allow optometrists who meet certain requirements to independently prescribe and administer certain therapeutic drugs, to perform minor procedures such as removing superficial foreign bodies from the human eye, and to order and receive reports of relevant screening and diagnostic tests. These drugs and minor procedures and tests will be set out in the regulations, Madam Deputy Speaker.

These regulations will be developed to set out practice parameters for the proposed expanded scope of practice. They will set out the qualifications which optometrists would be required to meet in order to perform the expanded scope of practice. They will establish an advisory committee to assist in the definition of practice parameters for the expanded

scope of practice. It is anticipated that the committee will be composed of representatives from the College of Physicians and Surgeons of Manitoba, the Manitoba Medical Association, the Manitoba Pharmaceutical Association and the Manitoba Association of Optometrists.

Madam Deputy Speaker, these amendments will also include consequential amendments to The Pharmaceutical Act and The Prescription Drugs Cost Assistance Act to allow pharmacists to dispense therapeutic drugs that have been prescribed by an optometrist under the amended act.

There will also be amendments to update the language wherever necessary, Madam Deputy Speaker, and it is anticipated, most importantly, that these proposed amendments to expand optometry's scope of practice will provide improved access to optometry services and offset pressures occurring elsewhere in the health-care system by eliminating some unnecessary referrals to physicians and ensuring timely treatment in reducing or eliminating altogether, one could argue, travel time for patients, particularly those in rural and northern Manitoba.

We know a number of jurisdictions in Canada allow optometrists to prescribe therapeutic drugs, including the Yukon, Alberta, Saskatchewan, Nova Scotia, New Brunswick and others, and we know that we wish to join together with those jurisdictions to allow optometrists to prescribe these therapeutic drugs where appropriate.

The Manitoba Association of Optometrists has consulted with both medicine and pharmacy in the pursuit of these amendments. The Manitoba Pharmaceutical Association, the Manitoba Medical Association, and the College of Physicians and Surgeons have expressed support in principle for the proposed amendments that will enhance eye care in Manitoba and a willingness to work with the MAO on the development of the regulations necessary to achieve this goal.

Madam Deputy Speaker, we believe by introducing The Optometry Amendment Act, we will not only be providing optometrists with an expanded scope of practice that they have been seeking for some time, but perhaps more importantly, we will be providing service to a greater number of Manitobans, particularly in rural and northern Manitoba, so that they will not have to travel as far to have therapeutic drugs administered or to have foreign bodies removed from their eyes where necessary. This is no laughing matter and so we are very pleased to bring

this amendment forward to this act, and we look forward, as the member of Conservation would say, to the speedy passage of this bill.

Madam Deputy Speaker: We've been advised that there's a problem with the electrical system and hence, the dimmer lighting. The staff are working on the problem and we ask for your continued patience. Thank you very much.

We'll now move back to debate on second readings on the proposed motion of the honourable Member for Lac du Bonnet.

Mr. Gerald Hawranik (Lac du Bonnet): Madam Deputy Speaker, I move, seconded by the Member for Ste. Rose (Mr. Briese), that debate on Bill 11 be now adjourned.

Motion agreed to.

DEBATE ON SECOND READINGS

Bill 3—The Highway Traffic Amendment Act

Madam Deputy Speaker: Now we move back to debate on second readings on the proposed motion of the honourable Minister of Justice (Mr. Chomiak), Bill 3, The Highway Traffic Amendment Act, standing in the name of the Member for Lac du Bonnet.

Mr. Gerald Hawranik (Lac du Bonnet): Madam Deputy Speaker, I take great pleasure in debating this particular bill, Bill 3, which, by the way, is surprisingly short in many ways. There's not a great deal of substance or meat to the bill. However, the effect of the bill and the intent of the bill, the spirit of the bill is something we would support, of course. Why wouldn't we support it? It was amendments done to the Criminal Code by the federal Conservative Party in Ottawa that created the opportunity for this Minister of Justice (Mr. Chomiak), to bring forward Bill 3, the opportunity that was created when the federal Conservative Party in Ottawa changed the Criminal Code to ensure that street racing became a Criminal Code offence, and, as a result of that, it would only make sense.

In fact, all provinces are moving in that same direction, Madam Deputy Speaker. We aren't unique in that respect. The Minister of Justice is just following the lead of the federal Conservative government and, of course, other provinces which are amending their highway traffic acts to provide for administrative penalties for street racing, in the event that someone is convicted of that particular offence under the Criminal Code. The administrative

penalties that are available to the province in terms of driving offences, Highway Traffic Act offences, is really limited in two aspects, in two respects.

First of all, the Province can, and is doing so in this bill, strip away driver's licences from those who are convicted on a street-racing offence, and that's what this bill does. As well, it can ensure that those who apply for driver's licences are denied access to a driver's licence particularly if they're, for example, under the age of 16 years of age and convicted of street racing.

Mr. Speaker in the Chair

So there are administrative penalties that the province can impose and driver's licences is one of them. Another of them is impoundment and seizure of the motor vehicle that was involved in the street-racing offence, and, under The Highway Traffic Act, that's what's happening under this bill, Mr. Speaker.

I'd like to say a few brief words, first of all, to the table officers, since September, since we got into the Legislature in September. I thank them for all of their help that they've given me in my new responsibilities as Opposition House Leader. It's certainly made a difference to me in terms of trying to understand the rules and so on, particularly since I was given that position within a couple of weeks of the session starting. I'd like to thank them for that.

Also, to my election team, the election team that I had in the Lac du Bonnet constituency, and almost all the election team in the 2007 election had the same members as the 2003 and 2002 election teams. So, I'm very proud of the fact that those that helped me in 2002 and 2003 returned again in 2007 to help me gain a greater margin of victory in the Lac du Bonnet constituency. Mr. Speaker, I won by almost 2,200 votes; that's the greatest plurality ever in the Lac du Bonnet constituency. I'm very proud of the fact that my team worked very diligently to ensure that I was once again elected to this Legislature. Very committed volunteers, as well. In fact, we had the highest number of volunteers we've ever had in the 2007 election. I had 277 registered volunteers besides having a lot of volunteers who did not register but continued to support me in my election campaign in 2007, and they returned from 2003 and 2002, as well.

* (15:20)

So, just with those few brief words in terms of the election team that I had and the election that I went through, I offer my very sincere thanks to, as I

say, the table officers, the volunteers and to my election team.

One of the problems, Mr. Speaker, I see with Bill 3 here today is the fact that in the Throne Speech we didn't see any indication as to how many officers will be hired this year. I know that during the election, in the 2007 election, during the election campaign, the NDP, this Minister of Justice (Mr. Chomiak), in fact, promised a hundred more police officers. We need more police officers to ensure that the provisions of Bill 3 in fact are enforced because if the officers aren't on the streets, if they aren't patrolling our streets, particularly in the city of Winnipeg where the vast majority of street racing occurs, then we're not going to be enforcing this bill. That's a concern I have with respect to Bill 3.

I went into Estimates following the budget passage, and that happened, of course, in October when I had the opportunity to question the Minister of Justice about the budget and in terms of the commitment that's been made during the election campaign in terms of the number of police officers. Now I look at the Throne Speech and they're saying that more police officers will be hired, but, when I asked the question in terms of how many officers are we going to have four years from now versus what we have today, I didn't get any answer. I know that the commitment was made for a hundred more police officers, and we certainly need more than that. That's one of the reasons why we voted against the Throne Speech, Mr. Speaker, was the fact that not enough was being done in the Justice area.

But what was promised during the election was 100 more police officers, and that is really a drop in the bucket in terms of what we really need in this province in order to ensure that all of our laws are being enforced. All of our laws are not being enforced, as we've seen under The Criminal Property Forfeiture Act and The Civil Remedies Against Organized Crime Act. Not a single application under either piece of legislation was brought forward by this Minister of Justice. They're both failed pieces of legislation.

My concern is that Bill 3 may end up to be exactly in that same category, Mr. Speaker. It might again be another useless, failed piece of legislation because without officers, without more officers on those streets, we're not going to be able to not only enforce those failed pieces of legislation that this Minister of Justice has introduced in the past, but we're going to see this legislation fail as well.

When I can't get an answer from the Minister of Justice in terms of how many police officers will be on the streets four years from now versus how many police officers were on the streets during the election and he can't give me a straight answer in spite of the fact that he gave a commitment to Manitobans that he's going to hire 100 more officers, that is of real concern, Mr. Speaker.

We also, as I indicated earlier, have a couple of pieces of legislation which, in all fairness, The Criminal Property Forfeiture Act and The Civil Remedies Against Organized Crime Act, those pieces of legislation weren't technically introduced in this House by the current Minister of Justice (Mr. Chomiak). It was the former Minister of Justice, the Member for St. Johns (Mr. Mackintosh), that introduced those useless pieces of legislation, those pieces of legislation that were just fluff and smoke and mirrors. At the time, when I was Justice critic, when those two pieces of legislation were introduced, my exact words in this Legislature were: If we don't have enough police officers enforcing those pieces of legislation, we're going to have a problem.

That's exactly what happened, Mr. Speaker, and this is exactly what is going to happen with Bill 3 in the event that we don't have those officers available and if we don't have a Justice Minister who is going to ensure that there are enough resources available to enforce that legislation. What I'm afraid of is, again, this Minister of Justice standing on a soap box and proclaiming that he's doing something, something to improve our laws, our justice laws within this province and at the same time finding out later that nothing will have been done three or four years later. Perhaps not even an application or a conviction under that legislation would have been recorded.

So that is my concern. Also, when I look at the record of this particular minister and previous ministers of Justice in this House under the NDP, what I find is that they continue not to look in the mirror and find out who's responsible for failed pieces of legislation, for the state of our justice system in this province. They don't look in the mirror. Instead, what they do is they point fingers.

During the election and afterwards, we have seen the Minister of Justice (Mr. Chomiak) continue to point his fingers east to Ottawa instead of at himself. Certainly, that is a real concern because if you don't admit you've got a problem, if you don't admit that there is a problem with the justice system in

Manitoba, you have no motivation to change it. It's not good enough to point the finger of responsibility where it shouldn't be pointed, and that is at Ottawa.

We have federal laws in this country that apply evenly across this country. They apply in Manitoba as they apply in Saskatchewan, as they apply in Alberta and British Columbia and all other provinces across this country, Mr. Speaker. The same federal criminal laws apply in Manitoba as any other province in this country. The difficulty I have with the Minister of Justice pointing to Ottawa is the fact that, first of all, and he recognizes this but he'll never admit it publicly or never in front of a camera or in front of a news reporter, but he has to understand that there are different provincial laws related to justice across this country. Our laws in this province of Manitoba are not identical across the country.

The Criminal Code laws are—and under those same Criminal Code laws which apply not only to Manitoba but also to Alberta, British Columbia, we have other provinces that are combating crime, that have lower crime rates by far than Manitoba. To point the finger of responsibility at the Criminal Code and the Youth Criminal Justice Act is simply irresponsible, and it's irresponsible because our laws in the province are different than other laws in other provinces.

I would suggest, Mr. Speaker, to the Minister of Justice that, instead of pointing the finger of blame at Ottawa, to look in the mirror and point at whom he sees, because he's responsible for the administration of justice here in this province, and he has the responsibility and the duty to ensure that provincial laws are in place to fight crime, to fight gangs, and to ensure that the laws are applied evenly throughout the province. In fact, he should be looking at best practices in other provinces like British Columbia which don't, by the way, have a huge problem with auto theft like we have here in this province. They have taken the initiative to change their provincial laws and to ensure that there are enough initiatives out there within the auto theft issue that they don't have an auto theft problem like we have here in this province.

So it's not good enough just to point fingers at some other level of government. Instead, what he should be doing is travelling west, pointing west, to British Columbia, in particular, with respect to the auto theft issue, pointing fingers directly at British Columbia and asking them what they have done to ensure that auto theft numbers are down in their

province. Look at Alberta. Look at Saskatchewan. Look at Ontario. See what they've done to reduce crime in their province, Mr. Speaker, and take responsibility for it, change provincial laws in this province, ensure there are laws in this province of Manitoba that will have teeth, that will be effective, rather than continuing to stand on a soapbox and proclaim that you're doing something when, in fact, you are not.

I note, Mr. Speaker, that under the criminal property forfeiture law in the Throne Speech, the Minister of Justice (Mr. Chomiak) pointed to a new initiative saying that, well, first of all, he acknowledges that there have been no applications under that particular legislation in three years in spite of the fact that in other jurisdictions like British Columbia they have a very similar legislation that took effect a little over a year ago that has been effective and has been enforced in that province. In the Throne Speech, he indicated that he's going to appoint some civil servants to have a dedicated justice unit, some civil servants to enforce the law, and that simply isn't good enough.

* (15:30)

He promised, as well as the Premier (Mr. Doer) just prior to the Throne Speech on the 20th of last month, he promised that he would overhaul, and it was a front-page headline in the *Winnipeg Free Press*, Mr. Speaker, he promised to overhaul the justice system. He promised to overhaul the justice system to ensure that he would be able to be tougher on criminals than he has in the past. All we've seen is tinkering with pieces of legislation, first of all, with failed pieces of legislation instead of overhauling the system. All he is doing is tinkering with the system.

One example of that, of course, Mr. Speaker, is Bill 3. Bill 3 is all of two pages long. In fact, it does, as I say, we do support the principle of the bill itself. That's certainly not an overhaul. When I look at Bills 4 and 5 that's going to be coming up for debate in this House in the next few days, I look at each of those amendments, each of those bills, and I can tell you if that's what the Minister of Justice (Mr. Chomiak) and the Premier thought was an overhaul to this justice system, well, Manitobans, once they witness what this Minister of Justice is trying to do, just tinkering with the justice system that is failing Manitobans, I think he will be held to account. That certainly isn't an overhaul in my view. There needs to be much more done with respect to our justice system before anyone who's a reasonable person in

this province would regard that as an overhaul of our justice system.

With respect to street racing, Mr. Speaker, in Bill 3. Obviously, a number of those people who will be participating in street racing in the city of Winnipeg and across this province will have stolen vehicles. Not all of them are legitimate people who have driver's licences. They're not all over 16 years of age with a driver's licence. They're not all people who own their own vehicles. Many of them would have been auto thieves who have taken vehicles from honest, law-abiding Manitobans and taken them for joy rides first, and then secondly, perhaps participated in street racing within our province and within our city.

With respect to the auto thefts, Mr. Speaker, I can tell you, and I know the minister, when he stands up in this House, he delights in the fact that he says that the number of actual auto thefts up to the end of November '07, from January 1 to the end of November '07, compared to the previous year during the same period, has gone down by 25 percent. While that is not a full year, of course, we still have another month to go; that's an indicator, of course, that auto thefts are perhaps going down somewhat. What he doesn't say in this House is the fact that the number of attempt auto thefts has been going up.

So there are still about as many attempts and actual auto thefts from January 1 to the end of November in '07, as there was from January 1 to the end of November '06. So the actual motor vehicle theft and attempt offences that are in the Criminal Code and, of course, within the jurisdiction of the Province in terms of administrative penalties are about the same as they were the previous year. So it's not much to delight in having the number of thefts not going up. That's not something to applaud. That's not something to be proud of. Motor vehicle thefts still have an ability to increase the number of auto thefts because we still have a month to go, of course, in '07 and the number of thefts are up by 24 percent during that same period of time. So there's not much to delight in terms of those numbers, Mr. Speaker.

When I look at the number of auto thefts that we've seen since the '90s, the number of auto thefts, in fact, has gone up by more than 50 percent since the 1990s. So we can't take delight in the fact that the number of auto thefts for a part year has come down somewhat when attempts have gone up during that same period of time and when they are still way, way too high in Manitoba, Mr. Speaker.

We all know the damage that auto theft has on Manitobans. Not only are vehicles broken into and damaged, but people who are involved in auto theft may have a propensity to street-race and they also have a propensity, of course, to try to avoid the police when the police discover that the vehicle has been stolen. As a result of that, Mr. Speaker, what happens is particularly those auto thieves who are inexperienced at driving and perhaps don't even have a driver's licence, what we find is that many of those auto thieves get into accidents across the city and across the province and create a great deal of property damage as a result of that accident. They also may injure not only those people within the vehicle itself, but they may injure innocent third parties.

That's the tragedy of auto theft and what we see from this minister is a continual denial of the problem, first of all, and, secondly, when he looks for a solution to curb auto thefts in this province, he certainly should be looking toward increasing his strategies and looking at the best practices across this country. I specifically point to British Columbia in terms of what they have done to curb auto theft in that province. They have made a substantial difference year over year over year, Mr. Speaker. Not just a part year, but every year that goes by, British Columbia has fewer auto thefts in that province, and they've done it almost single-handedly with using a bait-car program.

I was really taken aback, Mr. Speaker, when I asked the Minister of Justice (Mr. Chomiak) within the Estimates process about the bait-car program and what the status was. It took four or five questions before I got the answer out of him, and I knew that I was on to something when he didn't answer the question. He continued to stonewall during the Estimates process, but after I asked him four questions in a row, when I asked four questions in a row of the same minister about the bait-car program, he finally answered, oh, it was discontinued.

We were kind of in shock about that because certainly in British Columbia the bait-car program has made a substantial difference to auto thefts in that province, and instead of reducing or eliminating the bait-car program in Manitoba, he should have been expanding it. The excuse that was used was unacceptable. The excuse that was used by the Minister of Justice was that, well, they wouldn't start. They wouldn't start or they weren't prepared or the thieves would eventually know which car we were using. Well, in British Columbia, that doesn't

happen, Mr. Speaker. In British Columbia, it's an effective program and it has gotten auto thieves off the streets and into where they belong, and that's perhaps being incarcerated or rehabilitated.

Bill 3 extends the provisions of The Highway Traffic Act, as I indicated before. It allows and gives authority to the Province to seize vehicles and to, of course, not only seize those vehicles but to sell them at public auction and to ensure that thieves are not only punished in a criminal court, Mr. Speaker, but they are also punished in a quasi-judicial proceeding under The Highway Traffic Act.

So we would support the principle of the bill itself. It's a very brief bill, if I might say so myself, Mr. Speaker. As a result of that, we can't, certainly, approve of the bill as being an overhaul of the justice system as promised by the Premier (Mr. Doer) and promised by the Minister of Justice.

* (15:40)

We applaud, though, the Prime Minister, Stephen Harper, and former Justice Minister Vic Toews, who happens to be my Member of Parliament, as well. We applaud them both for bringing forward legislation to make street racing a Criminal Code offence and therefore to implement tougher penalties for offences related to street racing, and we support the Minister of Justice (Mr. Chomiak) here in the Province of Manitoba in terms of bringing further penalties to the street-racing offence because it can have horrendous impacts on Manitoba families, as we've seen over the last year.

People who are street racing often have a disregard, of course, Mr. Speaker, for law-abiding Manitobans. They have a disregard for others on the streets and horrendous consequences can result. People can lose their lives, property can be damaged, therefore, we would support this particular bill as increasing the penalties available to those who are convicted of street racing—not only criminal, but also administrative penalties as we see here.

The legislation that was passed in Parliament, Mr. Speaker, with respect to the Criminal Code amendments that made street racing an offence, I note that because the Prime Minister is in a minority government situation they certainly need the support and the votes from opposition. What we've seen that, time and time again in Parliament is the federal NDP Leader, Jack Layton, time and time again try to stop legislation or try to modify Criminal Code legislation

which would add increased penalties to a variety of offences under the Criminal Code. All we hear from the federal NDP leader is his taking a tough stance on crime. He stands in front of the cameras and says, we're taking a tough stance against criminals, and we're going to support federal Conservative initiatives in amendments to the Criminal Code. Once he gets away from the camera, though, things change, and he ends up trying to amend the provisions of the anti-crime legislation of the federal Conservatives. He tries to amend it to soften the effect against criminals in the country.

At the same time, what we see is this Minister of Justice (Mr. Chomiak) and this Premier (Mr. Doer), the Minister of Justice and our own Premier, first of all, standing side by side with Jack Layton saying, we're going to support the anti-crime bills in Parliament. Then, when Jack Layton turns around and tries to amend the legislation that's proposed by the federal Conservatives, to try to soften the legislation, to try to make it easier on criminals, to be soft on crime, we don't see the Premier standing shoulder-to-shoulder with Jack Layton asking him why, in fact, he is taking such a soft stance on crime, and they're not standing up for Manitobans. They're simply letting the federal NDP leader have his way with trying to amend the legislation to make it easier for criminals not only in this province but across this country, Mr. Speaker, and that is wrong.

We have a bill in front of us, of course, Bill 3, that deals with street racing. As I mentioned before, we will be supporting this particular bill because of the effects on Manitobans. Bystanders have come into harm's way as a result of street-racing incidents, particularly in the last year, but, of course, years prior, and one example was Linda Rudnicki who was 39 years of age when she was killed in a June 2005 car crash which involved a street racer. The driver of the vehicle that struck her vehicle was street racing with other vehicles at the time. The driver of the vehicle was found guilty last month of dangerous driving causing death, but he was acquitted of a more serious charge of criminal negligence causing death. His sentence is expected sometime next year. So we would support this particular piece of legislation as having an administrative penalty in addition to a criminal penalty that's available under the Criminal Code.

I know that there are other members of our caucus that would like to put a few words on the record with respect to Bill 3 and bring forward their views, particularly the views, I guess, of their

constituents, those that they represent, and those who were elected to represent, and I look forward to hearing those comments, Mr. Speaker. Thank you.

Mr. Andrew Swan (Minto): It's a pleasure to rise today to speak about Bill 3, The Highway Traffic Amendment Act. I'm happy to hear from the Member for Lac du Bonnet (Mr. Hawranik) that he and his colleagues will be supporting this excellent piece of legislation. I listened yesterday to the Member for Inkster (Mr. Lamoureux). I believe that the independent members are also going to support this piece of legislation, which is good.

I do want to speak a little bit about the bill and then speak a little bit about Manitoba's leadership on Justice issues which both the Member for Lac du Bonnet and the Member for Inkster clearly do not understand. I think it is my obligation to correct the record in this House and perhaps educate these members. *[interjection]* Well, if the members will listen for a minute, they'll hear I'm going to actually praise Ottawa on their movement on the motor vehicle offences. So perhaps if the members can just remain in their seats, I will be happy to enlighten them.

Mr. Speaker, under provisions of The Highway Traffic Act, of course, a person who's convicted of certain offences can have his or her vehicle forfeited or have their driver's licence automatically suspended. What Bill 3 will do is make those provisions apply in the case of street-racing offences which have recently been added to the Criminal Code. On December 14, 2006, the Government of Canada implemented five new Criminal Code street-racing offences. The five are as follows: No. 1, the dangerous operation of a motor vehicle while street racing; No. 2, the dangerous operation of a motor vehicle causing bodily harm while street racing; No. 3, the dangerous operation of a motor vehicle causing death while street racing; No. 4, criminal negligence causing bodily harm while street racing; and, finally, No. 5, criminal negligence causing death while street racing.

Now, The Highway Traffic Act is being amended to ensure that anyone convicted of any one of these five new offences under the Criminal Code will indeed have the prospect of having their vehicle forfeited or their driver's licence automatically suspended. These changes to the act will help ensure that the reckless and dangerous crime of street racing becomes the target of meaningful provincial sanctions to help keep our roads and our families

safer. Street racing, Mr. Speaker, is an inherently dangerous activity that poses a threat to the safety not only of the participants but also to innocent pedestrians and bystanders, other drivers, who can be killed or seriously injured as a result of this activity.

Now, Mr. Speaker, the department tells us that from 2002 to 2006 there were an average of about 20 street-racing convictions in Manitoba under The Highway Traffic Act per year, but it's not really possible to gauge the full extent of the problem as not all street-racing incidents may be detected or reported to the police. I think from what I've heard from the Member for Lac du Bonnet (Mr. Hawranik) and the Member for Inkster (Mr. Lamoureux), all three parties in this House recognize that street racing is a very dangerous behaviour. So regardless of the numbers, we believe it is a serious matter and that's why we're moving forward.

But it is a pleasure, Mr. Speaker, to talk a little bit about leadership on Justice issues. It's been a real pleasure and is a real pleasure to work with the current Minister of Justice (Mr. Chomiak) and also the previous Minister of Justice, now the Minister of Family Services and Housing (Mr. Mackintosh). Through their leadership, Manitoba truly is a national leader on the Justice front.

I've had the chance to meet with the western Attorneys General who actually represent three, and I suppose now four, different political parties. All four of the Justice ministers in western Canada work together to put cases before the federal government to move for change. Indeed, I had the chance to attend the federal-provincial-territorial meetings here in Winnipeg just a couple of weeks ago that our Minister of Justice co-chaired with the federal Justice Minister and the Minister of Public Safety. I was certainly proud as a Manitoban to see Manitoba leading the way on a number of issues that directly impact on the health and the safety of Manitobans.

As I said at the start of my comments, I certainly agree with the federal government. They have taken steps to toughen penalties and add offences dealing with motor vehicles offences. Certainly, Manitoba and I personally support what the federal government is doing. Indeed, that's one of the hallmarks of this government, is we are prepared to work with the federal government, whatever that stripe may be in any given month or any given year, when it impacts on issues that affect Manitobans and where we can work with the federal government to improve the lives of Manitobans.

I think it's our job as legislators, to represent the interests of Manitobans, that we deal with the federal government fairly and truthfully, and when the federal government does something right, as they have in this case, I'm not afraid to stand in my place and say they've done the right thing. However, if I'm representing Manitobans, it's also my obligation to speak out when the federal government does things which are against the interests of Manitobans. Frankly, it's shameful that the Conservative members on that side of the House have said nothing with some of the mistakes the federal government has made. For example, it's a shame that not one of those members, including the Member for Brandon West (Mr. Borotsik), who I can hear chirping away, has said one word in support of the Canadian Wheat Board, and that's shameful.

We heard not one word from one member of this Conservative opposition about the shameful cuts to the status of women across Canada. Not one word from the Conservatives. Indeed, not one word from the Conservatives criticizing the federal government for their refusal to see what's in the best interests of Manitobans and indeed Canadians, in terms of moving ahead to fully implement the Kyoto Accord in Canada. Not one word from the opposition. I could go on. I could go on about literacy. I could go on about the failure of the federal government to implement the Kelowna Accord. But let's move on. Let's move on to talk about something positive which the federal Conservative government has done which is to toughen penalties and bring in new offences for motor vehicles.

Now, there are a few matters that have been put on the record by the Member for Inkster (Mr. Lamoureux) and the Member for Lac du Bonnet (Mr. Hawranik) that do require some clarification. I'll deal first with the Member for Inkster and some of his comments yesterday. Sometimes it's difficult to understand what the member means even when you read *Hansard* the next day. But I'm going to pick out a couple of items. No. 1, and this directly impacts, certainly, on motor vehicle offences, I heard the Member for Inkster complain that various youth justice committees across Manitoba are frustrated because they're not getting the volume of cases directed to them.

The Member for Inkster is absolutely right. The reason why youth justice committees across Manitoba, indeed, across Canada, are frustrated is because the Liberal Youth Criminal Justice Act has prevented cases from going before those committees.

The Member for Inkster needs to understand that what has happened as a result of that poorly drafted Liberal act, is that individuals who are picked up by the police are almost, without exception, being required by police to be cautioned and released to their parents or their guardians.

I know in my household, when I was growing up, that might have been a very effective strategy. I'm sure for most members in this House that would have been an effective strategy, but sadly, not all households are the same. For many youth who are being taken home and cautioned and released, that's not an appropriate way to deal with it. We would love to have a Youth Criminal Justice Act which allows youth justice committees to have their sails full and actually do the work that they've been directed to do. So for a Liberal to stand up and talk about youth justice certainly rings hollow, Mr. Speaker.

The second big area of misinformation that I'd like to, in the spirit of co-operation, educate the Member for Inkster on is with respect to The Safer Communities and Neighbourhoods Act. This groundbreaking piece of legislation, being copied by provinces across Canada indeed is a very effective way of cracking down on the drug trade, cracking down on prostitution, cracking down on booze cans. I'm glad to hear the Member for Inkster wants to engage in this debate because now, after I'm finished speaking, he'll have some facts that he can chew on.

The Safer Communities and Neighbourhoods Act has now shut down more than 250 houses and apartments in Manitoba where difficulties have arisen. If the member had perhaps gone to a briefing, if the member had chosen to ask the question in Estimates or chosen to ask the question in Concurrence or chosen to ask the question in the House or, perhaps, just asked us, he would have learned that, of those 250 closures, only six have been individuals that were previously the subject of a Safer Communities and Neighbourhoods order. So, indeed, there has been a tiny amount of displacement of that activity, but as we know, and, as almost every province across Canada is interested to learn and implement in legislation, the law works. *[interjection]*

I hear the Member for Inkster, now that he's armed with the facts, is going to disarm himself and remain cloaked in ignorance, but that, certainly, is his right as a member of this Legislature.

I had the pleasure, just a couple of months ago, to go to an international crime reduction conference in Alberta. There were a number of tremendous presentations made. Indeed, there was one academic who spoke about the kinds of acts that The Safer Communities and Neighbourhoods Act is. Any effort to control crime, to crack down on crime, has been shown in every circumstance to reduce or entirely wipe out the type of crime. The sort of displacement the Member for Inkster is talking about is not borne out in fact in Manitoba, and it's not borne out in 55 different studies which have been done around the world to look at innovative legislation of this type.

Indeed, it was a pleasure—*[interjection]* Well, the Member for Inkster will also be pleased to know, I was quite honoured to be a guest of the government of Alberta, to come and tell Albertans and people from around the world about the great things that we are doing in Manitoba to take care of crime. Indeed, it was a pleasure to talk about The Safer Communities and Neighbourhoods Act. It was a pleasure to talk about our Lighthouses program and it was a pleasure to talk about our innovative and highly successful Neighbourhoods Alive! program which is working to deter crime and to make our communities safer.

An Honourable Member: You've got to wonder why he doesn't have you in Cabinet.

Mr. Swan: Well, you know, the Member for Inkster wants to, he likes to speculate on all kinds of Cabinet possibilities, and I can look around at this side of the House and be quite certain every person on this side is going to be in Cabinet a lot sooner than the Member for Inkster ever will.

Now that the Member for Inkster has the facts, he can do with them what he wants. I'm going to move on to the comments of the Member for Lac du Bonnet (Mr. Hawranik). I know the Member for Lac du Bonnet liked to use the imagery of looking in the mirror, and I've heard him say that a couple of times in his speech and certainly, if I was the Member for Lac du Bonnet complaining about the number of police officers, whether it's municipal police officers or RCMP, I would certainly be looking in the mirror and wondering why it was that I had voted against every single Throne Speech and every single budget which has provided for more police officers in the province of Manitoba.

Indeed, I spoke about praising the federal government where appropriate, criticizing the federal government where appropriate. I know that when the

Member for Lac du Bonnet was out knocking on doors for Vic Toews, I expect that on their campaign literature was the federal Conservative promise to add another 2,500 police officers across Canada. Well, it's now been almost two years since that promise was made. As far as I know, there haven't been any additional police officers provided by the federal government. As a Manitoban, I want to work with the federal government to make that happen, but I'm wondering if the Member for Lac du Bonnet has even raised this with Vic Toews, his Member of Parliament, or any other member, or of his federal Conservative overlords. My guess is the answer is no.

In addition to that, of course, the federal government has promised another thousand RCMP officers on top of those 2,500 officers, and I think that's great. But, again, here we are late in 2007 and as far as I know there've been no steps made to increase the number of RCMP officers being trained in Regina. Again, I'd like to work, and I think everybody in our constituencies would expect us to work with the federal government, but I would expect the Member for Lac du Bonnet and his Conservative colleagues to get on the phone, to write some letters, to make some noise to call the federal Conservatives to account to make sure we get those police officers.

Now, I know that the Member for Lac du Bonnet (Mr. Hawranik) is a big fan of bait cars, and I know he spent some time in his comments talking about bait cars. Well, there is a very simple reason why we're not using bait cars in Manitoba, and that reason is that the police service has told us they don't believe that bait cars are a suitable use of their time, their effort and their resources. Mr. Speaker, there is no question that when it comes to policing and law enforcement I have a lot more faith in the advice of the Winnipeg Police Service than I do in the words of the Member for Lac du Bonnet. Indeed, as the member, I believe, would know, the Winnipeg Police Service told us the last 100 times they deployed a bait car, nothing happened because, of course, the car wasn't stolen. So indeed, I'll take the words of the police.

I also want to take issue with something that the Member for Lac du Bonnet said about the criminal forfeiture laws. I believe he is upset about the prospect of having investigators who are actually going to go and do the work. He called them civil servants, which, I know, if you're a Conservative, is a swear word. I would remind the Member for Lac du

Bonnet that, indeed, the Public Safety Investigation Unit, which does the investigations under The Safer Communities and Neighbourhoods Act, is a separate body which has been set up by Justice. We wanted to make sure there were additional resources that police didn't have the choice of either doing the regular duties or enforcing this additional piece of provincial legislation. So we went ahead and we created that investigation unit, and I'm very pleased that they have been able to shut down more than 250 homes and apartments. I think that Al Cameron and the other hardworking members of that unit would take a great deal of exception to being called civil servants, as the Member for Lac du Bonnet would apparently like to.

* (16:00)

You know, just coming to the end of my comments, certainly, I'm pleased to be part of a government which indeed is showing leadership on justice, part of a government which is prepared to, again, praise the Conservative federal government where need be, criticize the Conservative federal government where need be, but, above all, move ahead to make Manitoba a safer and better place to live.

Certainly, Bill 3 is another piece of the puzzle. There'll be other bills which we'll have a chance to talk about. There'll be other things going forward to improve safety in Manitoba, but this is certainly a positive thing. I do hope the Member for Lac du Bonnet and the Member for Inkster (Mr. Lamoureux) actually do apprise themselves of these facts. I'm very pleased to hear they will be supporting this excellent piece of legislation as, indeed, we move forward, not back. Thank you, Mr. Speaker.

Mr. Rick Borotsik (Brandon West): Mr. Speaker, I appreciate the opportunity to stand and discuss at very little length Bill 3, because there isn't an awful lot of substance there.

But, before I get to it, I would suggest to the Member for Minto (Mr. Swan) who is taking great pleasure in saying how wonderful his government is in making Manitoba a safer province, a safer community, unfortunately, as is typical of this particular government, they seem to be in some sort of form of denial. They seem to always keep their heads firmly placed in the sand and not actually looking at the realities.

We talk about the safer province, the safer communities. Well, Mr. Speaker, it's unfortunate, but

the reputation that this province now has is one of the car-theft capital of Canada, the gang capital of Canada. We have shootings on a fairly regular basis on every weekend in downtown Winnipeg, but this is the Member for Minto's—this is his idea of a safer community, a safer province, a safer Winnipeg.

Well, the member should probably stand up and just really have an honest look, gaze at his navel and look at what his government has really achieved over the past eight years. He actually has taken this province down to the lowest rung that he possibly could. He and his government, he and his Minister of Justice (Mr. Chomiak) have done, in my estimation, less than nothing to resolve the issues that have been facing this government over the past eight years. Now he wishes that we as opposition would certainly look at the positive things that were done by the NDP government. I would love to except I haven't seen an awful lot of positive.

Certainly, this piece of—*[interjection]* Where have I been? I've been in this province and I have talked to people who have visited this city and who have left with a terrible impression. That's wrong. That's wrong because the province does have opportunity. This city does have opportunity, and this government and this minister have not recognized the fact that there have to be changes to the legislation in this province and there have to be changes to legislation federally.

Now, here's a government who has federal members sitting and I've met them. I've talked to them. I've sat down with them. They do not, obviously, share the same philosophy as the Member for Minto because they can embrace the legislation put forward by the Conservative Party in Canada. They can embrace that, but then, obviously, when the legislation hits the floor, Mr. Speaker, they do a 180-degree turn and they vote against it. Mr. Layton certainly isn't the one that we should look forward to to try to resolve the issues in the province that we have here. The problems that we have in this province should be resolved by this province, this provincial government and this Minister of Justice (Mr. Chomiak).

Mr. Speaker, the Member for Minto (Mr. Swan) also said that he's done an awful lot himself to resolve a lot of the justice issues that we have. He's travelled. He's travelled a great deal. In fact, he was invited to Alberta to be able to say how wonderful a job we've done in Manitoba. I wonder if he went to Alberta and told them that we are still the car-theft

capital of Canada, but, boy, has their legislation ever helped make sure that we have stopped the gangs in this province. I suspect, Mr. Speaker, that the reason the Member for Minto was invited to go to Alberta in the first place is that that particular government wanted a balance. They wanted somebody who, in fact, could put forward good legislation and give a good example as to how they resolve their issues and they used the Member for Minto as the other example as to how not to resolve the problems and issues of this particular province.

I do suspect he'll get invited to go to many other places because he's obviously not performing the duties that are necessary to resolve those issues here in this House. So he might as well be travelling to other jurisdictions where he can certainly learn something that is being put into place that maybe he can bring back and ask the Justice Minister here to put into legislation to help us with our problems.

By the way, first of all, I'd also like to congratulate our critic and our House leader, the Member for Lac du Bonnet (Mr. Hawranik), who, in my opinion, and certainly the opinion of his colleagues, is doing an exceptional job, not only as House leader, but certainly an exceptional job as the critic for Justice. I probably can't add an awful lot more that the critic has already indicated in his speech. However, I will try to add a bit more with respect to the Throne Speech, particularly.

Ms. Marilyn Brick, Acting Speaker, in the Chair

The Throne Speech had a number of items that they identified with respect to the Justice portfolio, and the Member for Minto talked about some of those things, but actually the Safer Communities and Neighbourhoods and The Fortified Buildings Act, I noticed in the Throne Speech, goes back to 2002. If memory serves me correctly, this is now 2007, soon going into 2008. We're talking six years ago that the NDP government actually put into place a piece of legislation that they're still talking about in the Throne Speech, Madam Acting Speaker. *[interjection]*

Well, I would have thought two things with this Throne Speech. First of all, that they would have probably been able to come up with an example that was a bit more, newer than 2002 as a piece of legislation, or I would have even thought something, Madam Acting Speaker, that probably would be somewhat refreshing, if they would listen, is that when they put a vision forward in a Throne Speech that they actually look to other, new initiatives that

they can bring forward. Ideas. Something that may well be put into place that would assist the Justice department in this province to resolve some of their issues. But there is none of that.

Actually, I was rather surprised because their campaign slogan was to look forward, not backwards. But most of everything that I see in this Throne Speech that has to do with Justice, always looks backwards, hasn't looked forward at all. The only thing that's looked forward is certainly a piece of legislation fluff, quite frankly, Bill 3, that's going to deal with street racing. Well, isn't that wonderful? We've got a reputation here in the province of Manitoba now that people don't want to even walk downtown Winnipeg, let alone in the streets. But now, they can walk safely in the streets because there won't be any street racing. Pretty soon, there probably won't be anybody even on the streets of downtown Winnipeg because the safety issue is one now where citizens of this province are taking very seriously.

During the last campaign, had the member actually looked seriously at the platform, he would have known and recognized that we, in this party, had a much better Justice platform than did the NDP. Our Justice platform did resonate with Manitobans. It did talk about the revolving door of justice that this government embraces. It did talk about the conditional sentences that this government embraces. It did talk about not having to put into place some very difficult sentencing processes so that, when people do get charged and convicted, in fact, they are definitely going to serve the time that they deserve to spend, Madam Acting Speaker. This government doesn't embrace those, and that's obviously evident in the fact that, in Manitoba, Manitobans themselves do not feel very safe on the streets in the city of Winnipeg.

The street-racing legislation, Bill 3, we will support it. There's nothing wrong with this piece of legislation. The only thing that is disappointing is that it's a very small piece of a very large puzzle that it doesn't seem this government really has a very good grasp on. I personally think that the Minister of Justice (Mr. Chomiak) is a very nice man, but I don't believe he has a real good handle on what the realities are in the province of Manitoba with respect to the justice system.

* (16:10)

The Member for Minto (Mr. Swan) suggested that we should be embracing the federal

government's changes to legislation, and we do. We do wish that they would change their laws so that we could become much tougher on the criminals that we have here in Manitoba, but, at the same breath, they don't insist that their members of the federal Parliament support that same kind of initiative. So I find that a bit ironic.

As for the piece of legislation that we have before us right now, it speaks simply to forfeiture, taking away licences from individuals who are caught street racing, and that's fine. We all believe, and certainly our side of the House believes, that this is, in fact, something that should happen. It's something that perhaps should have happened earlier. I don't believe it should take eight years in government to be able to put some fluff like this forward to this House. So definitely we're going to support it. But I wish they would come forward with something a little bit better, Madam Acting Speaker, than something that they can come forward with, examples of 2002 and this piece of legislation.

The Member for Minto talked about police officers. Again, I look at the Throne Speech, and certainly police officers have been promised and promised and promised, but it's not unlike their nurses and their doctors that have been promised and promised and promised. It's very easy, Madam Acting Speaker, to sit in this House and promise additional police officers, but if you can't find police officers to take the training and to become police officers, whether they be in Brandon or whether they be in Winnipeg or whether they be in other jurisdictions—you can promise the world, but if you don't have the individuals to be able to fill those vacancies or those spots, then it doesn't really do us much any good to continually just say, well, we'll give them more police officers, but not deliver on those promises. It's a typical promise made by a government that doesn't deliver on very much of what they say they're going to deliver on.

Madam Acting Speaker, again, I would just simply like to say that I've had the opportunity of reading this bill, all half a page and all one paragraph, and, quite frankly, I do hope that coming into the next sitting that the Minister of Justice (Mr. Chomiak) and the government will come forward with some stronger legislation, some tougher legislation that's going to deal with the real issues that face Manitobans and face the city of Winnipeg particularly with the crime that is basically rampant in the streets at the present time. I do wish that they would stand up, take notice, become certainly less in

self-denial and help the province and the citizens of this province correct some of the major crime problems and justice problems that we have.

So thank you, Madam Acting Speaker, for the opportunity to speak to this, and I do thank the Member for Minto for putting on the record his comments so that we can go and read those comments at a later date to find out exactly what does come out of his comments and what kind of legislation will come out and if in fact his compatriots at the federal level will support some very strict, very stringent legislation that's going to come forward. If they don't, then I would like to have the members across explain why it is that they will not and cannot get their members federally to support some better legislation.

Thank you, Madam Acting Speaker.

Mr. Stuart Briese (Ste. Rose): I appreciate the opportunity to get up and put some comments on the record on Bill 3, The Highway Traffic Amendment Act. I want to talk a little bit about the police situation too.

Whenever you pass some legislation that requires more policing, the question comes up, where are the police? I've got a long background with municipal governments, so I'm quite aware of what goes on in areas outside the city. I happened to be at the AMM convention last week where—

An Honourable Member: Did you take your kilt?

Mr. Briese: Yeah, I wore my skirt. I had my kilt on. I did spend a little less time in the icebreaker party than the minister did, I think, because I don't think I'm going to start shouting and pointing my finger at people.

But there were three resolutions on their books over there around justice and police enforcement. One being funding for the DARE program, which is the drug abuse resistance education, it's a preventive measure and I think they do need the funding into that program. That would take some of the pressure off some of the police forces around the problem.

But what was very interesting, before I went over to the convention—I've been around municipal politics for quite a long time—I took a look at a resolution book from 1986 and I compared it to this year's resolution book. In 1986—and I believe that was under an NDP government at that time—the AMM was asking for more police officers to be put

out there. There was a shortage of police officers, both in the city as in the rural.

The resolution this year—what's this, 2007?—shortage of police officers. Some of the problems that have revolved around that are that the Province actually signs a policing agreement on the RCMP, at least, with the federal government. The Province signs an agreement that's supposed to provide so many officers and they supposedly pay the federal government for the use of those RCMP officers.

They keep paying lip service to the fact that they're going to provide more police officers. We're not seeing it happen. Even when the RCMP D division tell us that they have a full complement of officers around the problem, that's not necessarily the facts of the case.

An Honourable Member: So you're going to call the RCMP liars, are you?

Mr. Briese: No, I said, "even when." I'll do my best here. What happens is they have officers out with medical problems, stress time, sick time. They have female officers on pregnancy leave, maternity leave. So, even though they say there's a full complement out there, there are officers that aren't available at many times.

We do need more officers available. The other thing that's happened in the police forces is they've gone to more and more and more paperwork for the officers and there's more and more and more office time required.

One of the other concerns we have in the rural areas was the amalgamation of police detachments, and centralization, I guess, was the key word they used. What's resulted out of that, you do the community that does get the centralized detachment—it probably has a little better policing than any of the other communities in the area simply because that's where they're being dispatched out of. But we have RCMP officers travelling far greater distances from one community to another on calls at very high speed. It's dangerous for the officers; it's dangerous for the public.

* (16:20)

Another resolution that was on the floor of the AMM this year was the whole issue surrounding sentencing not being considered a deterrent. It called for increased punishment for all, including young offenders. I know the federal government has a role to play in this. They pass some of the key legislation,

but the Province certainly has the ability to put in place some of the things, instruct their Crown attorneys and instruct their judges to enforce, to put more—they have sentencing latitude and to use stiffer sentences under those latitudes.

Another thing we've seen happen, once again, relating to policing, especially with the RCMP in rural Manitoba, and I'm not sure whether this happens in the larger urban centres that have their own police forces, but because of the shortage of police, they've taken back quite a number now, across the province, of retired RCMP officers. I have a fairly good friend in my home town that was retired from the RCMP for roughly a dozen years, and he's back now driving from Neepawa to Ste. Rose detachment. He's working full time. That certainly indicates that there is a real shortage of police officers.

I presume that that is the RCMP doing their best to fill the contract the province has. But the overall shortage has to be addressed. We've recently seen two very young police officers murdered, one in Nunavut and one in Hay River: Doug Scott in Nunavut and Christopher Worden in Hay River, where they were very young officers that were sent out into situations that they probably had not been adequately prepared for; once again, probably because of shortage of officers in those areas and shortage of mentorship from senior officers.

We really need to see, and a couple of my colleagues have mentioned it, this is a very small piece of legislation. It's a tinkering legislation with The Highway Traffic Act. I think we need to see a major overhaul of the legislation where there's problems such as street racing, but way beyond that, we need an overhaul of the total act. There used to be a will of government to periodically look at acts that hadn't been overhauled for a period of time, and make some moves to do a full review of the act and full participation in it. It seems like we're seeing an awful lot of legislation that is only tinkering with acts and not addressing the full problems that are within those acts. We will be supporting this piece of legislation. The distance it goes is good enough on the street-racing part of it, but it doesn't address a whole lot of other problems we have there.

When I refer to the shortage of police officers, I should also refer to the shortage of Crown attorneys. They're overworked. Some of them have huge numbers of case files. In the election build-up, our party promised to provide 23 Crown prosecutors—25,

pardon me—and add some support staff to that. We see where, with the lack of Crown attorneys and the caseloads they're carrying, there's far more plea bargaining than we've ever seen in the past and it's done out of necessity. Those Crowns just can't keep up to the workloads they've got.

We know that 23 Crown prosecutors left Manitoba Justice over a two-year period under the NDP government. They left for a variety of reasons. One, I believe, being pay, and one being simply on caseloads. They know that if they go to Alberta they have less cases.

I truly believe that the NDP have failed to put those resources in place. We were pleased to see the federal government change the Criminal Code, define street racing and identify a number of offences under the Code and, basically, allow for the Province to move on this issue.

This is typically a situation where the NDP government tries to get big headlines with a simple piece of legislation and spend a lot of money, don't get results out of it. The forfeiture of vehicles—and I know there was some legislation passed a number of years ago on forfeiture of vehicles where impaired driving was involved—doesn't seem to work. There have been very few cases where it has actually happened.

I have some concerns around the fact that a lot of the street racing goes on with stolen vehicles, various other things where the vehicle doesn't belong to the person that's driving it. When that happens, I see some real problems around the actual owner. If the car's impounded, if the car's taken away, how do they get the car back? It may be a stolen vehicle. What's the process? What's it going to cost the people to get their car back? If it's damaged, what are the processes going through MPI to get deductible back on the cars?

I think that's a big problem. I think it has to be addressed, and I don't think it is. *[interjection]* You're next.

With that, I think I'll back off and I'll let my colleague from Carman take over here. I just announced he was next, so you're up.

Mr. Blaine Pedersen (Carman): Madam Acting Speaker, that was a fast shuffle on my part. I move back to my respective spot to speak on Bill 3, the provisions to The Highway Traffic Act related to

convictions for offences related to street racing that have recently been added by the federal government to the Criminal Code.

I would just like to keep my comments toward the bill, Madam Acting Speaker. I won't bother with the members opposite, except for one small example. I've been sitting here pondering and pondering this. How does Bill 3, convictions for offences, relate to the Canadian Wheat Board? That one, I will just have to leave that one. We know that there are certain criminal aspects of this bill. I don't know that he was inferring to the Canadian Wheat Board then also or not to, but I'll leave that one alone.

Under this bill, persons convicted of street-racing offences could have their vehicle fortified or driver's licence automatically suspended. Now, it took the current federal government to get this bill passed, to make street racing a Criminal Code offence and to implement tougher penalties for offences related to street racing.

There are four main amendments to this Criminal Code in regard to street racing. It defines street racing. That's something that needed to be done to define that. It created five new street-racing offences, and it provides for maximum prison terms, longer than those currently provided for the dangerous operation or criminal negligence of a motor vehicle. It introduced mandatory driving prohibition orders for a minimum period of time, while the length of prohibition increased gradually for repeat offences. These are things that the federal government has brought in, and that was definitely needed. Now, it's up to the Province to step up to the plate and enforce the Criminal Code and to provide the sentences for these.

*(16:30)

The term catch and release was given to me here before. It's like using barbless hooks. You can catch them and then release them and away they go back again, but we need some teeth here. We need the provincial government to step up to the plate and really take this seriously and not just go for the headlines. We know that there have been innocent bystanders affected, tragically, by these. We need to put a stop to this.

We know the Winnipeg Police Service has taken measures targeted at street racers. That's what's needed, but we cannot blame the police. They're doing their best with the staff that they have, and

under increasingly difficult circumstances they're doing the best they can.

I should add that in our rural areas—when they talk about police officers in the city, in the rural areas we have effectively no police officers from midnight to 6 a.m., and that's a serious condition that's affecting our safety in the country then. Imagine taking the city of Winnipeg and having all police officers go home at midnight and then be on call only. It wouldn't take very many nights before that situation was changed.

What we're looking for out of this bill is not just the splashy headlines; we would like to have some real enforcement here. Under the federal government laws brought in, or the law that was passed, it provides the tools to effectively forfeit vehicles in here. The Province does actually have the ability to forfeit vehicles; however, in the last eight years, they've only confiscated one vehicle, apparently. In the terms of the john vehicles used in prostitution, the number of vehicle seizures has decreased from 87 in 2000-2001 to 46 in '05-06. I guess that, if you look at that, you may wonder if the crime has gone down, but we all know better than that. So, obviously, they're becoming less and less effective in using the laws that we do have now.

In 2002, this government, this present government, brought in legislation to have persons convicted for drunk driving offences so that their vehicles could be forfeited or sold; however, the previous Minister of Justice, in June of 2006, suggested there's lots of problems with it and it's not working. Well, if there's lots of problems and it's not working, fix it. Don't blame the federal government. Don't blame the opposition. They're in government; get in and fix the problem.

It's legislation such as this that we support, we support the legislation, but we really want them to get past the splashy headlines and figure out and really sit down to making it work.

This bill doesn't reference seizures specifically, but Manitoba does have the laws, as I said, and they're not using them. They continue to fail to put the resources in place that would ensure that these seizures could take place, because the criminals are not dumb by any means. They know that, when there is no effective penalty, they're not afraid to do the crimes, and we have this revolving-door justice system here. This bill could very well be as much the same as many of the other bills that we have in place

right now where there's no effective punishment, no effective deterrent for criminal activity.

We know the police are out there doing their jobs and they're working very hard, but the frustration level is very high with them because they continue to see people shuffle out the courthouse door faster than they can get out. That's disappointing. We have a government that talks big, Madam Acting Speaker, but really doesn't—they're long on bringing in legislation and very short on meaningful enforcement.

When you've been in business, and when you're in your own life, you realize that you can't just live on splashy headlines. You need to have results. Government is no different. They need results. They should be providing results. We know that listening in here, they usually blame the federal government or blame whoever is handy for the problems, and that's really unfortunate. That's a poor excuse for not taking on a problem and getting with it and solving the problems that we have out there.

We know that there are a number of Crown prosecutors that have left Manitoba, that it continues to put pressure on the Justice system. The Crown prosecutors we have are carrying crushing caseloads, and the problem just continues to magnify. What most Manitobans don't understand is, when you're in power and you have the ability to do this, why don't you do it? We know that most Manitobans would like to see, certainly not the criminal elements, but every other Manitoban would like to see enforcement of the laws that we have. This is another tool, if you like a tool in a tool box, to use to bring down crime in Manitoba. The ability is there to do it. I just urge the provincial government to get on with it, to make this law effective and not just grandstanding.

Thank you, Madam Acting Speaker.

Mr. Cliff Graydon (Emerson): Thanks for the opportunity to rise to speak to this bill.

I commend the Minister of Justice (Mr. Chomiak) for bringing this forward, although, when you have the opportunity for eight years to bring a bill forward such as this, you would think that it would be more than three lines. I'm certain that he is capable of more than that. It's just unfortunate, perhaps they didn't have the backing from his colleagues to do that. Perhaps the incentive by federal legislation prompted this.

Mr. Speaker in the Chair

I know we hear often in the House that it's the federal government that is the problem. They don't bring in the legislation that's necessary. We can only do so much in this Justice system. But I will say to the Minister of Justice, Mr. Speaker, that he has an ally on his side of the House. He has the Minister of Infrastructure (Mr. Lemieux) who gives him a lot of support in rural Manitoba, and probably more than what the minister really realizes.

I can give you some examples that you probably haven't heard of before, but there's a certain bridge in southern Manitoba that they put up a light that you have to stop. It's not a speed limit there. You have to stop to go over the bridge slowly because, if you went over it at any speed, you would be airborne. That would be the Letellier Bridge, in case anybody hasn't heard of that bridge. But it's indicative of what the Minister of Infrastructure has done to help his colleague. I can tell you that many of the roads in southern Manitoba, you couldn't race on them. There's not two lanes parallel for any distance that you could get over 40 kilometres, Mr. Speaker. So I would say to the Minister of Justice to just pay a little bit of attention to his colleague and what he's doing to support him.

The Province, and I'll give the Province a pat on the back that they're actually distancing themselves from the federal leader of the NDP party, and they should be applauded for that, for striking out on their own at this point. After eight years, they should be able to do that and they have. They've been helped, of course, Mr. Speaker, by the minister from the federal Conservative government, and we certainly appreciate that they are taking that lead to distance themselves from Mr. Layton.

* (16:40)

Mr. Speaker, in the city of Winnipeg we have had a terrible, terrible problem with car thefts. We lead the nation in car theft. We lead the nation in vandalism. Vandalism costs not only MPI, but it costs many of the ratepayers thousands and thousands of dollars a year. The vandalism which has not been addressed by this government should be addressed, but the catch-and-release system that we have—when we can identify the top 100, we can identify the top 100 culprits for stealing cars. Yet we cannot follow these people around; we cannot make them adhere to their curfews.

What the Minister of Justice (Mr. Chomiak) has actually done in the last week he has forced the police in Winnipeg to adopt American tactics.

American tactics were adopted last week because of the Minister of Justice's policies on car theft. The police have now resorted to shoot first and ask questions later. They had to do that to defend themselves, and I applaud them for that. However, that's the responsibility of this government to stop that type of action. They could have stopped that. They could use the bait-car system. Although they say they've taken the advice of the police, we have not seen that. We would like to say to them that the police in Vancouver, the police in British Columbia must be wrong when their government uses the bait car and uses it effectively to reduce stolen vehicles.

Stolen vehicles are used to race because those that steal them have nothing invested in that vehicle, and they know that they'll have it for a short time. The tank of gas that is in there is a weapon. That tank of gas is a weapon to take out people on the street, endanger the lives of those in the city and those in the country as well because some of the car chases end up in the country. I'm not saying that there isn't a certain amount of racing goes on in the country but that would be on the racetracks. I would say on the racetracks in Gimli there would be a certain amount of racing. *[interjection]* Are you sure you live in the country?

The racetracks are what are used in rural Manitoba. However, some of the cars that are stolen in the city end up going out into rural Manitoba in hot pursuit by the police from Winnipeg.

The minister chooses inaction rather than action. I would suggest that there are not enough deterrents in this province for car theft. They could have and should have brought forward original legislation but we're thankful that they are copying some of the federal legislation.

The bait car again—I just have to go back to the different deterrents—the bait car, the club—those are definite deterrents that should have been used and could still be used; however, we just promote one thing. Mr. Speaker. I think we need to address this issue from as many different angles as possible.

The street racing, Mr. Speaker, has been going on for more than one year, two years, three years. Eight years I would suggest that street racing has been going on. A lot of it, most of it was stolen cars. We have to applaud the Prime Minister, Stephen Harper, and his former Justice Minister, Vic Toews, for bringing forward legislation that deals with street racing, bringing it to the level of the Criminal Code

offence and implement tougher penalties for offences related to this act.

I would say, Mr. Speaker, that the number of definitions that they have put forward will cover a great deal of this. However, the legislation that we see in Bill 3 talks about the—excuse me, I think I'm being interrupted by someone, but I'll take care of that in a minute. Thank you very much. Back to where I was before I was interrupted. The idea of confiscation of some of these cars and the forfeiture of the cars hasn't really worked in the past, and I don't think it will work in the future. However, the forfeiture of a licence may have some effect on those who have and can afford that car and can afford the racing and pay the fine. However, I would say that the stolen cars are the ones that will cause the most problems in our society. Those are the ones that will cause the most deaths in our society. They will cause the most deaths in Winnipeg, and they will cause the most deaths in the bigger communities of Brandon, the growing community of Steinbach, and the growing community of Winkler. It will be the stolen cars. So the forfeiture of the licence is a moot point. The forfeiture of the cars, if they're stolen, is a moot point.

So the fact that we applaud the legislation, Mr. Speaker, part of that legislation is redundant and shouldn't have even been brought forward. I think the Minister of Justice (Mr. Chomiak) has had plenty of time to bring forward something that would have been a lot more appropriate at this time.

The impaired driving forfeiture legislation hasn't been successful, and it just fortifies what I have said. The seizures, they haven't been effective and they've been dropping. It fortifies again what I have said. I think, Mr. Speaker, what we need is we need the teeth in the system. We need a deterrent in the system. The catch and release doesn't work. We need to take some of these people off the street. If we can identify the top 100 car thieves in this city, top 100, and we have a lot of enforcement officers who work overtime apprehending these individuals, why can we not stop them? Why can we not identify where they are? Why can we not have a GPS on them, instead of having people phone them, or them check in? Let's work on this honour system.

Let me understand this. The individual has a track record of a level 4. I need to understand, that level 4 is the worst track record for a car thief in Manitoba, or in Winnipeg. He has that and he has the obligation to voluntarily phone in to his truant

officer, or whatever that happens to be. He has the opportunity to phone in. So is he phoning in from a stolen cellphone in a stolen vehicle?

We need to have a better system for tracking these people to hold them accountable. I don't know that they can be rehabilitated, I don't know that, but I certainly think there should be a program to try and do that. But you have to be able to identify where they are at all times, because these people teach their brothers, their sisters, and younger people in their neighbourhoods. They teach them how to steal cars. They tell them which cars are most vulnerable. They then encourage them, encourage them to race. By the looks of things, they encourage them to see how close they can come to other people. Unfortunately, this results in innocent bystanders being killed.

I don't think that is, I know that's not what we want as a recommendation for the City of Winnipeg or the Province of Manitoba. That's not what we want to be promoting throughout Canada, that we are the top city for car thefts. The prosecutors and Crown prosecutors leaving the province, I don't understand how that can happen. I don't understand why they do it, unless it is the workload or more money. I know that our government of the day has thrown money at many things and it hasn't worked. So it must be some other reason. I'm sure if they would ask us, if they would just ask us to participate, we would help them trying to rectify that.

* (16:50)

The police on the road, as pointed out by my colleague in rural Manitoba, from 12 till 6 there is no one on the highway. So I suspect if our highways were in shape the people could go outside of the Perimeter and race, because there's obviously no control out there. However, I would suggest that the RCMP have been so overloaded with paper and forced into so much paper-pushing that they cannot be in two places at once. I can assure, Mr. Speaker, that on the road today there are not enough officers monitoring the speed limit even, not racing, just the speed limit. I'm not suggesting that I want to be caught speeding. I'm not suggesting that I speed all the time. However, you seldom see the police on the road because they're busy pushing paper over people they've caught, brought in, do all the paper work, and go back out the next day to catch the same people; they know exactly where they are.

So, Mr. Speaker, I think I've put as much on the record as I can about this bill, other than the fact that we will support the bill, that I support the bill.

However, I would have liked to have seen more teeth in it. I would say to the Minister of Justice (Mr. Chomiak) that if he can bring something in that's much stronger we will certainly give it our look and probably our support.

Thank you, Mr. Speaker.

Mr. David Faurschou (Portage la Prairie): I rise this afternoon to participate in debate on second reading of Bill 3, The Highway Traffic Amendment Act. It is a pleasure to participate in support of this legislation.

I commend the minister for bringing it forward, but I would like to commend the federal government for putting forward a definition that describes street racing, because, without a doubt, Mr. Speaker, we have seen tragic accidents on our roadways here in Manitoba that have changed the lives of innocent families when street racers have been involved in collisions most vividly in the newspapers. Pictures show that the collision that took place on Portage Avenue last year, that was very, very tragic indeed, someone just going out to the grocery store, her life and family altered forever. So this legislation will indeed, hopefully, make street racers think twice before they put the pedal to the metal and engage in a race.

Mr. Speaker, I know that when I was young I did participate in racing my Mustang, but we did it in the safety of the closed airport. The former military base had a long paved runway there that made for an excellent drag strip. I will say that, in that climate, closely supervised with emergency and safety equipment available, we did have a lot of fun seeing whose car was perhaps a little faster than the other. But it did not come without a price tag. I will say transmissions, motors, tires, rear end were all being replaced because of that activity.

An Honourable Member: Do you still have that car, Dave?

Mr. Faurschou: Indeed, I am very proud to say that I still drive the Mustangs that I had when I was young and try to keep them in good running order.

I will say that this bill will give second thoughts to those who have a heavy foot and want to race on our streets that were not designed for that activity. In fact, the innocent persons travelling on those roadways, their safety is jeopardized. We've seen loss of life and those others also maimed for life because of this activity.

But I listen very intently to my colleagues as I have had the benefit of being out on highway patrol with the RCMP and to see the frustrations of trying to make certain that the drivers on our roadways here in Manitoba, in fact, obey the rules of the road. I would encourage the Minister of Transportation (Mr. Lemieux) to look at legislation that would call for a review, a retesting of drivers who exhibit bad habits. Of course, changing lanes without signals I know is an infraction under The Highway Traffic Act, but if the person develops skills that are lacking in using the turn signal indicator it's better perhaps, rather than just to fine the individual by way of a traffic offence notice, to in fact make that individual go through the rigours of retesting to keep their driver's licence. It makes you review your overall driving skills and to improve them.

It's not just changing lanes. We've seen individuals who don't really stop at stop signs. We've seen individuals who are very aggressive in the way they operate their vehicles, not allowing for appropriate stopping distances between vehicles, all of which are habits that essentially will end up in a collision and, potentially, bodily injury, which cost all Manitobans through our Manitoba Public Insurance corporation, which we all participate in, it being a monopoly, as well as our Manitoba Health, which, again, is something that we all support with our tax dollars, and ultimately pay for the infractions of those out on the roadways.

So I look for further legislation that is not so much a stick but a carrot, that if you're not going to obey the rules of the roadway you're going to be going back to school, you're going to be tested, so that we make sure that your driving skills are in sync with the laws of the land.

I will say that persons need a refresher course. I know we passed legislation here in the House to make it legal for a person to make a left-hand turn on a one-way. We're all trained and know we can make a right-hand turn on a red light onto a street, a

two-way street, but we changed the legislation so that you can make a left-hand turn when the direction of the traffic is going the way of a left-hand turn. So many persons come to the red light; they're waiting for a green light to make a left-hand turn onto a one-way street. These drivers are unaware of the change of legislation. They're unaware of the rules of the road. It indicates to me that we have a lot of drivers out there who are not current with the rules of the road. So, if persons are exhibiting this type of unknowing of skills—they're naive of the law. That was the word I was looking for. I would say that we should perhaps have on the books the opportunity for our highway traffic officers to send those individuals back to school and back for retesting.

So that is the type of legislation that I think we need in the House as well. Also, on The Highway Traffic Act, right now, as we discussed in committee with the Manitoba Public Insurance corporation, it is the responsibility of anyone who believes they have more than \$1,000 worth of damage to report to the police force to indicate that they've had a collision with this amount of damage. But, as we all know, right now, even a scrape along one of the new vehicles that have the epoxy types of paint and the composite type of materials, we could be looking at far more than \$1,000 damage with a very, very minor collision with, whether it be another vehicle or a stationary object.

So I think that we need to look at the threshold of dollared-out damage to vehicles before we consider having to engage the police force, which have so many, many things of priority in front of them. I will say that, as my honourable colleague from Emerson mentioned—

Mr. Speaker: Order. When this matter is again before the House, the honourable member will have 21 minutes remaining.

The hour being 5 p.m., this House is adjourned and stands adjourned until 1:30 p.m. tomorrow (Wednesday).

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, December 4, 2007

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